

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2369

(Reference to printed bill)

Strike everything after the enacting clause and insert:

"Section 1. Title 35, Arizona Revised Statutes, is amended by adding chapter 1.1, to read:

CHAPTER 1.1

APPROPRIATION OF FEDERAL MONIES

ARTICLE 1. GENERAL PROVISIONS

35-251. Definitions

IN THIS CHAPTER, UNLESS THE CONTEXT OTHERWISE REQUIRES:

1. "BUDGET UNIT" MEANS ANY DEPARTMENT, COMMISSION, BOARD, INSTITUTION OR OTHER AGENCY OF THE STATE ORGANIZATION RECEIVING, SPENDING OR DISBURSING STATE MONIES OR INCURRING OBLIGATIONS AGAINST THIS STATE.

2. "NONCUSTODIAL FEDERAL MONIES" MEANS FEDERAL MONIES, NOT INCLUDING FEDERAL MONIES OR RESEARCH GRANTS AWARDED TO THE UNIVERSITIES, UNIVERSITY EMPLOYEES OR THE ARIZONA BOARD OF REGENTS FOR AND ON BEHALF OF THE UNIVERSITIES UNDER THEIR JURISDICTION, FEDERAL MONIES FOR USE BY THE DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS AND FEDERAL MONIES AWARDED DIRECTLY TO SCHOOL DISTRICTS OR COMMUNITY COLLEGES UNDER THE JURISDICTION OF THE STATE BOARD OF DIRECTORS FOR COMMUNITY COLLEGES, THAT MEET ONE OF THE FOLLOWING CRITERIA:

(a) ARE DESIGNATED BY THE FEDERAL GOVERNMENT AS BLOCK GRANT MONIES.

(b) ARE DESIGNATED BY THE FEDERAL GOVERNMENT AS GENERAL REVENUE SHARING MONIES.

(c) PROVIDE THIS STATE WITH BROAD AUTHORITY TO MAKE SPENDING DECISIONS REGARDING THE DEVELOPMENT, IMPLEMENTATION OR OPERATION OF A PROGRAM OR SERVICE.

1 (d) ARE CONSIDERED ESSENTIAL TO MEET TOTAL SPENDING OBLIGATIONS OF A
2 FEDERALLY REQUIRED OR MATCHED PROGRAM OR SERVICE AUTHORIZED BY THE
3 LEGISLATURE IN WHICH THE FEDERAL GOVERNMENT REQUIRES AT LEAST ONE PER CENT OF
4 THE PROGRAM OR SERVICE FUNDING TO COME FROM THIS STATE.

5 35-252. Receipt of noncustodial federal monies: accounting

6 ALL NONCUSTODIAL FEDERAL MONIES RECEIVED BY ANY BUDGET UNIT SHALL BE
7 ACCOUNTED FOR IN SEPARATE ACCOUNTS OR FUNDS AS NECESSARY TO MEET ACCOUNTING,
8 BUDGETARY AND AUDITING REQUIREMENTS. THE DEPARTMENT OF ADMINISTRATION MAY
9 USE THE MOST EFFICIENT SYSTEM OF ACCOUNTS AND RECORDS, CONSISTENT WITH LEGAL
10 REQUIREMENTS AND STANDARDS, AND NECESSARY FISCAL SAFEGUARDS.

11 35-253. Appropriation of federal monies: legislative powers and duties

12 A. THE LEGISLATURE RETAINS THE AUTHORITY TO APPROPRIATE NONCUSTODIAL
13 FEDERAL MONIES. IF THE LEGISLATURE DOES NOT MAKE ANY APPROPRIATION FOR
14 EITHER A PARTICULAR FUND, SPECIFIC GRANT PROGRAM OR BLOCK OF NONCUSTODIAL
15 FEDERAL MONIES, THE STATE AGENCY THAT HAS LAWFUL AUTHORITY SHALL ADMINISTER
16 AND SPEND THESE MONIES PURSUANT TO FEDERAL AND STATE LAW.

17 B. THE LEGISLATURE SHALL SPECIFY IN ANY FEDERAL MONIES APPROPRIATION
18 IT MAKES THE PURPOSES FOR WHICH FEDERAL MONIES ARE TO BE USED, CONSISTENT
19 WITH FEDERAL LAW. FOR PURPOSES OF OBTAINING UNANTICIPATED FEDERAL MONIES
20 THAT MAY BECOME AVAILABLE WHEN THE LEGISLATURE IS NOT IN SESSION, THE
21 LEGISLATURE MAY MAKE A LUMP SUM APPROPRIATION. THE JOINT LEGISLATIVE BUDGET
22 COMMITTEE SHALL REVIEW IN ADVANCE THE EXPENDITURE OF ANY MONIES FROM THE LUMP
23 SUM APPROPRIATION, SUBJECT TO ANY CONDITION SPECIFIED BY THE LEGISLATURE.

24 C. IF THE AMOUNT OF THE FEDERAL MONIES RECEIVED IS LESS THAN THE
25 AMOUNT APPROPRIATED, THE APPROPRIATION OF FEDERAL MONIES SHALL BE REDUCED BY
26 THE AMOUNT OF THE REDUCTION. THE ACTIVITIES FINANCED BY THE FEDERAL MONIES
27 SHALL BE REDUCED PROPORTIONATELY.

28 D. IF THE AMOUNT OF THE FEDERAL MONIES RECEIVED IS MORE THAN THE
29 AMOUNT APPROPRIATED, THE TOTAL APPROPRIATION OF FEDERAL AND STATE MONIES
30 ALLOCATED FOR A PROGRAM SHALL REMAIN AT THE AMOUNT DESIGNATED BY THE
31 LEGISLATURE. THE STATE TREASURER SHALL CREDIT THE EXCESS FEDERAL MONIES TO
32 THE APPROPRIATE AGENCY ACCOUNT. THE JOINT LEGISLATIVE BUDGET COMMITTEE SHALL

- 1 REVIEW IN ADVANCE EXPENDITURES OF THESE MONIES UP TO THE AMOUNT OF THE LUMP
- 2 SUM APPROPRIATION SPECIFIED PURSUANT TO SUBSECTION B."
- 3 Amend title to conform

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10:16 AM
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