

State of Arizona
House of Representatives
Fifty-first Legislature
Second Regular Session
2014

CHAPTER 13
HOUSE BILL 2707

AN ACT

AMENDING SECTION 37-1014, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 3, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 1.4; PROVIDING FOR THE DELAYED REPEAL OF SECTION 41-519.01, ARIZONA REVISED STATUTES; MAKING APPROPRIATIONS; MAKING A TRANSFER; 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 37-1014, Arizona Revised Statutes, is amended to
3 read:

4 37-1014. State financial assistance; application; criteria

5 A. The commissioner shall include in the ~~biennial~~ ANNUAL state land
6 department budget request a sum of not ~~to exceed thirty~~ MORE THAN FORTY
7 thousand dollars for each district and sixty thousand dollars for each
8 education center for distribution by the commissioner to those natural
9 resource conservation districts ~~which~~ THAT have applied for, have met the
10 criteria for and have been approved for receiving state financial assistance,
11 as provided in this section.

12 B. Any district or education center desiring to receive state
13 financial assistance for the next ensuing fiscal year shall apply to the
14 commissioner not later than June 20, on a form supplied by the division of
15 natural resource conservation. Each application shall include, ~~but not be~~
16 ~~limited to:~~

17 1. The number of acres of land lying within the district.

18 2. The extent of conservation programs or education center programs
19 proposed to be undertaken during the fiscal year for which the financial
20 assistance is being requested.

21 3. Any audits that are requested by the commissioner.

22 C. ~~Upon~~ ON receipt of the application, the commissioner shall
23 determine whether or not such funds for the district or education center will
24 be included in the budget request for the state land department and shall
25 promptly notify the district of ~~his~~ THAT determination.

26 Sec. 2. Title 41, chapter 3, Arizona Revised Statutes, is amended by
27 adding article 1.4, to read:

28 ARTICLE 1.4. YARNELL HILL MEMORIAL

29 41-519. Yarnell Hill memorial

30 A. THE ARIZONA STATE PARKS BOARD SHALL ESTABLISH THE YARNELL HILL
31 MEMORIAL STATE PARK SUBJECT TO THE FOLLOWING CONDITIONS:

32 1. THE YARNELL HILL MEMORIAL SITE BOARD RECOMMENDS THAT THE ARIZONA
33 STATE PARKS BOARD PURCHASE THE LAND FOR THE MEMORIAL SITE.

34 2. THE ARIZONA STATE PARKS BOARD PURCHASES THE YARNELL HILL MEMORIAL
35 SITE PURSUANT TO TITLE 37, CHAPTER 2, ARTICLE 3.

36 3. THE YARNELL HILL MEMORIAL SITE BOARD APPROVES THE DESIGN AND
37 CONSTRUCTION OF THE MEMORIAL.

38 4. THE YARNELL HILL MEMORIAL SITE BOARD SECURES THE NECESSARY
39 PERMISSION FOR INDIVIDUALS TO VISIT THE MEMORIAL.

40 B. THE ARIZONA STATE PARKS BOARD MAY ENTER INTO AN INTERGOVERNMENTAL
41 AGREEMENT PURSUANT TO TITLE 11, CHAPTER 7, ARTICLE 3 WITH THE COUNTY IN WHICH
42 THE PARK IS LOCATED FOR THE MAINTENANCE AND PRESERVATION OF THE YARNELL HILL
43 MEMORIAL AND ACCESS ROAD.

- 1 C. THE YARNELL HILL MEMORIAL SITE BOARD SHALL:
2 1. DETERMINE WHETHER TO ESTABLISH A MEMORIAL DEDICATED TO THE MEMBERS
3 OF THE GRANITE MOUNTAIN HOTSHOT CREW WHO LOST THEIR LIVES FIGHTING THE
4 YARNELL HILL FIRE AT THE LOCATION WHERE THE CREW LOST THEIR LIVES. IF THE
5 BOARD DETERMINES THAT THE SITE SHOULD BE MEMORIALIZED, THE BOARD SHALL
6 ESTABLISH THE MEMORIAL AND APPROVE ITS DESIGN AND CONSTRUCTION.
7 2. DETERMINE WHETHER THE ARIZONA STATE PARKS BOARD OR A PRIVATE PARTY
8 SHOULD PURCHASE THE LAND FOR THE MEMORIAL SITE.
9 3. WORK WITH INTERESTED PARTIES TO DESIGN AND CONSTRUCT THE MEMORIAL.
10 4. PLAN FOR AND SECURE THE NECESSARY PERMISSIONS FOR INDIVIDUALS TO
11 VISIT THE MEMORIAL.
12 5. SEEK TO MINIMIZE THE USE OF STATE GENERAL FUND MONIES FOR THE
13 PURCHASE, MAINTENANCE AND PRESERVATION OF THE MEMORIAL.
14 6. PLAN FOR THE MAINTENANCE AND PRESERVATION OF THE MEMORIAL.
15 7. SOLICIT PRIVATE MONETARY DONATIONS OR PUBLIC MONIES FOR DEPOSIT IN
16 THE YARNELL HILL MEMORIAL FUND ESTABLISHED BY SECTION 41-519.02.
17 8. SUBMIT A REPORT ON THE PROGRESS OF THE MEMORIAL TO THE GOVERNOR,
18 THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES
19 ON OR BEFORE DECEMBER 31, 2015 AND PROVIDE A COPY OF THIS REPORT TO THE
20 SECRETARY OF STATE.

21 41-519.02. Yarnell Hill memorial fund; exemption

22 A. THE YARNELL HILL MEMORIAL FUND IS ESTABLISHED CONSISTING OF
23 LEGISLATIVE APPROPRIATIONS AND DONATIONS TO THE FUND. THE YARNELL HILL
24 MEMORIAL SITE BOARD SHALL ADMINISTER THE FUND. ON NOTICE FROM THE YARNELL
25 HILL MEMORIAL SITE BOARD, THE STATE TREASURER SHALL INVEST AND DIVEST MONIES
26 IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED FROM INVESTMENT
27 SHALL BE CREDITED TO THE FUND. THE MONIES IN THE FUND ARE EXEMPT FROM
28 SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS. THE MONIES IN THE FUND
29 AND ANY ADDITIONAL DONATIONS TO THE FUND MUST BE USED FOR THE PURPOSE OF
30 PURCHASING LAND FOR THE MEMORIAL, MAINTAINING AND PRESERVING THE YARNELL HILL
31 MEMORIAL AND ACCESS ROAD AND REIMBURSEMENT OF THE YARNELL HILL MEMORIAL SITE
32 BOARD MEMBERS' TRAVEL EXPENSES.

33 B. BEGINNING ON JANUARY 1, 2017, THE ARIZONA STATE PARKS BOARD SHALL
34 ADMINISTER THE FUND.

35 Sec. 3. Delayed repeal

36 Section 41-519.01, Arizona Revised Statutes, as added by this act, is
37 repealed from and after December 31, 2016.

38 Sec. 4. Arizona water protection fund; use; fiscal year
39 2014-2015

40 Notwithstanding section 45-2114, Arizona Revised Statutes, in fiscal
41 year 2014-2015, the Arizona water protection fund commission may grant to the
42 department of water resources up to \$336,000 of the unobligated balance in
43 the Arizona water protection fund established by section 45-2111, Arizona
44 Revised Statutes, to pay for administrative costs of the department in fiscal
45 year 2014-2015.

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

1 Notwithstanding section 28-1176, Arizona Revised Statutes, the Arizona
2 state parks board may spend up to \$692,100 from the Arizona state parks board
3 portion of the off-highway vehicle recreation fund established by section
4 28-1176, Arizona Revised Statutes, in fiscal year 2014-2015 for parks board
5 operating expenses.

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

8 Notwithstanding any other law, the administrative caps established in
9 section 49-1051, subsection B, paragraphs 2 and 3, Arizona Revised Statutes,
10 are suspended for fiscal year 2014-2015, and the department of environmental
11 quality may transfer a combined total of \$6,531,000 from the assurance
12 account of the underground storage tank revolving fund established by section
13 49-1051, Arizona Revised Statutes, and the regulated substance fund
14 established by section 49-1015.01, Arizona Revised Statutes, for
15 administrative costs of the department in fiscal year 2014-2015.

16 Sec. 7. Water resources fees; intent; exemption from rulemaking

17 A. Notwithstanding any other law, the director of water resources may
18 increase fees in fiscal year 2014-2015 for services in fiscal year 2014-2015.

19 B. Monies received from any fees collected pursuant to subsection A of
20 this section must be deposited in the water resources fund established by
21 section 45-117, Arizona Revised Statutes.

22 C. It is the intent of the legislature that the revenue generated by
23 the fees collected pursuant to subsection A of this section not exceed
24 \$100,200.

25 D. The department of water resources is exempt from the rulemaking
26 requirements of title 41, chapter 6, Arizona Revised Statutes, for the
27 purpose of establishing fees pursuant to this section until July 1, 2015.

28 Sec. 8. Risk management revolving fund; use of monies

29 In addition to the purposes specified in section 41-622, Arizona
30 Revised Statutes, of the monies appropriated in the general appropriations
31 act for fiscal year 2014-2015 to the department of administration from the
32 risk management revolving fund established by section 41-622, Arizona Revised
33 Statutes, \$80,000 may be used in fiscal year 2014-2015 to allow the Arizona
34 navigable stream adjudication commission to pay one-time unpaid obligations
35 relating to legal fees.

36 Sec. 9. Appropriation reduction; water quality assurance
37 revolving fund

38 Notwithstanding section 49-282, Arizona Revised Statutes, the
39 appropriation from the state general fund to the water quality assurance
40 revolving fund established by section 49-282, Arizona Revised Statutes, for
41 fiscal year 2014-2015 may not exceed \$7,000,000.

1 Sec. 10. Appropriation: exemption

2 A. The sum of \$500,000 is appropriated from the state general fund in
3 fiscal year 2013-2014 to the Arizona state parks board for the purpose of
4 purchasing the Yarnell Hill memorial site. Any amounts not used for the
5 purchase revert to the state general fund.

6 B. The appropriation made in subsection A of this section is exempt
7 from the provisions of section 35-190, Arizona Revised Statutes, relating to
8 lapsing of appropriations.

9 Sec. 11. Emissions inspection fund; use: fiscal year 2014-2015

10 Notwithstanding section 49-544, Arizona Revised Statutes, in fiscal
11 year 2014-2015, the department of environmental quality may use up to
12 \$1,800,000 from the emissions inspection fund established by section 49-544,
13 Arizona Revised Statutes, for the department's safe drinking water program.

APPROVED BY THE GOVERNOR APRIL 11, 2014.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 11, 2014.