

State of Arizona  
Senate  
Fifty-second Legislature  
First Regular Session  
2015

**CHAPTER 13**  
**SENATE BILL 1474**

AN ACT

REPEALING SECTION 37-527, ARIZONA REVISED STATUTES; AMENDING TITLE 37, CHAPTER 2, ARTICLE 13, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 37-527; AMENDING SECTION 41-519.02, ARIZONA REVISED STATUTES; 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. Repeal

3 Section 37-527, Arizona Revised Statutes, is repealed.

4 Sec. 2. Title 37, chapter 2, article 13, Arizona Revised Statutes, is  
5 amended by adding a new section 37-527, to read:

6 37-527. Trust land administration fund

7 A. THE TRUST LAND ADMINISTRATION FUND IS ESTABLISHED. THE FUND  
8 CONSISTS OF UP TO TEN PERCENT OF THE ANNUAL PROCEEDS OF:

9 1. EACH BENEFICIARY'S TRUST LANDS GRANTED TO THIS STATE BY THE UNITED  
10 STATES.

11 2. ALL SALES OF TIMBER, MINERAL, GRAVEL OR OTHER NATURAL PRODUCTS OR  
12 PROPERTY FROM EACH BENEFICIARY'S TRUST LANDS GRANTED TO THIS STATE BY THE  
13 UNITED STATES.

14 B. THE COMMISSIONER SHALL DETERMINE THE PERCENTAGE OF TRUST LAND  
15 PROCEEDS TO BE DEPOSITED IN THE FUND EACH FISCAL YEAR. THE PERCENTAGE SHALL  
16 BE THE SAME FOR ALL BENEFICIARIES. THE COMMISSIONER SHALL NOTIFY THE JOINT  
17 LEGISLATIVE BUDGET COMMITTEE AND THE GOVERNOR'S OFFICE OF STRATEGIC PLANNING  
18 AND BUDGETING OF THE DETERMINATION ON OR BEFORE SEPTEMBER 1 OF THE PRECEDING  
19 FISCAL YEAR.

20 C. THE MONIES IN THE FUND:

21 1. ARE SUBJECT TO LEGISLATIVE APPROPRIATION.

22 2. SHALL BE USED EXCLUSIVELY TO ADMINISTER AND DISPOSE OF TRUST LANDS  
23 AS PRESCRIBED BY LAW.

24 D. THE COMMISSIONER SHALL ADMINISTER THE FUND. ON NOTICE FROM THE  
25 COMMISSIONER, THE STATE TREASURER SHALL INVEST AND DIVEST MONIES IN THE FUND  
26 AS PROVIDED BY SECTION 35-313, AND MONIES EARNED FROM INVESTMENT SHALL BE  
27 CREDITED TO THE FUND.

28 E. MONIES IN THE FUND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190  
29 RELATING TO LAPSING OF APPROPRIATIONS, BUT IF THE BALANCE IN THE FUND AT THE  
30 END OF ANY FISCAL YEAR EXCEEDS TWO TIMES THE BUDGET OF THE DEPARTMENT FOR THE  
31 ADMINISTRATION OF TRUST LANDS FOR THE NEXT FISCAL YEAR, THE EXCESS AMOUNT  
32 SHALL BE CREDITED PROPORTIONATELY TO THE SEVERAL PERMANENT FUNDS BASED ON THE  
33 LAST FISCAL YEAR'S DEPOSITS.

34 F. THIS SECTION DOES NOT PREVENT THE LEGISLATURE FROM APPROPRIATING  
35 STATE GENERAL FUND MONIES FOR THE PURPOSES DESCRIBED IN THIS SECTION.

36 Sec. 3. Section 41-519.02, Arizona Revised Statutes, is amended to  
37 read:

38 41-519.02. Yarnell Hill memorial fund; exemption

39 A. The Yarnell Hill memorial fund is established consisting of  
40 legislative appropriations and donations to the fund. The Yarnell Hill  
41 memorial site board shall administer the fund. On notice from the Yarnell  
42 Hill memorial site board, the state treasurer shall invest and divest monies  
43 in the fund as provided by section 35-313, and monies earned from investment  
44 shall be credited to the fund. The monies in the fund are exempt from  
45 section 35-190 relating to lapsing of appropriations. The monies in the fund  
46 and any additional donations to the fund must be used for:

- 1           1. ~~the purpose of~~ Purchasing land for the YARNELL HILL memorial. , -
- 2           2. PURCHASING, DESIGNING AND CONSTRUCTING THE YARNELL HILL MEMORIAL.
- 3           3. Maintaining and preserving the Yarnell Hill memorial and access
- 4 road.
- 5           4. ~~and~~ Reimbursement of the Yarnell Hill memorial site board members'
- 6 travel expenses.

7           B. Beginning on January 1, 2017, the Arizona state parks board shall

8 administer the fund.

9           Sec. 4. Arizona water protection fund; use

10           Notwithstanding section 45-2114, Arizona Revised Statutes, in fiscal

11 year 2015-2016, the Arizona water protection fund commission may grant to the

12 department of water resources up to \$336,000 of the unobligated balance in

13 the Arizona water protection fund established by section 45-2111, Arizona

14 Revised Statutes, to pay for administrative costs of the department in fiscal

15 year 2015-2016.

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

17           Notwithstanding section 28-1176, Arizona Revised Statutes, the Arizona

18 state parks board may spend up to \$692,100 from the Arizona state parks board

19 portion of the off-highway vehicle recreation fund established by section

20 28-1176, Arizona Revised Statutes, in fiscal year 2015-2016 for parks board

21 operating expenses.

22           Sec. 6. Underground storage tank assurance account; regulated

23 substance fund; transfer of monies; uses

24           Notwithstanding any other law, the administrative caps established in

25 section 49-1051, subsection B, paragraphs 2 and 3, Arizona Revised Statutes,

26 are suspended for fiscal year 2015-2016, and the department of environmental

27 quality may transfer a combined total of \$6,531,000 from the assurance

28 account of the underground storage tank revolving fund established by section

29 49-1051, Arizona Revised Statutes, and the regulated substance fund

30 established by section 49-1015.01, Arizona Revised Statutes, for

31 administrative costs of the department in fiscal year 2015-2016.

32           Sec. 7. Arizona water banking fund; use; retroactivity

33           A. In addition to the purposes provided in section 45-2425, Arizona

34 Revised Statutes, monies appropriated to the Arizona navigable stream

35 adjudication commission from the Arizona water banking fund established by

36 section 45-2425, Arizona Revised Statutes, may be used in fiscal years

37 2014-2015 and 2015-2016 to pay legal fees.

38           B. This section is effective retroactively to from and after June 30,

39 2014.

40           Sec. 8. Appropriation reduction; water quality assurance

41 revolving fund

42           Notwithstanding section 49-282, Arizona Revised Statutes, the

43 appropriation from the state general fund to the water quality assurance

44 revolving fund established by section 49-282, Arizona Revised Statutes, for

45 fiscal year 2015-2016 may not exceed \$7,000,000.

46           Sec. 9. Emissions inspection fund; use

1 Notwithstanding section 49-544, Arizona Revised Statutes, in fiscal  
2 year 2015-2016, the department of environmental quality may use up to  
3 \$1,800,000 from the emissions inspection fund established by section 49-544,  
4 Arizona Revised Statutes, for the department's safe drinking water program.

5 Sec. 10. Water resources fees; intent; exemption from  
6 rulemaking

7 A. Notwithstanding any other law, the director of water resources may  
8 increase fees in fiscal year 2015-2016 for services in fiscal year 2015-2016.

9 B. Monies received from any fees collected pursuant to subsection A of  
10 this section shall be deposited in the water resources fund established by  
11 section 45-117, Arizona Revised Statutes.

12 C. It is the intent of the legislature that the monies generated by  
13 the fees collected pursuant to subsection A of this section not exceed  
14 \$100,200.

15 D. The department of water resources is exempt from the rulemaking  
16 requirements of title 41, chapter 6, Arizona Revised Statutes, for the  
17 purpose of establishing fees pursuant to this section until July 1, 2016.

18 Sec. 11. Conditional enactment

19 Section 37-527, Arizona Revised Statutes, as repealed by this act, and  
20 section 37-527, Arizona Revised Statutes, as added by this act, do not become  
21 effective unless the Constitution of Arizona is amended by vote of the people  
22 at the next general election to allow a portion of the annual proceeds of  
23 trust lands granted to this state by the United States to be used to  
24 administer the trust lands as provided by law.

APPROVED BY THE GOVERNOR MARCH 12, 2015.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 12, 2015.