

Government & Environment Committee

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GOVERNMENT & ENVIRONMENT COMMITTEE

LEGISLATION ENACTED

leave of absence; auxiliary members (NOW: auxiliary members; leave of absence) (S.B. 1040) – Chapter 66

SEE THE COMMERCE, ENERGY AND MILITARY COMMITTEE.

sunrise; committees of reference; referral (S.B. 1091) – Chapter 231

Requires health profession and non-health profession applicant groups to submit written sunrise reports to the President of the Senate (President) and Speaker of the House of Representatives (Speaker) instead of the Joint Legislative Audit Committee (JLAC). Requires the President or Speaker, instead of JLAC, to assign written reports to the appropriate legislative Committees of Reference (COR). Eliminates the requirement that legislative CORs deliver reports of recommendations to JLAC.

silver alert notification system (S.B. 1097) – Chapter 232

Requires the Department of Public Safety (DPS) to establish a Silver Alert Notification System meant to quickly issue and coordinate alerts of missing persons aged 65 and older. Outlines circumstances in which DPS must issue a Silver Alert at the request of the investigating law enforcement agency and distribute relevant information to appropriate entities.

Navajo code talkers' day. (S.B. 1099) – Chapter 181

Designates August 14 as Navajo Code Talkers' Day.

sewer connection; county islands; prohibition (S.B. 1150) – Chapter 72

Prohibits a municipality from requiring property owners to connect to the city or town's sewer system if the property is located in a county island unless the Arizona Department of Environmental Quality has determined that connection is necessary to abate an environmental nuisance or to eliminate a threat to water quality standards.

sanitary district bonds; terms (S.B. 1164) – Chapter 109

Increases the maximum maturity period for voter-approved sanitary district bonds from 20 years to 30 years, and from 40 years and 3 months to 41 years if the initial purchaser is the U.S. government or any department, division or agency thereof. Increases the maximum maturity period for sanitary district improvement bonds from 25 years and 3 months to 30 years and 3 months, and from 40 years and 3 months to 41 years if the initial purchaser is the U.S. government or any department, division or agency thereof. Allows a sanitary district to issue bonds that refinance existing debt and mature over a period of 41 years, under certain circumstances. Conforms the maximum number of installments in which the assessment is payable to the number of years in which the bonds are paid.

fire access roads; limitation; sprinklers. (S.B. 1183/H.B. 2489) – Chapter 73

Prohibits municipalities and counties from requiring the adoption of any fire code, ordinance, or other legal requirement for an approved fire apparatus access road, extension, or both, that directly or indirectly requires the installation of fire sprinklers. A fire code official may increase or extend an approved fire apparatus access road, extension, or both, but compliance is not grounds to deny or suspend a license or permit.

planned communities; definition; property easements (S.B. 1184) – Chapter 112

Expands the definition of a *planned community* to include real estate on which an easement or covenant to maintain roadways is held by a nonprofit corporation or unincorporated association of owners, thereby subjecting such communities to homeowners' association requirements. Clarifies that planned communities do not include condominiums.

~~technical correction; real estate licensing~~ (NOW: real estate advisory board; membership) (S.B. 1213) – Chapter 74

Adds a member to the Real Estate Advisory Board who has been engaged in multifamily residential rental property management with a real estate broker license for five years immediately preceding appointment.

~~technical correction; real estate regulation~~ (NOW: natural resource conservation district; expertise) (S.B. 1214) – Chapter 243

Recognizes the special expertise of the Natural Resource Conservation Districts in the fields of land, soil, water and natural resources management within their boundaries.

~~technical correction; real estate department~~ (NOW: unsubdivided land; definition) (S.B. 1215) – Chapter 187

Modifies the definition of *unsubdivided lands* to include any land sold that would otherwise constitute the sixth lot from a parcel if the sale occurs 10 or more years after the earliest of the previous five sales and if all the sales consist of property that was originally contained within the same parcel that is between 36 acres and 160 acres.

precinct officers; salaries (S.B. 1217) – Chapter 113

SEE THE JUDICIARY COMMITTEE.

aquifer protection permits; post-closure procedure (S.B. 1274) – Chapter 115

Requires the cost estimate for evaluation of financial competence for closure of a discharge facility to be based on the cost to hire a third party to conduct the closure strategy plan, with exceptions, and requires periodic updates no more frequently than once every five years or as specified. The applicant or permittee must also maintain financial responsibility to cover closure costs and postclosure monitoring maintenance for the duration of an Aquifer Protection Permit (APP) and demonstrate such compliance no more frequently than once every two years.

State and federal agencies, municipalities and other local governmental entities are exempt from the closure cost estimates, periodic updating and financial responsibility reporting requirements.

Allows the Arizona Department of Environmental Quality Director, with the applicant's consent, to include the following as a condition of an APP: 1) mitigation measures for non-hazardous releases instead of issuing a mitigation order; and 2) remedial action requirements. Furthermore, as it relates to point of compliance, if an aquifer water quality standard is exceeded at the time an APP is issued, the requirement that there be no further aquifer degradation applies.

Arizona resource advisory council (S.B. 1292) – Chapter 117

Establishes the Arizona Resource Advisory Council (Council) to act as an advisory body to the U.S. Bureau of Land Management and other federal land management agencies on the planning and management of federal land resources in Arizona, except for rangeland resources. Outlines Council membership, specific duties and annual report requirements. Sunsets the Council on July 1, 2024.

semipublic swimming pool barrier gates (S.B. 1305) – Chapter 78

Specifies that municipal or county codes, regarding locking devices for semipublic swimming pool barrier gates used as means of exiting and entering the pool, apply beginning January 1, 2015. Grandfathers certain locking mechanisms of semipublic pools if: 1) they were installed before January 1, 2015; and 2) the locking device meets the statutory requirements for pool gates.

governmental entities; credit card payments (S.B. 1306) – Chapter 118

Enables governmental entities to require vendors to accept a specific method of payment exclusively for any goods or services provided by the vendor to those entities. The governmental entities must: 1) disclose the required method of payment during the bid process; or 2) amend the contract under mutual agreement with the vendor.

Requires governmental entities that pay vendors by credit card to disclose in annual financial reports the amount of any reward, discount, incentive or other financial consideration received as a result of paying by credit card.

~~fee consultant; indemnity agreement~~ (NOW: residential construction; fall protection) (S.B. 1307) – Chapter 119

Requires employers to provide fall protection for every employee who engages in residential construction activities six feet or more above lower levels. Redirects responsibility for certain fall protection standards from employees to employers and eliminates the ability to temporarily suspend the fall protection provisions for certain types of work. Exempts an employee making an inspection, investigation or assessment of workplace conditions before the start of actual construction work or after all construction work has been completed from fall protection requirements. Considers an employee protected from falls between joists, rafters and roof trusses if the center spacing does not exceed 24 inches when that employee is walking or working on securely braced joists, rafters or roof trusses more than 6 feet from an unprotected

side or edge and less than 15 feet above the surrounding grade or lower level below. Removes exemptions relating to specific roof grades or slopes and stipulates compliance with the general roofing operations and equipment statutes. Eliminates a roof jack system as a method of compliance with personal fall protection statutes. Requires a qualified person to develop a supplement to a written fall protection plan (plan) to cover the fall hazard if a worksite has a fall hazard not covered in the written plan. Includes an arrested fall as a circumstance requiring employers to investigate and determine if the plan needs to be amended.

Contains a conditional repeal contingent upon the U.S. Occupational Safety and Health Administration publishing a final decision to reject specified changes in this legislation to Arizona's Occupational Safety and Health Plan.

fire districts; board size; formation (NOW: special districts) (S.B. 1387) – Chapter 252 E

An emergency measure, effective April 30, 2014, that makes the following changes to fire district statutes, excluding noncontiguous county island fire districts: 1) requires fire district financial audits and financial reviews to be based on total revenue rather than the budget, modifies the dollar amount that triggers either an audit or review and grants the county attorney authority to investigate and take action on noncompliance; 2) requires a fire district administered by a three-member board that levies taxes greater than \$500,000 in any fiscal year to be administered by a five-member board; 3) outlines the process to fill fire district board vacancies; 4) requires, beginning with the 2014 general election, at least six hours of professional development training for all fire district board members and fire chiefs; 5) prohibits nepotism among fire district board members and employees; and 6) outlines procedures for a fire district to amend an adopted budget.

As it relates to noncontiguous county island fire districts, makes the following changes: 1) eliminates the ability of the organizing board to enter into written agreements with a third party for the reimbursement of certain services related to the successful formation of the district; and 2) narrows the definition of *noncontiguous county island fire district* by removing the ability for a district to form consisting of one or more noncontiguous county islands not contained in a municipal planning area surrounded by any combination of federal, state, county, municipal or fire district jurisdictional boundaries that is served by a private fire protection service provider.

Modifies special taxing district creation and boundary change procedures as follows: 1) allows original and additional petition signatures to be submitted during the one-year period rather than requiring the person to request an extension; and 2) removes the specified timeframe for the county board of supervisors to set a hearing date and instead requires the date to be set upon receipt of the petitions, including any supplemental signatures and the county assessor's report.

United States submarine memorial (S.B. 1401) – Chapter 227

SEE THE COMMERCE, ENERGY AND MILITARY COMMITTEE.

water protection fund; mesquite; tamarisk (S.B. 1478) – Chapter 126

Allows the Arizona Water Banking Authority (AWBA) to purchase long-term storage credits (LTSC), including LTSC for the purpose of Indian firming using legislative appropriations or specified withdrawal fees, only after AWBA has stored or scheduled for storage all available excess Central Arizona Project (CAP) water or when CAP water is otherwise unavailable or undeliverable. Requires AWBA to confer with the Central Arizona Water Conservation District (CAWCD) concerning the purchase of LTSC for which CAWCD is the recovery agent. Requires additional projections relating to LTSC in AWBA's adopted plan of operation and the development of an accounting system for the LTSC purchased.

Prohibits any project that includes the planting of mesquite, tamarisk or other nonnative high water use trees from receiving Water Protection Fund (Fund) monies but allows Fund monies to be used for removal of those trees.

Establishes the Watershed Improvement Program (Program) under the authority of the Arizona Department of Water Resources (ADWR) Director for the purpose of selective control, reduction, or removal of noxious brush and other vegetation and for the revegetation of the land. Requires the Program to be funded from any monies made available for that purpose from the Fund, ADWR and other monies received by the Program. Funding for projects consistent with the purposes of the Program may be provided to any eligible person, organization or political subdivision and requires ADWR to implement rules to establish priorities for project funding. Sunsets the Program on July 1, 2024.

federal milk ordinance; rulemaking exemption (S.B. 1481) – Chapter 82

Exempts the Arizona Department of Agriculture from the rulemaking process for the purpose of adopting and implementing the federal milk ordinance.

homeowners' associations amendments; omnibus (S.B. 1482/H.B. 2695) – Chapter 83

Repeals and reinserts homeowners' association (HOA) provisions adopted in 2013 that were nullified by the court, with some modifications.

Planned Communities and Local Governments – Prohibits a planning or zoning entity of a local government from requiring a developer to establish an HOA as part of a subdivision regulation or zoning ordinance. Similarly, prevents a developer from being penalized because a development does not include a planned community. However, a local government may require a developer to enact an HOA to maintain private improvements.

Management Companies – Outlines actions employees of HOAs or employees and officers of lawfully contracted management companies may take on behalf of the HOA.

Rental Properties – Enumerates rights and responsibilities related to rental properties in planned community and condominium HOAs. Clarifies that owners may rent their unit or property unless doing so is prohibited in the HOA declaration and limits the tenant information the HOA may require. Allows the HOA to charge a \$25 fee for each new tenancy and prevents an HOA from assessing fees differently on a rental property than on an owner-occupied property.

Political Signs – Prohibits condominium HOAs from restricting political signs unless the regulation is no more restrictive than the applicable local government ordinance regarding the size and number of signs on residential property.

Miscellaneous – Requires filing fees related to disputes between an owner and an HOA to be refunded before a hearing is scheduled under certain circumstances.

address confidentiality program (H.B. 2100) – Chapter 130

Allows Address Confidentiality Program (ACP) participants to request additional personal information maintained by the county recorder, assessor and treasurer be prohibited from public access, and establishes related requirements. Extends the participant renewal period from four to five years and removes the requirement that renewal applications be dated and signed by the application assistant who assisted in the application's preparation. Requires individuals who cease to be ACP participants to notify government entities that the substitute address is no longer valid.

weights; measures; false statement; penalty (H.B. 2112) – Chapter 47

Establishes, as a class 2 misdemeanor, the crime of knowingly filing any falsified or misstatement of fact with the Arizona Department of Weights and Measures for the licensure of commercial devices.

air quality forecasting; nonattainment areas (H.B. 2125) – Chapter 86

Requires the Arizona Department of Environmental Quality to develop and disseminate air quality dust forecasts for the Maricopa County PM-10 maintenance area and any other PM-10 nonattainment or maintenance areas designated as of January 1, 2012.

municipal annexation; size; exception (H.B. 2126) – Chapter 256

Satisfies the *contiguous* width requirement for the purpose of annexation if 95 percent of the territory is at least 200 feet in width, excluding rights-of-way and roadways. Repeals the modified definition of *contiguous* on January 1, 2015.

Provides a formula for determining whether a candidate for mayor or city council receives the majority of votes cast at a primary election held in 2014 or 2015. Stipulates that if more candidates receive a majority of votes than there are seats to be filled for an office, the candidates who receive the highest number of votes equal to the number of seats to be filled must be declared elected to that office. Provides requirements for determining which candidates must advance to the general or runoff election. Requires candidates equal in number to the seats to be filled who receive the highest number of votes at the general or runoff election to be declared elected to office.

weights; measures; vapor recovery systems (H.B. 2128) – Chapter 132 E

An emergency measure, effective April 22, 2014, that requires the Arizona Department of Weights and Measures, in consultation with the Arizona Department of Environmental Quality and the State Fire Marshal, to establish standards by rule to decommission Stage II vapor recovery systems beginning October 1, 2016. All Stage II vapor recovery systems and testing must remain in place until decommissioning; however, retail stations that begin construction after April 22, 2014, are exempt from these requirements. Applies all regulations and requirements of Stage II vapor recovery systems to Stage I vapor recovery systems.

municipalities; counties; transfer; right-of-way (H.B. 2148) – Chapter 134

Requires a transfer of property to be treated by the receiving municipality as if the transferred property was newly annexed territory. Establishes requirements for the conversion of a Street Light Improvement District (SLID) from a county to a municipality. Prescribes conversion procedures and outlines governance guidelines for the converted SLID.

city or town council; vacancy (H.B. 2162) – Chapter 31

Deems a city or town council seat vacant if the member ceases to be a qualified elector or resident of that city or town during his or her term of office. Authorizes the county attorney, on request, to investigate and determine whether a vacancy exists.

fire district reorganization elections (H.B. 2218) – Chapter 260

Requires candidates seeking election to a reorganized fire district board to comply with the prescribed nomination requirements that includes a nomination paper and petition. Modifies the timeframe in which a county board of supervisors must meet and canvass the returns of an election to reorganize or merge a fire district from within 14 days to between 6 and 20 days after the election.

small business bill of rights (H.B. 2260) – Chapter 204

Requires each state agency that conducts audits, inspections or other regulatory enforcement actions to create and post a small business bill of rights on their website, and provide a written copy on request. The small business bill of rights must contain applicable and agency-specific statutes and rules and include: 1) the process for a small business to file a complaint; 2) the agency's designated employee's contact information; and 3) a statement that the regulated person may contact the Office of the Ombudsman-Citizen's Aide if a reasonable effort has been made with the agency to resolve the problem without success. Expands the scope of the regulatory bill of rights to include audits conducted by an auditor.

county seals; approval of use (H.B. 2320) – Chapter 57

Requires approval from the county board of supervisors (BOS) to use, display or otherwise employ the county seal. The adopted seal and text regulating its use must be displayed on the county's website. Requires the BOS to issue a cease and desist order to any person in violation and classifies the failure to comply as a class 3 misdemeanor.

procurement code omnibus (H.B. 2321) – Chapter 145

Makes changes to the Arizona Procurement Code. Distinguishes between a successful and unsuccessful vendor as it relates to employment restrictions for a procurement officer or employee with a significant procurement role. Beginning October 1, 2014, establishes a one-year employment restriction prohibiting a procurement officer or employee with a significant procurement role assigned to develop, evaluate or approve an agency's qualified vendor list from accepting any position or having employment discussions with certain vendors. Allows, following signature of a nondisclosure agreement, the waiting period in excess of 24 months to be waived and outlines waiver request procedures. Excludes decisions based on the application of commonly accepted industry standards or known published agency standards from the definition of *significant procurement role*. Requires lobbyists to disclose certain information to public officials and employees. Exempts problem gambling treatment services and credit reporting services contracts from procurement code requirements.

municipalities; deannexation; public right-of-way (H.B. 2330) – Chapter 146

Enables the return of a public right-of-way to the county if it is partially located within a municipality and an unincorporated area of a county. Requires each governing body to adopt an ordinance stating the legal description and intent to return or receive the territory or public right-of-way. The receiving county board of supervisors must notify each owner of taxable property adjacent to the territory or public right-of-way by certified mail at least 20 days in advance of a public hearing to determine if the public interest is served in the deannexation.

agencies; thirdparty electronic service providers (H.B. 2404) – Chapter 148

Allows a state agency to authorize a person to be a *third-party electronic service provider* (provider) if the provider meets certain specified requirements established by the agency and is selected through a competitive bid process. The provider must submit all fees and taxes collected to the agency for deposit with the State Treasurer but may collect and retain a reasonable and commensurate fee for its services.

~~financial disclosures; electronic filing~~ (NOW: public officer; financial disclosure; filing) (H.B. 2408) – Chapter 149

Beginning January 1, 2017, allows public officers to file financial disclosure statements in a form prescribed by the Secretary of State that includes authorization for future filings to be submitted in an electronic format.

information technology authorization committee; membership (H.B. 2410) – Chapter 150

Allows certain members of the Information Technology Authorization Committee to appoint designees.

technical correction; rebate set aside (PREV NOW: governmental websites; open meetings; materials) (NOW: membership; county supervisors; population threshold) (H.B. 2420) – Chapter 265

Requires counties with populations between 150,000 and 175,000 persons that consist of a three-member board of supervisors (BOS) to vote on the question of whether or not to increase to a five-member BOS. Stipulates that counties with populations between 100,000 and 150,000 persons, rather than between 100,000 and 175,000 persons, must submit the question to change the number of BOS members at a special election upon receipt of a petition signed by the specified number of qualified electors and outlines ballot language and election requirements. Specifies certain term and residency requirements for BOS members dependent upon the year in which they are elected. Instructs the BOS to redistrict, as outlined, if a majority of voters affirm the question of increasing BOS members. Requires counties holding the election to include in the publicity pamphlet an estimated cost of each additional BOS member.

public committees; repeal; sunset (H.B. 2437) – Chapter 229

Requires any newly established statutory committee to contain a specific expiration date of no more than eight years, and repeals and makes various changes, which includes providing staggered sunset dates, to other statutory committees.

air quality; begin actual construction (H.B. 2442) – Chapter 267

States that, with respect to a change in method of operation, *begin actual construction* refers to those on-site activities, other than preparatory activities, which mark the initiation of the change. Retroactive to October 1, 2013, repeals the conditional enactment provision of Laws 2010, Chapter 315, which modified the definition of *begin actual construction* by including certain types of activities in the definition and exempting others.

homeowners' associations; transfer fees; exemption (H.B. 2477) – Chapter 94

Exempts home and condominium owners and homeowners' associations (HOAs) from certain disclosure requirements and owners from related fees if the sale of a unit is a transfer between family members, companies or entities with common ties. Requires the owner to provide the HOA, for no additional charge, the change in ownership including the owner's name, billing address and phone number on recordation of the deed.

reviser's technical corrections; 2014 (H.B. 2522) – Chapter 211

Each year Legislative Council prepares a reviser's technical corrections bill for consideration of the Legislature, which corrects defective or conflicting statutory text from previous legislative enactments. H.B. 2522 makes non-substantive technical changes to conflicting statutes.

municipalities; regulation; sign walkers (H.B. 2528) – Chapter 97

Prohibits a municipality that adopts reasonable time, place and manner restrictions relating to sign walkers from restricting a sign walker's use of public sidewalks, walkways or pedestrian thoroughfares.

government reporting; financial information.. (H.B. 2654) – Chapter 178

Modifies the required Arizona Department of Administration (ADOA) local government web portal listing information to add the following: 1) as part of the currently required information on taxes or fees controlled by a local government, the total taxes per capita for the population within its jurisdiction, along with a statewide average of all similar local governments as calculated by ADOA; and 2) the total value of all outstanding debt obligations, including the actuarial value of unfunded pension liabilities and the equivalent amount on a per capita basis for the population within the local government's jurisdiction.

LEGISLATION VETOED

exercise of religion; state action. (S.B. 1062 / H.B. 2153) – VETOED

Allows a person to assert a free exercise of religion claim or defense in a judicial proceeding regardless of whether the government is a party to the proceeding. Requires a person who asserts a violation of his or her religious exercise to demonstrate all of the following: 1) that the person's action or refusal to act is motivated by a religious belief; 2) that the religious belief is sincerely held; and 3) that the state action substantially burdens the exercise of the person's religious belief. Specifies that the definition of *exercise of religion* includes both the practice and observance of a religion and expands the definition of *person* to include any individual, association, partnership, corporation, church, religious assembly or institution, or other business organization.

The Governor indicates in her veto message that S.B. 1062 does not seek to address a specific and present concern related to Arizona businesses. Furthermore, she indicates that the bill is broadly worded and could result in unintended and negative consequences.

Mexican wolf; taking; reporting (S.B. 1211) – VETOED

Permits an Arizona Department of Agriculture (ADA) employee to take any wolf that has been documented or caught in the act of killing livestock pursuant to an agreement between ADA and the U.S. Fish and Wildlife Service (USFWS). Allows a landowner or lessee, who is a livestock operator or agent thereof, to take a wolf if certain outlined conditions are met. Requires the Arizona Game and Fish Department (AGFD) to request specific information from USFWS and to notify certain landholders where wolves are released or head for release at the time of placement in the area.

The Governor indicates in her veto message that S.B. 1211 is unnecessary and conflicts with federal law. Additionally, she indicates that a state does not have the power to allow a take on federal lands and the requirement for AGFD to request information from USFWS is something AGFD can already do.

county supervisors; population threshold; membership (S.B. 1483) – VETOED

Requires counties with populations between 150,000 and 175,000 persons that consist of a three-member board of supervisors (BOS) to vote on the question of whether or not to increase to a five-member BOS. Stipulates that counties with populations between 100,000 and 150,000 persons, rather than between 100,000 and 175,000 persons, must submit the question to change the number of BOS members at a special election upon receipt of a petition signed by the specified number of qualified electors and outlines ballot language and election requirements. Specifies certain term and residency requirements for BOS members dependent upon the year in which they are elected. Instructs the BOS to redistrict, as outlined, if a majority of voters affirm the question of increasing BOS members.

The Governor indicates in her veto message that because she signed H.B. 2420 (Laws 2014, Chapter 265), which contains identical provisions to those in S.B. 1483, and also requires a cost estimate of each additional member to be added to the BOS to be included in the publicity pamphlet, signing S.B. 1483 would be redundant and unnecessary.

~~conspiracy; homicide; statute of limitation. (PREV NOW: firearm; definition) (NOW: state agency rulemaking; restrictions) (H.B. 2459) – VETOED~~

Prohibits an agency from adopting any new rule that increases existing regulatory restraints or burdens the free exercise of property rights or the freedom to engage in an otherwise lawful business or occupation, unless: 1) it is a component of a comprehensive effort to reduce regulatory restraints or burdens; and 2) it is strictly ministerial in implementing legislative standards that manifest a clear legislative determination of all relevant public policies. Provides a defense for any person subject to a civil or criminal proceeding arising from the enforcement of a rule adopted in violation of the aforementioned stipulations. Permits the prevailing party, other than an agency, to be awarded attorney fees and costs.

The Governor indicates in her veto message that H.B. 2459 would have unintended consequences negatively impacting state agencies' ability to implement state law.

endangered species programs; rescission; reimbursement (H.B. 2699) – VETOED

Permits a landowner or lessee who is a livestock operator or agent to take a wolf in self-defense or the defense of others if the taking is reported within 24 hours as specified. Establishes the Federal Reimbursement Fund (Fund) consisting of monies obtained from the federal government for the purpose of reimbursing losses associated with the Mexican Wolf Recovery Program (Program). Requires the Attorney General to take all steps necessary to obtain these monies from the federal government.

Requires the State Land Department to work with private landowners to establish land-use agreements with the federal government to compensate the state and private landowners for the use and diminution in value of their lands as a result of the Program. Requires the Legislature to consider enacting legislation to rescind Arizona's participation in the Program and restrict the Mexican wolf to federally controlled land if the federal government does not: 1) enter into land-

use agreements and continue those agreements; or 2) make the prescribed reimbursements as specified and continue the reimbursements in the following years.

The Governor states in her veto message that H.B. 2699 does not have an appropriation and because there is no direct benefit to the Arizona State Land Trust Beneficiaries, State Trust Land resources cannot be used to implement this legislation. Additionally, she indicates that a state cannot compel the U.S. Fish and Wildlife Service to compensate the state or private landowners for losses, or enter into land-use agreements with private landowners.