



STATE OF ARIZONA
OFFICE OF THE GOVERNOR

DOUGLAS A. DUCEY
GOVERNOR

EXECUTIVE OFFICE

May 3, 2018

The Honorable Michele Reagan
Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

Dear Secretary Reagan:

I am transmitting to you the following bills from the Fifty-third Legislature, 2nd Regular Session, which I signed on May 3, 2018:

SB 1520 general appropriations act; 2018-2019
SB 1522 capital outlay; appropriations; 2018-2019
SB 1523 criminal justice; budget reconciliation; 2018-2019
SB 1524 budget procedures; budget reconciliation; 2018-2019
SB 1525 environment; budget reconciliation; 2018-2019
SB 1527 higher education; budget reconciliation; 2018-2019
SB 1528 higher education; budget reconciliation; 2018-2019
SB 1529 revenues; budget reconciliation; 2018-2019
HB 2659 health; budget reconciliation; 2018-2019
HB 2663 K-12 education; budget reconciliation; 2018-2019

Sincerely,

Douglas A. Ducey
Governor
State of Arizona

cc: Senate Secretary
Chief Clerk of the House of Representatives
Arizona News Service

Senate Engrossed
FILED

MICHELE REAGAN
SECRETARY OF STATE

State of Arizona
Senate
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 280
SENATE BILL 1525

AN ACT

AMENDING SECTION 49-210, ARIZONA REVISED STATUTES; AMENDING LAWS 2018,
CHAPTER 225, SECTION 11; APPROPRIATING MONIES; 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. Section 49-210, Arizona Revised Statutes, is amended to
3 read:

4 49-210. Water quality fee fund; appropriation; exemption;
5 monies held in trust

6 A. The water quality fee fund is established consisting of monies
7 appropriated by the legislature and fees received pursuant to sections
8 49-104, 49-203, 49-241, 49-241.02, 49-242, 49-255.01, 49-332, 49-352,
9 49-353 and 49-361. The director shall administer the fund.

10 B. Monies in the fund are subject to annual legislative
11 appropriation to the department for water quality programs. Monies in the
12 fund are exempt from the provisions of section 35-190 relating to lapsing
13 of appropriations.

14 C. On notice from the director, the state treasurer shall invest
15 and divest monies in the fund as provided by section 35-313, and monies
16 earned from investment shall be credited to the fund.

17 D. Monies in the water quality fee fund shall be used for the
18 following purposes:

19 1. The issuance of aquifer protection permits pursuant to section
20 49-241.

21 2. The aquifer protection permit registration fee procedures
22 pursuant to section 49-242.

23 3. Dry well registration fee procedures pursuant to section 49-332.

24 4. Technical review fee procedures pursuant to section 49-353.

25 5. Inspection fee procedures pursuant to section 49-104,
26 subsection C.

27 6. The issuance of permits under the Arizona pollutant discharge
28 elimination system program pursuant to section 49-255.01.

29 7. Operator certification pursuant to sections 49-352 and 49-361.

30 8. PAYING THE COST OF IMPLEMENTING SECTION 49-203, SUBSECTION A,
31 PARAGRAPH 6 AND SECTION 49-221, SUBSECTION E.

32 9. WATER QUALITY MONITORING PURSUANT TO SECTION 49-225 AND
33 REPORTING OF AQUIFER POLLUTION INFORMATION PURSUANT TO SECTION 49-249.

34 E. Any fee, assessment or other levy that is authorized by law or
35 administrative rule and that is collected and deposited in the water
36 quality fee fund shall be held in trust. The monies in the fund may be
37 used only for the purposes prescribed by statute and shall not be
38 appropriated or transferred by the legislature to fund the general
39 operations of this state or to otherwise meet the obligations of the
40 general fund of this state. This subsection does not apply to any taxes
41 or other levies that are imposed pursuant to title 42 or 43.

1 Sec. 2. Laws 2018, chapter 225, section 11 is amended to read:

2 Sec. 11. Conditional repeal; notice

3 ~~A. Sections 17-265, 35-142, 49-104, 49-203, 49-210, 49-261, 49-262~~
4 ~~and 49-263.01, Arizona Revised Statutes, as amended by this act, are~~
5 ~~repealed on August 1, 2023 unless the United States environmental~~
6 ~~protection agency approves the department of environmental quality's clean~~
7 ~~water act section 404 dredge and fill permit program established pursuant~~
8 ~~to title 49, chapter 2, article 3.2, Arizona Revised Statutes, as added by~~
9 ~~this act, under the terms of the clean water act, 33 United States code~~
10 ~~sections 1251 through 1376.~~

11 ~~B.~~ A. Title 49, chapter 2, article 3.2, Arizona Revised Statutes,
12 as added by ~~this act~~ LAWS 2018, CHAPTER 225, SECTION 6, is repealed on
13 August 1, 2023 unless the United States environmental protection agency
14 approves the department of environmental quality's clean water act section
15 404 dredge and fill permit program established pursuant to title 49,
16 chapter 2, article 3.2, Arizona Revised Statutes, as added by ~~this act~~
17 LAWS 2018, CHAPTER 225, SECTION 6, under the terms of the clean water act,
18 33 United States Code sections 1251 through 1376.

19 ~~C.~~ B. The director of environmental quality shall notify in
20 writing the director of the Arizona legislative council on or before
21 September 1, 2023 either:

- 22 1. Of the date on which the condition was met.
23 2. That the condition was not met.

24 Sec. 3. Arizona water protection fund; use

25 Notwithstanding section 45-2114, Arizona Revised Statutes, in fiscal
26 year 2018-2019, the Arizona water protection fund commission may grant to
27 the department of water resources up to \$336,000 of the unobligated
28 balance in the Arizona water protection fund established by section
29 45-2111, Arizona Revised Statutes, to pay for administrative costs of the
30 department in fiscal year 2018-2019.

31 Sec. 4. Off-highway vehicle recreation fund; use

32 Notwithstanding section 28-1176, Arizona Revised Statutes, the
33 Arizona state parks board may spend up to \$692,100 from the Arizona state
34 parks board portion of the off-highway vehicle recreation fund established
35 by section 28-1176, Arizona Revised Statutes, in fiscal year 2018-2019 for
36 parks board operating expenses.

37 Sec. 5. Underground storage tank revolving fund; use of
38 monies

39 Notwithstanding any other law, in fiscal year 2018-2019, the
40 department of environmental quality may use up to \$6,531,000 from the
41 underground storage tank revolving fund established by section 49-1015,
42 Arizona Revised Statutes, in fiscal year 2018-2019 for:

- 43 1. Administrative costs of the department.
44 2. Remediating sewage discharge issues in Naco, Arizona.

1 Sec. 9. Permit administration fund; underground storage tank
2 revolving fund; use; e-licensing project

3 A. Notwithstanding section 49-455, Arizona Revised Statutes, the
4 department of environmental quality may use the amount appropriated in
5 fiscal year 2018-2019 from the permit administration fund established by
6 section 49-455, Arizona Revised Statutes, for the costs of developing and
7 implementing an e-licensing project.

8 B. Notwithstanding section 49-1015, Arizona Revised Statutes, the
9 department of environmental quality may use the amount appropriated in
10 fiscal year 2018-2019 from the underground storage tank revolving fund
11 established by section 49-1015, Arizona Revised Statutes, for the costs of
12 developing and implementing an e-licensing project.

13 Sec. 10. Department of environmental quality; vehicle
14 emissions testing fees; exemption from rulemaking

15 A. Notwithstanding any other law, the director of environmental
16 quality shall charge the same fees in fiscal year 2018-2019 that were
17 charged in fiscal year 2017-2018 for tests conducted in Area A, as defined
18 in section 49-541, Arizona Revised Statutes.

19 B. The department of environmental quality is exempt from the
20 rulemaking requirements of title 41, chapter 6, Arizona Revised Statutes,
21 until July 1, 2019 for the purpose of establishing fees pursuant to this
22 section.

23 Sec. 11. Water resources fees; increase; intent; exemption
24 from rulemaking

25 A. Notwithstanding any other law, the director of water resources
26 may increase fees in fiscal year 2018-2019 for services in fiscal year
27 2018-2019.

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

31 C. It is the intent of the legislature that the monies generated by
32 the fees collected pursuant to subsection A of this section not exceed
33 \$100,200.

34 D. The department of water resources is exempt from the rulemaking
35 requirements of title 41, chapter 6, Arizona Revised Statutes, until
36 July 1, 2019 for the purpose of establishing fees pursuant to this
37 section.

APPROVED BY THE GOVERNOR MAY 3, 2018

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 3, 2018

Passed the House May 3, 20 18,

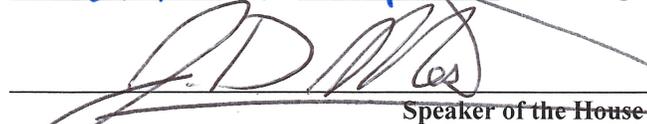
Passed the Senate May 3, 20 18,

by the following vote: 35 Ayes,

by the following vote: 16 Ayes,

24 Nays, 1 Not Voting

13 Nays, 1 Not Voting


Speaker of the House


President of the Senate


Chief Clerk of the House


Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

3rd day of May, 20 18,

at 3:28 o'clock P M.


Secretary to the Governor

Approved this 3rd day of

May, 20 18,

at 5:03 o'clock P M.

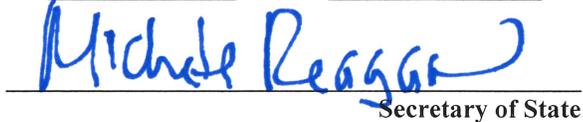

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 3 day of May, 20 18,

at 5:58 o'clock P. M.


Secretary of State

S.B. 1525