Senate Engrossed

FILED

KEN BENNETT
SECRETARY OF STATE

State of Arizona
Senate
Fiftieth Legislature
Second Regular Session
2012

CHAPTER 303

SENATE BILL 1532

AN ACT

AMENDING SECTION 41-511.04, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2011, CHAPTER 333, SECTION 3; AMENDING SECTIONS 41-511.11, 41-511.16 AND 41-511.18, ARIZONA REVISED STATUTES; REPEALING SECTIONS 41-511.21 AND 41-511.24, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 3, ARTICLE 1.1, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 41-511.21; AMENDING SECTION 41-511.22, ARIZONA REVISED STATUTES; REPEALING SECTION 45-118, ARIZONA REVISED STATUTES; MAKING APPROPRIATIONS; MAKING A TRANSFER; RELATING TO ENVIRONMENT BUDGET RECONCILIATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 41-511.04, Arizona Revised Statutes, as amended by Laws 2011, chapter 333, section 3, is amended to read:

41-511.04. Duties; board; partnership fund; state historic preservation officer; definition

A. The board shall:

1. Select areas of scenic beauty, natural features and historical properties now owned by the state, except properties in the care and custody of other agencies by virtue of agreement with the state or as established by law, for management, operation and further development as state parks and historical monuments.

2. Manage, develop and operate state parks, monuments or trails established or acquired pursuant to law, or previously granted to the state for park or recreation purposes, except those falling under the jurisdiction of other state agencies as established by law.

3. Investigate lands owned by the state to determine in cooperation with the agency that manages the land which tracts should be set aside and dedicated for use as state parks, monuments or trails.

4. Investigate federally owned lands to determine their desirability for use as state parks, monuments or trails and negotiate with the federal agency having jurisdiction over such lands for the transfer of title to the Arizona state parks board.

5. Investigate privately owned lands to determine their desirability as state parks, monuments or trails and negotiate with private owners for the transfer of title to the Arizona state parks board.

6. Enter into agreements with the United States, other states or local governmental units, private societies or persons for the development and protection of state parks, monuments and trails.

7. Plan, coordinate and administer a state historic preservation program, including the program established pursuant to the national historic preservation act of 1966, as amended.

8. Advise, assist and cooperate with federal and state agencies, political subdivisions of this state and other persons in identifying and preserving properties of historic or prehistoric significance.

9. Keep and administer an Arizona register of historic places composed of districts, sites, buildings, structures and objects significant in this state's history, architecture, archaeology, engineering and culture which meet criteria which the board establishes or which are listed on the national register of historic places. Entry on the register requires nomination by the state historic preservation officer and owner notification in accordance with rules which the board adopts.

10. Accept, on behalf of the state historic preservation officer, applications for classification as historic property received from the county assessor.

11. Adopt rules with regard to classification of historic property including:

(a) Minimum maintenance standards for the property.

(b) Requirements for documentation.

12. Monitor the performance of state agencies in the management of historic properties as provided in chapter 4.2 of this title.

13. Advise the governor on historic preservation matters.

14. Plan and administer a statewide parks and recreation program, including the programs established pursuant to the land and water conservation fund act of 1965 (P.L. 88-578; 78 Stat. 897).

15. Prepare, maintain and update a comprehensive plan for the development of the outdoor recreation resources of this state.

16. Initiate and carry out studies to determine the recreational needs of this state and the counties, cities and towns.

17. Coordinate recreational plans and developments of federal, state, county, city, town and private agencies.

18. Receive applications for projects to be funded through the land and water conservation fund and the state lake improvement fund on behalf of the Arizona outdoor recreation coordinating commission.

19. Provide staff support to the Arizona outdoor recreation coordinating commission.

20. Maintain a statewide off-highway vehicle recreational plan. The plan shall be updated at least once every five years and shall be used by all participating agencies to guide distribution and expenditure of monies under section 28-1176. The plan shall be open to public input and shall include the priority recommendations for allocating available monies in the off-highway vehicle recreation fund established by section 28-1176.

21. Collaborate with the state forester in presentations to legislative committees on issues associated with forest management and wildfire prevention and suppression as provided by section 37-622, subsection B.

B. Notwithstanding section ~~41-511.11~~ 41-511.21, the board may annually collect and expend monies to plan and administer the land and water conservation fund program, in conjunction with other administrative tasks and recreation plans, as a surcharge to subgrantees in a proportionate amount, not to exceed ten per cent, of the cost of each project. The surcharge monies shall be set aside to fund staff support for the land and water conservation fund program.

C. A partnership fund is established consisting of monies received pursuant to subsection B of this section, monies received from intergovernmental agreements pursuant to title 11, chapter 7, article 3 and monies received pursuant to section 35-148. The board shall administer the fund monies as a continuing appropriation for the purposes provided in these sections.

D. The state historic preservation officer shall:

1. In cooperation with federal and state agencies, political subdivisions of this state and other persons, direct and conduct a comprehensive statewide survey of historic properties and historic private burial sites and historic private cemeteries and maintain inventories of historic properties and historic private burial sites and historic private cemeteries.

2. Identify and nominate eligible properties to the national register of historic places and the Arizona register of historic places and otherwise administer applications for listing historic properties on the national and state registers.

3. Administer grants-in-aid for historic preservation projects within this state.

4. Advise, assist and monitor, as appropriate, federal and state agencies and political subdivisions of this state in carrying out their historic preservation responsibilities and cooperate with federal and state agencies, political subdivisions of this state and other persons to ensure that historic properties and historic private burial sites and historic private cemeteries are taken into consideration at all levels of planning and development.

5. Develop and make available information concerning professional methods and techniques for the preservation of historic properties and historic private burial sites and historic private cemeteries.

6. Make recommendations on the certification, classification and eligibility of historic properties and historic private burial sites and historic private cemeteries for property tax and investment tax incentives.

E. The state historic preservation officer may:

1. Collect and receive information for historic private burial sites and historic private cemeteries from public and private sources and maintain a record of the existence and location of such burial sites and cemeteries located on private or public lands in this state.

2. Assist and advise the owners of the properties on which the historic private burial sites and historic private cemeteries are located regarding the availability of tax exemptions applicable for such property.

3. Make the records available to assist in locating the families of persons buried in the historic private burial sites and historic private cemeteries.

F. For the purposes of this section, "historic private burial sites and historic private cemeteries" means places where burials or interments of human remains first occurred more than fifty years ago, that are not available for burials or interments by the public and that are not regulated under title 32, chapter 20, article 6.

Sec. 2. Section 41-511.11, Arizona Revised Statutes, is amended to read:

41-511.11. Disposition of gifts; state parks donations fund

~~A.~~ Monies from unconditional gifts, donations, bequests and endowments, which are not specifically designated to the state parks ~~enhancement~~ REVENUE fund, shall be deposited, pursuant to sections 35-146 and 35-147, by the board in a fund to be known as the state parks DONATIONS fund, for use by the board in accomplishing its objectives and duties. All expenditures from the state parks DONATIONS fund shall be made upon claims duly itemized, verified and approved by the Arizona state parks board.

~~B. A state parks enhancement fund is established consisting of monies appropriated for that purpose by the legislature, unconditional gifts and donations specifically designated to the fund and all monies derived from state park user fees, concession fees and other revenue generating activities, except for unconditional gifts, donations, bequests and endowments deposited in the state parks fund under subsection A of this section and monies received from the sale of publications and souvenirs and deposited in the state parks board publications and souvenir revolving fund established by section 41-511.21. One-half of the monies in the fund are for use by the board, with the prior approval of the joint committee on capital review, to acquire and develop real property and improvements as state parks consistent with the purposes and objectives prescribed in section 41-511.03. The one-half of the monies for acquisition and development are subject to annual legislative appropriation after final purchase and development of the Kartchner caverns and completion of the lease-purchase payments for the Tonto natural bridge state park. Monies in the fund are exempt from section 35-190, relating to lapsing of appropriations. One-half of the monies in the fund are subject to annual legislative appropriation for the operation of state parks. If unconditional gifts or donations to the fund or exchanges of property cause appropriated monies in the fund to remain unexpended, the board, with the approval of the joint committee on capital review, may use the monies for other state parks projects.~~

~~C. Notwithstanding subsection B of this section:~~

~~1. If a political subdivision provides at least one hundred fifty thousand dollars annually through an intergovernmental agreement for operating a state historic park within its boundaries, the Arizona state parks board shall separately account for the revenues collected at that park and shall spend those revenues and the monies provided by the political subdivision solely for operating, managing and developing that park.~~

~~2. The Arizona state parks board shall separately account for the revenues generated by commercial film projects in the San Rafael valley natural area and shall spend those revenues solely for operating, managing and developing that natural area.~~

Sec. 3. Section 41-511.16, Arizona Revised Statutes, is amended to read:

41-511.16. Rock climbing state park; fees, gifts and donations; disposition

A. The Arizona state parks board shall establish a rock climbing state park subject to all of the following conditions:

1. The conveyance of approximately two thousand acres of bureau of land management land by the United States secretary of the interior, pursuant to the recreational and public purposes act (43 United States Code sections 869 through 869-4), to the Arizona state parks board. The land is located in Gila county and is generally described as: the south 1/2 of section 4, township 4 south, range 15 east; southeast 1/4 of section 5, township 4 south, range 15 east; all of section 8, township 4 south, range 15 east, except north 1/2, of the southwest 1/4 and southeast 1/4, southeast 1/4; north 1/2, and the north 1/2 of the southwest 1/4 of section 9, township 4 south, range 15 east; north 1/2 section 16, township 4 south, range 15 east, except southeast 1/4 of the northeast 1/4; the north 1/2 of section 17, township 4 south, range 15 east.

2. The conveyance or lease of three parcels of state trust land totaling approximately one hundred sixty acres to the Arizona state parks board. The trust lands are located in Gila county and are generally described as: the southeast 1/4 of the southeast 1/4 of section 8, township 4 south, range 15 east; south 1/2 of the southeast 1/4, section 9, township 4 south, range 15 east; southeast 1/4 of the northeast 1/4, section 16, township 4 south, range 15 east.

3. The establishment of a park access road as specified by the United States Congress and a public access easement on the access road being transferred to the Arizona state parks board.

B. Notwithstanding the provisions of section 41-511.05, paragraph 3, additions to the rock climbing state park, up to five hundred acres, shall not require additional legislative authorization.

C. The Arizona state parks board shall use its best efforts to prevent trespass onto private lands adjacent to the boundaries of the rock climbing state park and shall provide access to the owners of any private lands within the exterior boundary of the state park.

D. The Arizona state parks board may charge user fees and concession fees and collect monies from other revenue generating activities. The state parks board shall deposit, pursuant to sections 35-146 and 35-147, all monies collected in the state parks ~~enhancement~~ REVENUE fund established by section ~~41-511.11~~ 41-511.21.

E. The Arizona state parks board may accept gifts and donations toward the acquisition, management and operations of the rock climbing state park. The Arizona state parks board shall deposit, pursuant to sections 35-146 and 35-147, any gifts or donations collected in the state parks ~~enhancement~~

DONATIONS fund ESTABLISHED BY SECTION 41-511.11 and account for these monies separately.

F. The Arizona state parks board shall ensure public access to the rock climbing state park.

G. Nothing in the establishment of the rock climbing state park shall be construed to impose any new or additional management requirements, restrictions or regulations under the laws of this state on the permitting, management of or the conduct of activities on any lands outside the state park, or to impose restrictions on these activities in addition to those applicable to the same land within and outside the state park, before its designation as a state park.

H. Mining and mining related activities carried out by users of lands outside the rock climbing state park do not create a cause of action for any injuries sustained by a person within the boundaries of the state park.

Sec. 4. Section 41-511.18, Arizona Revised Statutes, is amended to read:

41-511.18. Spur Cross Ranch state park

A. The Arizona state parks board shall establish Spur Cross Ranch state park subject to the following conditions:

1. A purchase and sale agreement shall be executed between the Arizona state parks board and at least one owner of Spur Cross Ranch as ~~defined~~ DESCRIBED in subsection D OF THIS SECTION. The purchase and sale agreement shall be for property that is suitable for a state park consistent with the mission of the Arizona state parks board. The purchase and sale agreement shall be based on an appraisal made by an appraiser who is certified by a nationally recognized appraisal organization. The purchase and sale agreement shall be for a price no greater than the appraised value, but can and may be for a price less than the appraised value.

2. An intergovernmental agreement shall be executed between the Arizona state parks board and a county with a population of more than one million two hundred thousand persons according to the most recent United States decennial census. That county shall provide half of the purchase price of the portion of Spur Cross Ranch as determined in the purchase and sale agreement between the Arizona state parks board and at least one owner of Spur Cross Ranch.

~~3. Monies from the Arizona state parks board heritage fund totaling three million seven hundred fifty thousand dollars are provided for the acquisition of Spur Cross Ranch by June 30, 2002.~~

~~4.~~ 3. An intergovernmental agreement shall be executed between the Arizona state parks board and a county with a population of more than one million two hundred thousand persons according to the most recent United States decennial census or with cities or towns or with both and that specifies the obligations of the parties to manage and operate Spur Cross Ranch state park.

B. If funding is provided for the acquisition of Spur Cross Ranch other than from sources administered by an agency of this state or a county with a population of more than one million two hundred thousand persons according to the most recent United States decennial census, the obligation of this state and that county is reduced proportionately by the amount of other funding sources. The use of federal monies for any portion of the costs of acquisition of the Spur Cross Ranch shall not affect this state's jurisdiction over the acquisition, operation or maintenance of the Spur Cross Ranch as a state park.

C. The Arizona state parks board may accept gifts and donations toward the acquisition, management and ~~operations~~ OPERATION of Spur Cross Ranch state park. Any gifts and donations collected ~~will~~ SHALL be deposited in the state parks donations fund established by section 41-511.11~~, subsection A,~~ and accounted for separately. The Arizona state parks board shall ensure public access to the Spur Cross Ranch state park.

D. Spur Cross Ranch state park consists of all or part of the following described property:

1. Lots 3, 4, 5 and 6; the south half of the northwest quarter; the northwest quarter of the southwest quarter; and the southeast quarter of the northeast quarter, all lying in and being a part of section 4, township 6 north, range 4 east of the Gila and salt river base and meridian, Maricopa county, Arizona.

2. All of section 5, township 6 north, range 4 east of the Gila and salt river base and meridian, Maricopa county, Arizona; except the southeast quarter of the southeast quarter of section 5.

3. All of section 6, township 6 north, range 4 east of the Gila and salt river base and meridian, Maricopa county, Arizona.

4. The southwest quarter of the southwest quarter of section 4, township 6 north, range 4 east of the Gila and salt river base and meridian, Maricopa county, Arizona.

5. The southeast quarter of the southeast quarter of section 5, township 6 north, range 4 east of the Gila and salt river base and meridian, Maricopa county, Arizona.

6. The northeast quarter of the northeast quarter of section 8, township 6 north, range 4 east of the Gila and salt river base and meridian, Maricopa county, Arizona.

7. The northwest quarter of the northwest quarter of section 9, township 6 north, range 4 east of the Gila and salt river base and meridian, Maricopa county, Arizona.

8. Lots 1 and 2; and the southwest quarter of the northeast quarter, all lying in and being a part of section 4, township 6 north, range 4 east of the Gila and salt river base and meridian, Maricopa county, Arizona.

9. The north half of the north half of section 7, township 6 north, range 4 east of the Gila and salt river base and meridian, Maricopa county, Arizona.

10. The south half of the southeast quarter of section 7, township 6 north, range 4 east of the Gila and salt river base and meridian, Maricopa county, Arizona.

11. The south half of the northeast quarter of section 8, township 6 north, range 4 east of the Gila and salt river base and meridian, Maricopa county, Arizona.

12. The Catherine lode mining claim, designated by the surveyor general as survey number 4096 embracing a portion of section 4, township 6 north, range 4 east of the Gila and salt river base and meridian, Maricopa county, Arizona, in the cave creek mining district, as conveyed and more particularly described in patent recorded in book 248 of deeds, page 400.

13. The Columbian lode mining claim, designated by the surveyor general as survey number 2685, embracing a portion of the unsurveyed domain in the cave creek mining district, as conveyed and more particularly described in patent recorded in book 99 of deeds, page 10.

14. The Mashackety lode mining claim, designated by the surveyor general as survey number 2685, embracing a portion of the unsurveyed domain in the Cave Creek mining district, as conveyed and more particularly described in patent recorded in book 99 of deeds, page 10.

15. The Mashackety number 1 lode mining claim, designated by the surveyor general as survey number 2685, embracing a portion of the unsurveyed domain in the Cave Creek mining district, as conveyed and more particularly described in patent recorded in book 99 of deeds, page 10.

Sec. 5. Repeal

Sections 41-511.21 and 41-511.24, Arizona Revised Statutes, are repealed.

Sec. 6. Title 41, chapter 3, article 1.1, Arizona Revised Statutes, is amended by adding a new section 41-511.21, to read:

41-511.21. State parks revenue fund; purpose; exemption

A. THE STATE PARKS REVENUE FUND IS ESTABLISHED CONSISTING OF:

1. MONIES RECEIVED FROM THE SALE OF PARK POSTERS, PARK POSTCARDS, BOOKS, SOUVENIRS AND SUNDRY ITEMS PURSUANT TO SECTION 41-511.05, PARAGRAPH 4.

2. MONIES APPROPRIATED BY THE LEGISLATURE FOR THE PURPOSE OF ENHANCING STATE PARKS.

3. UNCONDITIONAL GIFTS AND DONATIONS SPECIFICALLY DESIGNATED TO THE REVENUE FUND, EXCEPT FOR UNCONDITIONAL GIFTS, DONATIONS, BEQUESTS AND ENDOWMENTS DEPOSITED IN THE STATE PARKS DONATIONS FUND PURSUANT TO SECTION 41-511.11.

4. ALL MONIES DERIVED FROM STATE PARK USER FEES, CONCESSION FEES AND OTHER REVENUE GENERATING ACTIVITIES.

5. SURCHARGES ON PARK RESERVATIONS.

6. SALE OF PARK ASSETS.

B. THE MONIES IN THE FUND ARE SUBJECT TO LEGISLATIVE APPROPRIATION:

1. FOR THE OPERATION AND MAINTENANCE OF THE STATE PARK SYSTEM.

2. FOR USE BY THE BOARD TO ACQUIRE AND DEVELOP REAL PROPERTY AND IMPROVEMENTS AS STATE PARKS CONSISTENT WITH THE PURPOSES AND OBJECTIVES PRESCRIBED IN SECTION 41-511.03, SUBJECT TO REVIEW BY THE JOINT COMMITTEE ON CAPITAL REVIEW.

3. MONIES IN THE FUND SHALL NOT BE APPROPRIATED IN A MANNER THAT IS INCONSISTENT WITH RESTRICTIONS IN THE LEASE OR DEED TO THE PROPERTY.

C. THE BOARD MAY COLLECT MONIES AS A SURCHARGE ON PARK RESERVATIONS AND SHALL DETERMINE THE SURCHARGE RATE AS PROVIDED IN SECTION 41-511.05, PARAGRAPH 8 AFTER CONSIDERING THE COSTS TO PLAN AND ADMINISTER THE RESERVATION SYSTEM.

D. ON NOTICE FROM THE BOARD, THE STATE TREASURER SHALL INVEST AND DIVEST THE MONIES IN THE STATE PARKS REVENUE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

E. MONIES IN THE STATE PARKS REVENUE FUND ARE EXEMPT FROM SECTION 35-190, RELATING TO LAPSING OF APPROPRIATIONS. THE PURPOSES FOR WHICH MONIES WERE EXPENDED DURING THE PRECEDING FISCAL YEAR SHALL BE DELINEATED IN THE AGENCY'S ANNUAL REPORT PURSUANT TO SECTION 41-511.12.

Sec. 7. Section 41-511.22, Arizona Revised Statutes, is amended to read:

41-511.22. Trail systems plan; deposit of monies; definition

A. The board shall prepare a trail systems plan that:

1. Identifies on a statewide basis the general location and extent of significant trail routes, areas and complementary facilities.

2. Assesses the physical condition of the systems.

3. Assesses usage of trails.

4. Describes specific policies, standards and criteria to be followed in adopting, developing, operating and maintaining trails in the systems.

5. Recommends to federal, state, regional, local and tribal agencies and to the private sector actions which will enhance the trail systems.

B. The plan shall be revised at least once every five years.

C. Monies from gifts, grants and other donations received by the board for the trail systems plan shall be deposited in a separate account of the state parks DONATIONS fund established by section 41-511.11 and may be allocated by the board for special trail project priorities established annually by the board.

D. Monies deposited in the state parks DONATIONS fund account shall be used for providing state monies up to an amount equal to the amount of cash, materials and labor from any other source for the planning, acquisition, maintenance or operation of the trails and for administrative expenses of not more than twenty per cent of total account monies.

E. For purposes of this section, "trail systems" means coordinated systems of trails in this state.

Sec. 8. Repeal

Section 45-118, Arizona Revised Statutes, is repealed.

Sec. 9. Emissions inspection fund; use; fiscal year 2012-2013

Notwithstanding section 49-544, Arizona Revised Statutes, in fiscal year 2012-2013, the department of environmental quality may use up to $1,800,000 from the emissions inspection fund established by section 49-544, Arizona Revised Statutes, for the department's safe drinking water program.

Sec. 10. Arizona water protection fund; use; fiscal year 2012-2013

Notwithstanding section 45-2114, Arizona Revised Statutes, in fiscal year 2012-2013, the Arizona water protection fund commission may grant to the department of water resources up to $336,000 of the unobligated balance in the Arizona water protection fund established by section 45-2111, Arizona Revised Statutes, to pay for administrative costs of the department in fiscal year 2012-2013.

Sec. 11. State trust land; purchaser's default; extension of time for payments; retroactive application

A. For state trust land properties that were auctioned for purchase beginning January 1, 2004 through December 31, 2007, if payment of principal or interest on the certificate of purchase is delinquent but the certificate of purchase is not canceled by June 1, 2012, notwithstanding section 37-247, subsection C, Arizona Revised Statutes:

1. On or before June 30, 2013 the state land commissioner may extend the time for payment of the delinquent amount for a period of not more than ten years from the original due date on terms the commissioner considers to be appropriate.

2. If the purchaser fails during a period of an extension to complete all delinquent payments, including principal and interest, from June 1, 2012 through June 30, 2013 the certificate of purchase is subject to cancellation only as provided in section 37-247, subsections A and B, Arizona Revised Statutes.

B. This section applies retroactively to properties auctioned for purchase as described in subsection A of this section notwithstanding that the final payment date stated in the certificate of purchase or prescribed by section 37-247, subsection C, paragraph 3 occurs before the effective date of this section.

Sec. 12. Department of environmental quality; permit transfer

Notwithstanding any other law, the department of environmental quality shall immediately transfer all permits issued by the department relating to the ownership and operations of a wastewater utility to the city or town that has acquired the wastewater utility pursuant to section 9-514.01, Arizona Revised Statutes. The city or town receiving the permits shall demonstrate and maintain financial and technical capability to meet the permit requirements and shall pay all reasonable and customary fees and costs associated with the transfer of the permits.

1 Sec. 13. Off-highway vehicle recreation fund; use
2 Notwithstanding section 28-1176, Arizona Revised Statutes, the Arizona
3 state parks board may spend up to $692,100 from the Arizona state parks board
4 portion of the off-highway vehicle recreation fund in fiscal year 2012-2013
5 for parks board operating expenses.
6 Sec. 14. Underground storage tank assurance account; transfer
7 of monies; uses
8 Notwithstanding any other law, the administrative cap established in
9 section 49-1051, subsection B, paragraphs 2 and 3, Arizona Revised Statutes,
10 is suspended for fiscal year 2012-2013, and the department of environmental
11 quality may transfer a combined total of $6,531,000 from the assurance
12 account of the underground storage tank revolving fund and the regulated
13 substance fund established by section 49-1015.01, Arizona Revised Statutes,
14 for administrative costs of the department.
15 Sec. 15. Agricultural fees; intent; exemption from rule making
16 A. Notwithstanding any other law, the director of the Arizona
17 department of agriculture, with the assistance of the agriculture advisory
18 council, may continue existing fees from 2011-2012 in fiscal year 2012-2013
19 for services provided in fiscal year 2012-2013.
20 B. It is the intent of the legislature that the additional revenue
21 generated by the fees established as prescribed in subsection A of this
22 section shall not exceed $218,000 to the state general fund, $113,000 to the
23 pesticide trust fund and $26,000 to the dangerous plants, pests and diseases
24 trust fund.
25 C. The Arizona department of agriculture is exempt from the rule
26 making requirements of title 41, chapter 6, Arizona Revised Statutes, for the
27 purpose of establishing fees pursuant to this section until July 1, 2013.
28 Sec. 16. Water resources fees; intent; exemption from rule
29 making
30 A. Notwithstanding any other law, the director of the department of
31 water resources may increase fees in fiscal year 2012-2013 for services in
32 fiscal year 2012-2013.
33 B. Monies received from any fees collected pursuant to subsection A of
34 this section shall be deposited in the water resources fund established by
35 section 45-117, Arizona Revised Statutes.
36 C. It is the intent of the legislature that the revenue generated by
37 the fees collected pursuant to subsection A of this section shall not exceed
38 $100,200.
39 D. The department of water resources is exempt from the rule making
40 requirements of title 41, chapter 6, Arizona Revised Statutes, for the
41 purpose of establishing fees pursuant to this section until July 1, 2013.
42 Sec. 17. Use of risk management revolving fund
43 In addition to the purposes specified in section 41-622, Arizona
44 Revised Statutes, of the monies appropriated in the general appropriations
45 act for fiscal year 2012-2013 to the department of administration from the

risk management revolving fund, $80,000 may be used in fiscal year 2012-2013 to allow the Arizona navigable stream adjudication commission to pay one-time unpaid obligations relating to legal fees.

Sec. 18. Appropriation reduction; water quality assurance revolving fund

Notwithstanding section 49-282, Arizona Revised Statutes, the appropriation from the state general fund to the water quality assurance revolving fund for fiscal year 2012-2013 shall not exceed $7,000,000.

Sec. 19. Arizona state parks board; reduction; appropriation; intent

A. The following sums from the following sources are reduced from appropriations made to the Arizona state parks board in fiscal year 2012-2013:

1. State parks enhancement fund - $11,707,000
2. Reservation surcharge revolving fund - $500,000

B. The sum of $12,557,000 is appropriated to the Arizona state parks board from the state parks revenue fund in fiscal year 2012-2013.

C. It is the intent of the legislature that the Arizona state parks board not spend more than a total of $12,557,000 from the state parks enhancement fund, the reservation surcharge revolving fund and state parks revenue fund in fiscal year 2012-2013.

Sec. 20. State agency fee commission; vehicle emissions inspection fees; report

The state agency fee commission established by section 41-1008.01, Arizona Revised Statutes, shall review the fees charged by the department of environmental quality for official emissions inspections under section 49-543, Arizona Revised Statutes, the full cost of the vehicle emissions inspections program pursuant to title 49, chapter 3, article 5, Arizona Revised Statutes, including administration, implementation and enforcement, and the authorized uses of the emissions inspection fund established by section 49-544, Arizona Revised Statutes. The state agency fee commission shall include in the commission's annual report to be submitted on or before December 31, 2012 a recommended reduction of the official emissions inspection fees and recommend any changes to the authorized uses of the emissions inspection fund.

APPROVED BY THE GOVERNOR MAY 7, 2012.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 8, 2012.

Passed the House May 1, 2012,

by the following vote: 40 Ayes,

20 Nays, 0 Not Voting

Speaker of the House

Chief Clerk of the House

Passed the Senate May 1, 2012,

by the following vote: 21 Ayes,

9 Nays, 10 Not Voting

President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

1 day of May, 2012,

at 7:15 o'clock P M.

Secretary to the Governor

Approved this 7th day of

May, 2012,

at 3:57 o'clock P. M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 8th day of May, 2012,

at 8:25 o'clock a M.

Secretary of State

S.B. 1532