

LEGISLATIVE UPDATE– JUNE 2009

As far as the Budget is concerned, on May 13, the Legislature acted to close *another* \$650 million gap in the *current* year 2009 budget (the fiscal year that ends June 30). The revised budget used \$250 million in federal stimulus money, a delayed payment of \$100 million to the Universities, and a temporary suspension of \$300 million cash payment to K-12 schools that is to be offset by the school districts using excess cash balances that they had been carrying.

The State Senate (still) has not yet assigned any bills to committees, and won't hear any new bills until the budget for Fiscal Year 2010 is passed. The House has intermittently been holding floor votes on bills. The status of the bills affecting the Engineering Industry include:

HB 2129 State Aviation Fund; grants. Changes the maximum grant monies that any one airport may receive in any one fiscal year, from the current ten per cent of the total state aviation fund, to ten per cent of "the average annual revenue that the fund received over the past three years." *Has passed committee in the House. Awaiting Floor vote (same as last month).*

HB 2142 County Water authority; Colorado River. This bill changes the required allocation of the Mohave County Water Authority apportionment it receives of Colorado River water. Instead of 15,000 acre-feet for municipal use and 3,500 acre-feet for industrial use, combines the two into 18,500 acre-feet for municipal use, and eliminates the separate industrial use allocation. Change is needed to comply with a recent U.S. Dept. of Interior interpretation. *Awaiting floor vote in House (same as last month) .*

HB 2167 Transportation district working group. Establishes a committee (called a working group) consisting of the ADOT Director and the heads of each of the state's various Councils of governments (COGS) to study the issue of dividing the state into six transportation districts. *Has passed committees in the House. Still awaiting Rules Committee consideration (same as last month).*

HB 2252 International ports development. Adding a new section of law in title 28 (ADOT) to engage in activities to facilitate the development of international trade between Arizona and other countries. Requires ADOT to establish in each border county an advisory council for international trade, and delegating the powers and duties to a "Border Regional Port Authority". Allows bonding by ADOT for the purpose of acquiring projects to facilitate international trade or commerce. *Has passed committees in the House. Awaiting floor vote in House (same as last month).*

HB 2259 Local development fees; procedures. This bill amends the current procedures for implementation of municipal and county development fees, prohibits new development fees for 24 months after final approval of a development, and prohibits counties from assessing development fees to schools, except for street, water, and sewer utility improvements. *Passed committee, ready for floor vote.*

HB 2267 municipalities; counties; fire sprinklers; codes. Prohibits a city, town or county from adopting an ordinance that mandates the installation of fire sprinklers in homes. *Passed committee, ready for floor vote (same as last month).*

HB 2329 Solar energy; permit fees. Sets maximum fees that municipalities can charge for building permits for construction of solar energy systems. *Passed committee, ready for floor vote.*

HB 2396 ADOT; transportation public private partnerships. Eliminates the current ADOT statutes regarding privatization and replaces with statutes similar to SB 1261 sponsored by John Nelson, but with quite a few changes. A few examples of the changes, it sets a maximum term of 50 years for the term of a PPP agreement. Provides for a tax refund for the fuel taxes for any vehicle using the PPP facility (apparently slipped in by the motor carriers lobbyist. Also prohibits the use of photo radar on any PPP facility. *Has passed the House by a vote of 53 ayes and 1 nay, with 6 not voting. Awaiting committee assignment in the Senate.*

HB 2440 Drought emergency; groundwater transfers. Adds a new law allowing but regulating the transfer of groundwater in non-AMA areas of the state in a declared "drought emergency". *Has passed committees in the House. Awaiting Floor vote.*

HB 2480 Regional transportation authorities; qualifying counties. Changes the population threshold from the current 400,000 down to 200,000 for counties that want to create a regional transportation authority. *Passed committee, awaiting floor vote in House (same as last month).*

HB 2481 Joint legislative committee; transportation; Mexico. Creates a 13-member committee to study and make recommendations on how to improve commercial travel between Sonora and Arizona. *Passed committee in House, awaiting floor vote in House.*

HB 2540 Tax assessment of retention basins. Creates a special tax category for commercial and industrial retention basins. Basins must be recorded to a non-profit group specifically for the use only as a storm water retention basin. Tax on retention basins would be \$500 per year, no matter the size. *Passed committee in House, awaiting Floor vote in House (same as last month).*