

COMMITTEE ON NATURAL RESOURCES, ENERGY & WATER
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1391
(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 5-572, Arizona Revised Statutes, is amended to
3 read:

4 5-572. Use of monies in state lottery fund; report

5 A. If there are any bonds or bond related obligations payable from
6 the state lottery revenue bond debt service fund, the state lottery revenue
7 bond debt service fund shall be secured by a first lien on the monies in
8 the state lottery fund after the payment of operating costs of the lottery,
9 as prescribed in section 5-555, subsection A, paragraph 1, until the state
10 lottery bond debt service fund contains sufficient monies to meet all the
11 requirements for the current period as required by the bond documents.
12 Debt service for revenue bonds issued pursuant to this chapter shall be
13 paid first from monies that would have otherwise been deposited pursuant to
14 this section in the state general fund. After the requirements for the
15 current period have been satisfied as required by the bond documents, the
16 monies in the state lottery fund shall be expended for the expenses of the
17 commission incurred in carrying out its powers and duties and in the
18 operation of the lottery.

19 B. Of the monies remaining in the state lottery fund each fiscal
20 year after appropriations and deposits authorized in subsection A of this
21 section, ~~ten million dollars~~ \$10,000,000 shall be deposited in the Arizona
22 game and fish commission heritage fund established by section 17-297.

23 C. Of the monies remaining in the state lottery fund each fiscal
24 year after appropriations and deposits authorized in subsections A and B of

1 this section, ~~five million dollars~~ \$5,000,000 shall be allocated to the
2 department of child safety for the healthy families program established by
3 section 8-481, ~~four million dollars~~ \$4,000,000 shall be allocated to the
4 Arizona board of regents for the Arizona area health education system
5 established by section 15-1643, ~~three million dollars~~ \$3,000,000 shall be
6 allocated to the department of health services to fund the teenage
7 pregnancy prevention programs established in Laws 1995, chapter 190,
8 sections 2 and 3, ~~two million dollars~~ \$2,000,000 shall be allocated to the
9 department of health services for the health start program established by
10 section 36-697, ~~two million dollars~~ \$2,000,000 shall be deposited in the
11 disease control research fund established by section 36-274, ~~and one~~
12 ~~million dollars~~ \$1,000,000 shall be allocated to the department of health
13 services for the federal women, infants and children food program AND
14 \$9,060,000 SHALL BE DEPOSITED IN THE WATER QUALITY FEE FUND ESTABLISHED BY
15 SECTION 49-210. The allocations in this subsection shall be adjusted
16 annually according to changes in the GDP price deflator as defined in
17 section 41-563 and the allocations are exempt from the provisions of
18 section 35-190 relating to lapsing of appropriations. If there are not
19 sufficient monies available pursuant to this subsection, the allocation of
20 monies for each program shall be reduced on a pro rata basis.

21 D. If the state lottery director determines that monies available to
22 the state general fund may not equal ~~eighty-four million one hundred fifty~~
23 ~~thousand dollars~~ \$84,150,000 in a fiscal year, the director shall not
24 authorize deposits to the Arizona game and fish commission heritage fund
25 pursuant to subsection B of this section until the deposits to the state
26 general fund equal ~~eighty-four million one hundred fifty thousand dollars~~
27 \$84,150,000 in a fiscal year.

28 E. Of the monies remaining in the state lottery fund each fiscal
29 year after appropriations and deposits authorized in subsections A through
30 D of this section, ~~one million dollars~~ \$1,000,000 or the remaining balance
31 in the fund, whichever is less, is appropriated to the department of
32 economic security for grants to nonprofit organizations, including faith

1 ~~based~~ FAITH-BASED organizations, for homeless emergency and transitional
2 shelters and related support services. The department of economic security
3 shall submit a report on the amounts, recipients, purposes and results of
4 each grant to the governor, the speaker of the house of representatives and
5 the president of the senate on or before December 31 of each year for the
6 prior fiscal year and shall provide a copy of this report to the secretary
7 of state.

8 F. Of the monies remaining in the state lottery fund each fiscal
9 year after appropriations and deposits authorized in subsections A through
10 E of this section, and after a total of at least ~~ninety-nine million six~~
11 ~~hundred forty thousand dollars~~ \$99,640,000 has been deposited in the state
12 general fund, ~~three million five hundred thousand dollars~~ \$3,500,000 shall
13 be deposited in the Arizona competes fund established by section
14 41-1545.01. The balance in the state lottery fund remaining after deposits
15 into the Arizona competes fund shall be deposited in the university capital
16 improvement lease-to-own and bond fund established by section 15-1682.03,
17 up to a maximum of eighty percent of the total annual payments of
18 lease-to-own and bond agreements entered into by the Arizona board of
19 regents.

20 G. All monies remaining in the state lottery fund after the
21 appropriations and deposits authorized in this section shall be deposited
22 in the state general fund.

23 H. Except for monies expended for debt service of revenue bonds as
24 provided in subsection A of this section, monies expended under subsection
25 A of this section are subject to legislative appropriation.

26 I. The commission shall transfer monies prescribed in this section
27 on a quarterly basis.

1 Sec. 2. Section 49-210, Arizona Revised Statutes, is amended to
2 read:

3 49-210. Water quality fee fund; appropriation; exemption;
4 monies held in trust

5 A. The water quality fee fund is established consisting of monies
6 appropriated by the legislature, **MONIES DEPOSITED FROM THE STATE LOTTERY**
7 **FUND PURSUANT TO SECTION 5-572** and fees received pursuant to sections
8 49-104, 49-203, 49-211, 49-241, 49-241.02, 49-242, 49-255.01, 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 and
15 divest monies in the fund as provided by section 35-313, and monies earned
16 from investment shall be credited to the fund.

17 D. Monies in the water quality fee fund shall be used for activities
18 required to implement this chapter, except for articles 1.1 and 5 of this
19 chapter, and to implement section 49-104, subsection B, paragraphs 9
20 through 13 and subsection C.

21 E. Any fee, assessment or other levy that is authorized by law or
22 administrative rule and that is collected and deposited in the water
23 quality fee fund shall be held in trust. The monies in the fund may be
24 used only for the purposes prescribed by statute and shall not be
25 appropriated or transferred by the legislature to fund the general
26 operations of this state or to otherwise meet the obligations of the
27 general fund of this state. This subsection does not apply to any taxes or
28 other levies that are imposed pursuant to title 42 or 43.

1 Sec. 3. Emergency

2 This act is an emergency measure that is necessary to preserve the
3 public peace, health or safety and is operative immediately as provided by
4 law."

5 Amend title to conform

And, as so amended, it do pass

GAIL GRIFFIN
CHAIRMAN

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