

REFERENCE TITLE: **environment; 2022-2023**

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

HB 2846

Introduced by
Representative Cobb (with permission of Committee on Rules)

AN ACT

APPROPRIATING MONIES; RELATING TO ENVIRONMENT.

(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 of monies

3 Notwithstanding section 45-2114, Arizona Revised Statutes, in fiscal
4 year 2022-2023, the Arizona water protection fund commission may grant to
5 the department of water resources up to \$336,000 of the unobligated
6 balance in the Arizona water protection fund established by section
7 45-2111, Arizona Revised Statutes, to pay for administrative costs of the
8 department in fiscal year 2022-2023.

9 Sec. 2. Underground storage tank revolving fund; use of
10 monies

11 Notwithstanding any other law, in fiscal year 2022-2023, the
12 department of environmental quality may use up to \$6,531,000 from the
13 underground storage tank revolving fund established by section 49-1015,
14 Arizona Revised Statutes, in fiscal year 2022-2023 for:

- 15 1. Administrative costs of the department.
- 16 2. Remediating sewage discharge issues in Naco, Arizona and other
17 border areas of Arizona.

18 Sec. 3. Arizona water banking fund; use of monies

19 In addition to the purposes provided in section 45-2425, Arizona
20 Revised Statutes, monies appropriated to the Arizona navigable stream
21 adjudication commission from the Arizona water banking fund established by
22 section 45-2425, Arizona Revised Statutes, may be used in fiscal year
23 2022-2023 to pay legal fees.

24 Sec. 4. Appropriation limit; water quality assurance
25 revolving fund

26 Notwithstanding section 49-282, Arizona Revised Statutes, the
27 appropriation from the state general fund to the water quality assurance
28 revolving fund established by section 49-282, Arizona Revised Statutes,
29 for fiscal year 2022-2023 may not exceed \$15,000,000.

30 Sec. 5. Department of environmental quality; vehicle
31 emissions testing fees; exemption from rulemaking

32 A. Notwithstanding any other law, the director of environmental
33 quality shall charge fees in fiscal year 2022-2023 that are not more than
34 the fees that were charged in fiscal year 2021-2022 for tests conducted in
35 Area A, as defined in section 49-541, Arizona Revised Statutes.

36 B. The department of environmental quality is exempt from the
37 rulemaking requirements of title 41, chapter 6, Arizona Revised Statutes,
38 until July 1, 2023 for the purpose of establishing fees pursuant to this
39 section.

1 Sec. 6. Agricultural fees: continuation: intent: rulemaking
2 exemption

3 A. Notwithstanding any other law, the director of the Arizona
4 department of agriculture, with the assistance of the department of
5 agriculture advisory council, may continue, increase or lower existing
6 fees from fiscal years 2020-2021 and 2021-2022 in fiscal year 2022-2023
7 for services provided in fiscal year 2022-2023.

8 B. The legislature intends that the additional revenue generated by
9 the fees prescribed in subsection A of this section not exceed \$218,000 to
10 the state general fund, \$113,000 to the pesticide trust fund established
11 by section 3-350, Arizona Revised Statutes, and \$26,000 to the dangerous
12 plants, pests and diseases trust fund established by section 3-214.01,
13 Arizona Revised Statutes, in fiscal year 2022-2023.

14 C. The Arizona department of agriculture is exempt from the
15 rulemaking requirements of title 41, chapter 6, Arizona Revised Statutes,
16 until July 1, 2023 for the purpose of establishing fees pursuant to this
17 section.