

REFERENCE TITLE: environment; budget reconciliation; 2010-2011

State of Arizona  
House of Representatives  
Forty-ninth Legislature  
Seventh Special Session  
2010

# HB 2007

Introduced by  
Representative Adams

AN ACT

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. Arizona water protection fund; use

3 Notwithstanding section 45-2112, subsection B, Arizona Revised  
4 Statutes, the annual appropriation from the state general fund to the Arizona  
5 water protection fund for fiscal year 2010-2011 shall be as specified in the  
6 general appropriations act.

7 Sec. 2. Off-highway vehicle recreation fund; use

8 Notwithstanding section 28-1176, Arizona Revised Statutes, the Arizona  
9 state parks board may spend up to \$692,100 from the Arizona state parks board  
10 portion of the off-highway vehicle recreation fund in fiscal year 2010-2011  
11 for parks board operating expenses.

12 Sec. 3. Underground storage tank assurance account; transfer of  
13 monies; uses

14 Notwithstanding any other law, the administrative cap established in  
15 section 49-1051, subsection B, paragraphs 2 and 3, Arizona Revised Statutes,  
16 is suspended for fiscal year 2010-2011, and the department of environmental  
17 quality may transfer \$6,531,000 from the assurance account of the underground  
18 storage tank revolving fund for administrative costs of the underground  
19 storage tank leak prevention program and for the used oil program.

20 Sec. 4. Agricultural fees; increases; appropriation; exemption  
21 from rule making; retroactivity

22 A. Notwithstanding any other law, the director of the Arizona  
23 department of agriculture, with the assistance of the agriculture advisory  
24 council, may increase or decrease fees in fiscal year 2010-2011 for services  
25 provided in fiscal year 2010-2011.

26 B. It is the intent of the legislature that the additional revenue  
27 generated by the fee increases pursuant to subsection A shall not exceed  
28 \$561,000.

29 C. Monies received from fees pursuant to this section are appropriated  
30 to the Arizona department of agriculture.

31 D. The Arizona department of agriculture is exempt from the rule  
32 making requirements of title 41, chapter 6, Arizona Revised Statutes, for the  
33 purpose of establishing fees pursuant to this section until July 1, 2011.

34 E. This section is effective retroactively to from and after June 30,  
35 2010.

36 Sec. 5. Fees for providing services; increases; fiscal year  
37 2010-2011; intent; appropriations; exemption from  
38 rule making

39 A. Notwithstanding any other law, the director of each of the  
40 following agencies may increase fees in fiscal year 2010-2011 for services in  
41 fiscal year 2010-2011:

- 42 1. Department of environmental quality.
- 43 2. Department of water resources.

1 B. It is the intent of the legislature that the additional revenue  
2 generated by the fee increases pursuant to subsection A shall not exceed the  
3 amounts listed below:

4 1. Department of environmental quality \$5,779,100

5 2. Department of water resources \$5,662,900

6 C. Monies received from fees pursuant to this section are appropriated  
7 to the respective agencies.

8 D. The agencies described in subsection A are exempt from the rule  
9 making requirements of title 41, chapter 6, Arizona Revised Statutes, for the  
10 purpose of establishing fees pursuant to this section until July 1, 2011.

11 Sec. 6. Law enforcement and boating safety fund; Arizona state  
12 parks board; operating expenditures

13 Notwithstanding section 5-383, Arizona Revised Statutes, all law  
14 enforcement and boating safety fund monies appropriated by the legislature to  
15 the Arizona state parks board in fiscal year 2010-2011 are available in  
16 fiscal year 2010-2011 for the operation of state parks.

17 Sec. 7. Arizona state parks board; availability of monies

18 Notwithstanding section 41-511.11, Arizona Revised Statutes, or any  
19 other law, all state parks enhancement fund monies are available in fiscal  
20 year 2010-2011 for the operation of state parks as appropriated by the  
21 legislature in the general appropriations act or for capital needs as  
22 determined by the Arizona state parks board with the prior approval of the  
23 joint committee on capital review to acquire and develop real property and  
24 improvements as state parks consistent with the purposes and objectives  
25 prescribed in section 41-511.03, Arizona Revised Statutes.

26 Sec. 8. Use of risk management revolving fund

27 In addition to the purposes specified in section 41-622, Arizona  
28 Revised Statutes, of the monies appropriated in the general appropriations  
29 act for fiscal year 2010-2011 to the department of administration from the  
30 risk management revolving fund, \$80,000 may be used in fiscal year 2010-2011  
31 to allow the Arizona navigable stream adjudication commission to pay one-time  
32 unpaid obligations relating to legal fees.

33 Sec. 9. Appropriation reduction; water quality assurance  
34 revolving fund

35 Notwithstanding section 49-282, Arizona Revised Statutes, the  
36 appropriation from the state general fund to the water quality assurance  
37 revolving fund for fiscal year 2010-2011 shall not exceed \$7,000,000.