

COMMITTEE ON NATURAL RESOURCES, ENERGY & WATER  
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2129  
(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

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

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

6 A. The water quality fee fund is established consisting of monies  
7 appropriated by the legislature and fees received pursuant to sections  
8 49-104, 49-203, 49-211, 49-241, 49-241.02, 49-242, 49-255.01, 49-332,  
9 49-352, 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 the  
18 following purposes:

- 19 1. To issue aquifer protection permits pursuant to section 49-241.
- 20 2. The aquifer protection permit registration fee procedures  
21 pursuant to section 49-242.
- 22 3. Dry well registration fee procedures pursuant to section 49-332.
- 23 4. Technical review fee procedures pursuant to section 49-353.

1           5. Inspection fee procedures pursuant to section 49-104,  
2 subsection C.

3           6. To issue permits under the Arizona pollutant discharge  
4 elimination system program pursuant to section 49-255.01.

5           7. Operator certification pursuant to sections 49-352 and 49-361.

6           8. Paying the cost of implementing section 49-203, subsection A,  
7 paragraph 7 and section 49-221, subsection E.

8           9. Water quality monitoring pursuant to section 49-225 and reporting  
9 of aquifer pollution information pursuant to section 49-249.

10          10. To implement and administer the underground injection control  
11 permit program established pursuant to article 3.3 of this chapter.

12          11. To implement and administer the dredge and fill permit program  
13 established pursuant to article 3.2 of this chapter, including review and  
14 analysis for issuing jurisdictional determinations.

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

23          Sec. 2. Title 49, chapter 2, article 1, Arizona Revised Statutes, is  
24 amended by adding section 49-211, to read:

25           49-211. Direct potable reuse of treated recycled wastewater;  
26                           fees; rules

27           A. ON OR BEFORE DECEMBER 31, 2024, THE DIRECTOR SHALL ESTABLISH, BY  
28 RULE, PERMIT FEES SUFFICIENT TO ADMINISTER A DIRECT POTABLE REUSE OF  
29 TREATED WASTEWATER PROGRAM. MONIES COLLECTED PURSUANT TO THIS SECTION SHALL  
30 BE DEPOSITED PURSUANT TO SECTIONS 35-146 AND 35-147, IN THE WATER QUALITY  
31 FEE FUND ESTABLISHED BY SECTION 49-210.

1           B. ON OR BEFORE DECEMBER 31, 2024, THE DIRECTOR SHALL ADOPT ALL  
2           RULES NECESSARY TO ESTABLISH AND IMPLEMENT A DIRECT POTABLE REUSE OF  
3           TREATED WATER PROGRAM INCLUDING, BUT NOT LIMITED TO, RULES ESTABLISHING  
4           PERMITTING STANDARDS AND A PERMIT APPLICATION PROCESS.

5           Sec. 3. Appropriations; water quality fee fund; use; fiscal  
6                           years 2022-2023 and 2023-2024

7           The sum of \$1,500,000 is appropriated from the state general fund in  
8           each of fiscal years 2022-2023 and 2023-2024 to the water quality fee fund  
9           established by section 49-210, Arizona Revised Statutes, to operate the  
10          direct potable reuse of treated recycled wastewater permitting process."

11 Amend title to conform

And, as so amended, it do pass

GAIL GRIFFIN  
CHAIRMAN

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02/15/2022  
03:11 PM  
H: ra