

Senate Engrossed

FILED
MICHELE REAGAN
SECRETARY OF STATE

State of Arizona
Senate
Fifty-second Legislature
First Regular Session
2015

CHAPTER 13

SENATE BILL 1474

AN ACT

REPEALING SECTION 37-527, ARIZONA REVISED STATUTES; AMENDING TITLE 37, CHAPTER 2, ARTICLE 13, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 37-527; AMENDING SECTION 41-519.02, ARIZONA REVISED STATUTES; MAKING APPROPRIATIONS; RELATING TO ENVIRONMENT BUDGET RECONCILIATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Repeal

3 Section 37-527, Arizona Revised Statutes, is repealed.

4 Sec. 2. Title 37, chapter 2, article 13, Arizona Revised Statutes, is
5 amended by adding a new section 37-527, to read:

6 37-527. Trust land administration fund

7 A. THE TRUST LAND ADMINISTRATION FUND IS ESTABLISHED. THE FUND
8 CONSISTS OF UP TO TEN PERCENT OF THE ANNUAL PROCEEDS OF:

9 1. EACH BENEFICIARY'S TRUST LANDS GRANTED TO THIS STATE BY THE UNITED
10 STATES.

11 2. ALL SALES OF TIMBER, MINERAL, GRAVEL OR OTHER NATURAL PRODUCTS OR
12 PROPERTY FROM EACH BENEFICIARY'S TRUST LANDS GRANTED TO THIS STATE BY THE
13 UNITED STATES.

14 B. THE COMMISSIONER SHALL DETERMINE THE PERCENTAGE OF TRUST LAND
15 PROCEEDS TO BE DEPOSITED IN THE FUND EACH FISCAL YEAR. THE PERCENTAGE SHALL
16 BE THE SAME FOR ALL BENEFICIARIES. THE COMMISSIONER SHALL NOTIFY THE JOINT
17 LEGISLATIVE BUDGET COMMITTEE AND THE GOVERNOR'S OFFICE OF STRATEGIC PLANNING
18 AND BUDGETING OF THE DETERMINATION ON OR BEFORE SEPTEMBER 1 OF THE PRECEDING
19 FISCAL YEAR.

20 C. THE MONIES IN THE FUND:

21 1. ARE SUBJECT TO LEGISLATIVE APPROPRIATION.

22 2. SHALL BE USED EXCLUSIVELY TO ADMINISTER AND DISPOSE OF TRUST LANDS
23 AS PRESCRIBED BY LAW.

24 D. THE COMMISSIONER SHALL ADMINISTER THE FUND. ON NOTICE FROM THE
25 COMMISSIONER, THE STATE TREASURER SHALL INVEST AND DIVEST MONIES IN THE FUND
26 AS PROVIDED BY SECTION 35-313, AND MONIES EARNED FROM INVESTMENT SHALL BE
27 CREDITED TO THE FUND.

28 E. MONIES IN THE FUND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190
29 RELATING TO LAPSING OF APPROPRIATIONS, BUT IF THE BALANCE IN THE FUND AT THE
30 END OF ANY FISCAL YEAR EXCEEDS TWO TIMES THE BUDGET OF THE DEPARTMENT FOR THE
31 ADMINISTRATION OF TRUST LANDS FOR THE NEXT FISCAL YEAR, THE EXCESS AMOUNT
32 SHALL BE CREDITED PROPORTIONATELY TO THE SEVERAL PERMANENT FUNDS BASED ON THE
33 LAST FISCAL YEAR'S DEPOSITS.

34 F. THIS SECTION DOES NOT PREVENT THE LEGISLATURE FROM APPROPRIATING
35 STATE GENERAL FUND MONIES FOR THE PURPOSES DESCRIBED IN THIS SECTION.

36 Sec. 3. Section 41-519.02, Arizona Revised Statutes, is amended to
37 read:

38 41-519.02. Yarnell Hill memorial fund; exemption

39 A. The Yarnell Hill memorial fund is established consisting of
40 legislative appropriations and donations to the fund. The Yarnell Hill
41 memorial site board shall administer the fund. On notice from the Yarnell
42 Hill memorial site board, the state treasurer shall invest and divest monies
43 in the fund as provided by section 35-313, and monies earned from investment
44 shall be credited to the fund. The monies in the fund are exempt from

1 section 35-190 relating to lapsing of appropriations. The monies in the fund
2 and any additional donations to the fund must be used for:

- 3 1. ~~the purpose of~~ Purchasing land for the YARNELL HILL memorial. ,—
- 4 2. PURCHASING, DESIGNING AND CONSTRUCTING THE YARNELL HILL MEMORIAL.
- 5 3. Maintaining and preserving the Yarnell Hill memorial and access
- 6 road.
- 7 4. and Reimbursement of the Yarnell Hill memorial site board members'
- 8 travel expenses.

9 B. Beginning on January 1, 2017, the Arizona state parks board shall
10 administer the fund.

11 Sec. 4. Arizona water protection fund; use

12 Notwithstanding section 45-2114, Arizona Revised Statutes, in fiscal
13 year 2015-2016, the Arizona water protection fund commission may grant to the
14 department of water resources up to \$336,000 of the unobligated balance in
15 the Arizona water protection fund established by section 45-2111, Arizona
16 Revised Statutes, to pay for administrative costs of the department in fiscal
17 year 2015-2016.

18 Sec. 5. Off-highway vehicle recreation fund; use

19 Notwithstanding section 28-1176, Arizona Revised Statutes, the Arizona
20 state parks board may spend up to \$692,100 from the Arizona state parks board
21 portion of the off-highway vehicle recreation fund established by section
22 28-1176, Arizona Revised Statutes, in fiscal year 2015-2016 for parks board
23 operating expenses.

24 Sec. 6. Underground storage tank assurance account; regulated
25 substance fund; transfer of monies; uses

26 Notwithstanding any other law, the administrative caps established in
27 section 49-1051, subsection B, paragraphs 2 and 3, Arizona Revised Statutes,
28 are suspended for fiscal year 2015-2016, and the department of environmental
29 quality may transfer a combined total of \$6,531,000 from the assurance
30 account of the underground storage tank revolving fund established by section
31 49-1051, Arizona Revised Statutes, and the regulated substance fund
32 established by section 49-1015.01, Arizona Revised Statutes, for
33 administrative costs of the department in fiscal year 2015-2016.

34 Sec. 7. Arizona water banking fund; use; retroactivity

35 A. In addition to the purposes provided in section 45-2425, Arizona
36 Revised Statutes, monies appropriated to the Arizona navigable stream
37 adjudication commission from the Arizona water banking fund established by
38 section 45-2425, Arizona Revised Statutes, may be used in fiscal years
39 2014-2015 and 2015-2016 to pay legal fees.

40 B. This section is effective retroactively to from and after June 30,
41 2014.

42 Sec. 8. Appropriation reduction; water quality assurance
43 revolving fund

44 Notwithstanding section 49-282, Arizona Revised Statutes, the
45 appropriation from the state general fund to the water quality assurance

1 revolving fund established by section 49-282, Arizona Revised Statutes, for
2 fiscal year 2015-2016 may not exceed \$7,000,000.

3 Sec. 9. Emissions inspection fund; use

4 Notwithstanding section 49-544, Arizona Revised Statutes, in fiscal
5 year 2015-2016, the department of environmental quality may use up to
6 \$1,800,000 from the emissions inspection fund established by section 49-544,
7 Arizona Revised Statutes, for the department's safe drinking water program.

8 Sec. 10. Water resources fees; intent; exemption from
9 rulemaking

10 A. Notwithstanding any other law, the director of water resources may
11 increase fees in fiscal year 2015-2016 for services in fiscal year 2015-2016.

12 B. Monies received from any fees collected pursuant to subsection A of
13 this section shall be deposited in the water resources fund established by
14 section 45-117, Arizona Revised Statutes.

15 C. It is the intent of the legislature that the monies generated by
16 the fees collected pursuant to subsection A of this section not exceed
17 \$100,200.

18 D. The department of water resources is exempt from the rulemaking
19 requirements of title 41, chapter 6, Arizona Revised Statutes, for the
20 purpose of establishing fees pursuant to this section until July 1, 2016.

21 Sec. 11. Conditional enactment

22 Section 37-527, Arizona Revised Statutes, as repealed by this act, and
23 section 37-527, Arizona Revised Statutes, as added by this act, do not become
24 effective unless the Constitution of Arizona is amended by vote of the people
25 at the next general election to allow a portion of the annual proceeds of
26 trust lands granted to this state by the United States to be used to
27 administer the trust lands as provided by law.

APPROVED BY THE GOVERNOR MARCH 12, 2015.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 12, 2015.

Passed the House March 6th, 2015,

by the following vote: 33 Ayes,

26 Nays, 1 Not Voting

[Signature]

Speaker of the House

Jim Drake

Chief Clerk of the House

Passed the Senate March 7, 2015,

by the following vote: 17 Ayes,

12 Nays, 1 Not Voting

[Signature]

President of the Senate

Susan Acers
Assistant

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

9th day of March, 2015,

at 2:44 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 12th day of

March, 20 15,

at 5:46 o'clock P M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 12th day of March, 20 15,

at 6⁰¹ o'clock P. M.

[Signature]
Secretary of State

S.B. 1474