



Legislative Session Tracking Sheet 2010

Bill ⁱ	Sponsor	Description	AMWUA Position ⁱⁱ	Last Action ⁱⁱⁱ
HB2081: ADWR Continuation	Mason	Continues ADWR to July 1, 2020	SUPPORT	4/5 Signed by the Governor (Laws2010 Chapter 15)
HB2083: Drought Emergency Groundwater Transfer	Mason	Allows temporary transportation of groundwater in areas outside an AMA during a declared drought or water shortage related emergency, subject to numerous conditions. Amended to clarify Groundwater Transportation Prohibitions for CAGR. Conference Committee technical amendment.	Monitor	4/28 Senate Final Read; Passed 27-3; 4/29 Transmitted to the Governor
HB2152: Voluntary Remediation Program	Barnes	Continues ADEQ's voluntary remediation program to July 1, 2020.	Monitor	4/14 Signed by the Governor (Laws 2010, Chapter 45)
HB2171: Water Exchanges; Technical Correction	Tobin	Striker vehicle	Monitor	2/25 House Water and Energy HELD

HB2180: Aquifer Protection; Natural Gas	Seel	Exempts class 2 injection wells for natural gas storage purposes from Aquifer Protection Permit requirements.	Monitor	Ref: House Water and Energy
HB2218: Irrigation Districts; Contracts	Jim Weiers	Raises the threshold for non-bid contracts from \$10k to \$30k. Removes State Certification as one of the two entities required to declare an emergency to circumvent bid advertisements for contracts. Senate Finance amendment added CPI index.	Monitor	4/14 Signed by the Governor (Laws 2010; Chapter 47)
HB2249: Municipal Development Fees; Refunds	Biggs	If a facility is not completed within seven (7) years after the first development fee is collected, the municipality must refund any fees that were collected. Exempts water, wastewater and sewer.	Monitor	Ref: Senate Gov 3/29 House; Passed 40-19
HB2255: Technical Correction; AMAs S/E Landlord Utility Fees	Jones	Amended 2/22 with S/E relating to landlord fees for utilities and garbage	Monitor	4/26 House Final; Passed 46-11; Transmitted to the Governor
HB2257: Municipal Taxation & Fees; Notice S/E Same subject posted	Antenori	90-day written notice of any new or increased tax, fee or rate on a commercial entity. Must release report identifying the methodology for calculating the tax or fee. Prohibits use of emergency clause. Strike Everything Amendment Same Subject	Monitor	4/26 House Final; Passed 42-15; Transmitted to the Governor

HB2259: Development Fees; Proportional Share	Biggs	<p>Requires proportional share of costs for new and existing development. IIP must identify existing sources of funds and amounts and sources of funds paid by existing residents. Requires that existing funds be spent before any development fees. Identify source and amount of revenues to pay bonds that will be associated with capital improvements.</p>	Monitor	<p>3/25 House COW; Passed 2/2 House Gov; Passed 6-2</p>
HB2260: Regulatory Rulemaking	Tobin	<p>Various changes to statutes governing regulatory rule making, including creating a “general permit” (defined) and requiring new permit rules to use general permits, except in specified circumstances, prohibiting rules that are more stringent than federal law without express statutory authority, and allowing summary rule making for the repeal of “ineffective” rules that do not increase compliance costs or reduce entity rights.</p>	Monitor	<p>4/28 House Final; Passed 37-22; Transmitted to the Governor</p>
HB2282: Transparency; Political Subdivisions <u>S/E Same Subject</u>	Montenegro	<p>STRIKE EVERYTHING AMENDMENT: Adds local governments to entities that must publish to an official website, with a searchable database, receipts and expenditures. Includes vendor information, amount and date of payment, city, and legislative district. Must provide information within 30 days of the close of a fiscal year. SCOW amendment removes requirement to crosslink expenditures with contract</p>	<p>Monitor</p>	<p>4/28 Senate Final; Passed 27-3; Transmitted to the Governor</p>

HB2289: Water Recharge; Direct Use	Pratt	<p>Groundwater delivered for direct use to an irrigation district within the same AMA is excluded from the calculation of the amount of groundwater withdrawn, if the water is withdrawn for mining. [Resolution Copper] Amended in House Environment to sunset in 2025 and retroactive to Dec 31, 2009. House Floor Amendment to correct drafting error.</p>	Monitor	<p>4/23 Signed by the Governor (Laws 2010 Chapter 131)</p>
HB2290: Waste Tires; Abandoned Mines	Jones	<p>Allows, with the permission of the State Mine Inspector, tires to be used to fill mines until 2015. Defines mine-fill as an acceptable method for the disposal of waste tires. Adds “an abandoned mine filled with waste tires” to the Title 49 definition of a solid waste facility. Removes from the definition of “Waste tire” any tire that has been disposed of in an abandoned mine. Creates a demonstration project for the use of waste tires in abandoned mines. Demonstration project is charged with the study of effectiveness of use of waste tires and the impacts on public safety and water quality.</p>	OPPOSE	<p>3/8 Ref SNRIPD</p>
HB2407: Municipal Sales Tax; Utilities	Antenori	<p>Prohibits a city from charging a sales tax on the provision of water, gas or electricity outside of the city limits.</p>	Monitor	<p>2/18 House COW Retained</p>

HB2448: CAGR Revenue Bonding; Sustainability	Tobin	Enables CAWCD to bond for CAGR replenishment water supplies (see also SB1141). Amended in House to match SB1141. (SUBSTITUTED with SB1141, passed and transmitted to the Governor)	Monitor	3/25 House COW; Passed
HB2450: Water and Wastewater Charges	Antenori	A city may not require any person, other than the person with whom the city contracted, to pay unpaid water and wastewater service rates and charges AMENDED to limit to single-family residential.	Monitor	4/28 Senate 3 rd Read; Passed 21-9; Transmitted to the Governor
HB2458: Home Sales; Water Supply Disclosure	Ableser	For a subdivision outside an AMA, requires a subdivider to record with the Plat a document containing a statement of water adequacy or inadequacy.	Monitor	Ref: HWE; HCom
HB2561 S/E Groundwater Transfers; Big Chino	Mason	Allows a city or town in the Prescott AMA to transfer from the Big Chino Sub-basin up to 8068af of groundwater plus an increment over 231af for compliance with an Indian water settlement. The transfer is conditional upon the relinquishment of a CAP allocation and the entering into of a federally approved settlement agreement with an Indian tribe. [SRP/Prescott Settlement] [See also SB1445] (Substituted with SB1445, passed and transmitted to Governor)	SUPPORT	4/19 Substituted SB1445; House ; Passed 39-16; Transmitted to the Governor

HB2573: Cities; Water Softeners; Salts	Mason	Permits cities to regulate the use, installation and disposal of water softeners that discharge sodium into a water or wastewater system.	Monitor	2/11 House Water and Energy; Failed 4-4
HB2574: Renewable Energy Districts	Mason	Enables cities and towns to form improvement districts for the purpose of acquiring and installing water conservation and renewable energy infrastructure and equipment. Amended in HWE to require district to provide a list of parcels included to the County Assessor. House Floor technical fix related to authorized governing body	Monitor	4/7 Senate Finance; HELD
HB2582: Technical Correction; Dry Wells	Barnes	Striker vehicle	Monitor	Introduced
HB2583: Technical Correction; Water Quality	Barnes	Striker vehicle	Monitor	Introduced
HB2584: Technical Correction; Water Quality Fund	Barnes	Striker vehicle	Monitor	Introduced
HB2585: Technical Correction; Underground Storage; Closure	Barnes	Striker vehicle	Monitor	Introduced
HB2586: S/E Agency Fees	Biggs	Amends FY11 Environment BRB to require 30-day public comment period on proposed fees and establishes a fees commission to look at agency fees and the legal structure for future increases/decreases in fees. Amended in Senate COW to be bipartisan commission	Support	4/28 House Final; Passed 43-16; Transmitted to the Governor

HB2597: Tax Credits; Exemptions; Sunset	Chabin	Requires all future statutes that provide a tax credit or exemption to have a 7-year sunset. Inserts a 7-year sunset in numerous tax credits, including agricultural water conservation systems, solar hot water stub outs and pollution control.	Monitor	2/22 HWM Failed 4-4
HB2617: Mining; Water; Permits; Rules	Jones	Numerous changes to permitting related to mining operations and water including those related to remediation and aquifer protection. Amended to add ADWR and ADEQ fee setting with rulemaking exemption. House Substituted Floor Amendment removed fees, removed AL/OAH provisions, and narrowed water components. Section relating to Mine Inspector lawsuits was removed. Most serious AMWUA concerns resolved.	Oppose	4/27 House Final; Passed 38-19; Transmitted to the Governor
HB2653: IGAs; Separate Legal Entities	Pratt	Enables cities, towns, counties, other political subdivisions and certain Title 48 special taxing districts to form separate legal entities via IGA (see also SB1092).	Monitor	4/28 House Final; Passed 53-5; Transmitted to the Governor
HB2661: Statewide Water Augmentation Authority	Tobin	Would create a 15-person commission to study 1) water needs in each county in the next 50 and 100 years and 2) the CAP, CAGR, SRP, and Water Bank storage and delivery obligations. Commission shall develop recommendations and legislation for the development and financing of future water acquisitions, infrastructure, and	Support as Amended	4/28 Senate 3 rd Read; Passed 17-13; Transmitted to the Governor

		<p>infrastructure financing, and the development of a Statewide Water Augmentation Authority to identify and develop new sources and infrastructure. Commission may recommend making modifications to any existing agency or authority in order to accomplish some or all of the proposed authority's duties. ADWR may provide a technical committee to assist the Commission. Submit report of findings and suggested legislation by 12/15/2010. Repeals. Sept 30, 2011. AMENDED in HWE to have the commission appointed by ADWR and specify the commission's duties to identify statewide water and water infrastructure needs.</p> <p>(REMOVES AMWUA OPPOSITION)</p>		
<p>HB2676: Energy Parks Authority S/E University Athletic Facilities</p>	Nichols	<p>Establishes an Energy Parks Authority for the purpose of creating and financing energy generation and transmission facilities. House Gov Amendment S/E AMENDMENT ADOPTED Re: University Athletic Facilities.</p>	Monitor	4/23 Signed by the Governor
<p>HB2723: AMA Water Districts; Conflicting Versions S/E Minors in Vehicles</p>	Goodale	<p>Repeals conflicting versions of 48-4831 passed in 1993 relating to board members of AMA Water Districts. PROPOSED S/E AMENDMENT R: Minors in Vehicles.</p>	Monitor	4/27 House Concur
<p>HB2744: Bottled Water Surcharge</p>	Mason	<p>Noncarbonated, unflavored, unfortified bottled water for human consumption is</p>	Monitor	2/25 House Water and Energy; Failed 4-4

		subject to a charge levied by the state at 5 cents per individually sold bottle, 5% of the price of a multipack, 5 cents per gallon, if transferred to a customer's bottle or delivered to the customer. Payable by the retailer along with typical sales tax. Does not apply to bottles sold in restaurants. First \$25million goes to ADWR, next \$10 million to ADEQ Water Quality, remainder to cities, towns and counties. Requires 2/3 vote because prop 108 applies.		
HB2767: Water Quality Fees	Jones	Establishes a committee to assist ADEQ Director in the setting of fees. Allows ADEQ Director to set the following fees by Rule: Aquifer Protection Permit, Discharge Annual Fees (adds Recharge facility to taxable list), AZPDES, Dry Well for Disposal, as session law sets numerous temporary maximum fees. SNRIPD amendment added 2 members to the commission. Amended in Senate to provide "Held in Trust" language for fees collected by ADEQ.	Monitor	4/29 House Final; Passed 51-7; Transmitted to the Governor
HB2778: HOAs; Rainwater Systems	Young Wright	HOAs may not prohibit the installation of a rainwater-harvesting device. HOAs may adopt reasonable rules relating to aesthetics, dimensions, and placement of devices. Defines rainwater harvesting device.	Monitor	Ref: House Gov
HB2781: Well Ownership; Sale; Council Recommendation	Young Wright	Directs ADWR to prepare a report by 2013 on the conditions that contribute to an AMA	Monitor	3/8 Rules OK

		projecting to fail to meet its 2025 safe yield goals. Requires new owners of registered wells to record, with the county recorder, a document that specifies the well registration number and the information that is currently required to be reported to the ADWR director (see ARS 45-593). AS AMENDED.		
HCR2015: Navajo Generating Station	Tobin	Note to Congress in support of the NGS's economic impacts and supporting a balanced approach to environmental policies that may affect the plant.	Monitor	Ref: House Environment
HCR2033: Development Fees; Authority	Chad Campbell	Amends AZ Constitution to prohibit Legislature from passing laws that impede the local administration and assessment of development fees.	Monitor	Introduced
SB1092: IGAs; Separate Legal Entities	Paton	Enables Cities, Towns, Counties, other political subdivisions, and certain Title 48 special taxing districts to form separate legal entities via IGA. (see also HB2653)	Monitor	Ref: Senate Finance
SB1126: Intrastate Nuclear Fuel	Melvin	Exempts, under certain conditions, nuclear fuels produced in Arizona from federal regulation.	Monitor	2/23 Senate Com HELD

SB1141: CAGR Revenue Bonding; Sustainability	Nelson	Enables CAWCD to bond for CAGR replenishment water supplies. Pierce amendment added in SNRIPD to limit water supply sources that can be acquired for replenishment purposes.	<u>SUPPORT</u>	4/28 House 3rd Read Substituted for HB2448 Passed 46-11; Transmitted to the Governor
SB1194:AZ Power Authority; Bonding	Pierce	Expands APA bonding authority for transmission lines and projects in the State Water and Power Plan. Same subject S/E to restore requirements on the APA Strike Everything Same Subject	Monitor	4/26 Signed by Governor (Laws 2010 Chapter 165)
SB1198: Utility Lines; Extension Charges	S Allen	Prohibits a public service corporation from charging for the 1 st 1,000 feet of service line extension if the cost is less than \$10k. Requirements for various credits in master planned communities.	Monitor	2/22 NRIPD; Passed Amended 5-1
SB1223: Underground Storage; Preexisting Use S/E Public Rights-of-Way; Claim	S Allen	Amends statute relating to disputes over the division of water and is amended to read that the section (45-173) does not authorize interference with lawful land uses in existence at the time an underground storage facility was issued a permit. NOTE: CAP Recharge Facility/Sand & Gravel issue. PROPOSED S/E Public Rights of Way.	Oppose – underlying bill	2/22 NRIP HELD

SB1235: Hazardous Substances; Insurance	Burton Cahill	Requires a person who is required to file a risk management plan for the Clean Air Act to purchase liability insurance for the release of hazardous substances.	Monitor	Ref: Senate Finance
SB1241: Water Recharge; Direct Reuse S/E Expenditure Limitation Superior	S Allen	Groundwater delivered for direct use to an irrigation district within the same AMA is excluded from the calculation of the amount of groundwater withdrawn, if the water is withdrawn for mining. [Resolution Copper] See also HB2289. S/E relating to Town of Superior's Penalties for violating its expenditure limit.	Monitor	4/8 NRRA S/E; Passed 7-0
SB1264: Comprehensive Reporting of Govt	Paton	Web-based reporting of expenditures, revenues, benchmarks, etc.	Monitor	2/23 Senate Appropriations; Passed 6-3
SB1276: Water Monitoring Asst. Program; Cont.	Nelson	Extends ADEQ WMAP sunset to 2020	Monitor	4/28 House 3 rd Read; Passed 56-2; Transmitted to the Governor
SB1277: Max Daily Load Program; Cont.	Nelson	Extends ADEQ MDL sunset to 2020	Monitor	4/28 House 3 rd Read; Passed 45-13; Transmitted to the Governor
SB1296: Energy and Water Savings Account	Waring	Enables a city, town, county or school district to create W&E Savings account in order to execute a guaranteed energy cost savings contract. Establishes requirements for entering into a guaranteed energy cost	Monitor	Ref: SNRIPD & Senate Gov

		savings contract and repeals sections of Title 34 related to performance contracts and design standards for energy efficiency.		
SB1316: Natural Watercourse; Prior Land Use	S Allen	The list of requirements whereby a water channel may be permitted to be used as a location for an underground storage facility is expanded to include that the new use does not interfere with lawful uses of the channel, including land uses, that existed prior to the issuance of the underground storage facility permit (see also SB1223).	OPPOSE	Ref: SNRIPD
SB1335 S/E Fees Principles	Verschoor	S/E relating to Fee Principles for Agencies	Monitor	3/23 Rules OK
SB1348 Regulatory Reform	Burns	Numerous regulatory review changes. Including online database administered by Secretary of State; allows summary rulemaking for obsolete rules; change the GRRC economic impact standards to clear and convincing evidence; establishes a commission on privatization; extends the rulemaking moratorium	Monitor	Ref House Com 3/22 Senate; Passed 18-11
SB1355: Water Assessments	Pierce	Allows ADWR to charge various assessments on water use. Part of the ADWR self-funding plan (2 of 2; see also SB1359).	Oppose	2/22 SNRIPD HELD

SB1356: Water Bank; Excess CAP	Pierce	<p>Defines excess CAP water. Affirms existing water bank authority to acquire excess cap water for Indian Farming, Indian Settlements, M&I Shortage storage, and Interstate Banking Agreements.</p>	Support	4/26 Signed by the Governor (Laws 2010 Chapter 168)
SB1359: ADWR; Fund	Pierce	<p>Creates the Water Resources Fund. Changes fees that are currently statutorily fixed to being set by rule. Directs fees to be deposited in WRF. NRIPD Amendment removed most of AMWUA's concerns with respect to exemption to rulemaking and the elimination of certain special funds. Amended in House to provide that fee revenues be "held in trust."</p>	Support	44/29 Senate Final; Passed 25-1; Transmitted to the Governor
SB1379: County Water Authority; Industrial Use	Gould	<p>Expands the Definition of Industrial Use to include non-agriculture water provided by a city water provider (by way of striking language).</p>	Monitor	Ref: SNRIPD
SB1398: Local Coordination; Federal Regulation	S Allen	<p>Would require the city to demand that the federal government coordinate with the city before implementing any regulation that is more restrictive than the city's regulation. If the Feds fail to coordinate, the city would be required to hold a hearing and vote on whether to engage in litigation with the federal government. Allows a person to file written demand to the city to demand</p>	Monitor	4/28 Signed by the Governor (Laws 2010 Chapter 189)

		federal coordination. If within 60 days, the city does not comply and injury is caused, the person may file a special action. Defines “coordination” and “less restrictive.”		
SB1400: Irrigation Grandfathered Right	C Gray	Permits an irrigation district with grandfathered rights to withdraw excess groundwater within an AMA for the purpose of complying with dust control requirements.	Oppose	2/22 SNRIPD HELD
SB1408: AG Best Management; Dust Control	Melvin	Amends dust control requirements on irrigation districts for Ag use. See in context of SB1400, relating to groundwater withdrawals.	Monitor	4/16 Signed by the Governor (Laws 2010, Chapter 82)
SB1414: Multicounty Conservation District; Energy	Nelson	Allows CAWCD to acquire new sources of energy from any lawful source.	Monitor	2/22 SNRIPD HELD
SB1445: Groundwater Transfer; Big Chino Sub-basin	Pierce	Allows a city or town in the Prescott AMA to transfer from the Big Chino Sub-basin up to 8068 acre-feet of groundwater plus an increment over 231 acre-feet for compliance with an Indian water settlement. The transfer is conditional upon the relinquishment of a CAP allocation and the entering into of a federally approved settlement agreement with an Indian tribe. [SRP/Prescott Settlement] [see also HB2561]	SUPPORT	4/26 Signed by the Governor (Laws 2010 Chapter 171)

SCR1046: Intrastate Waters	C Gray	Proposed constitutional amendment to declare that the State of Arizona has only regulatory jurisdiction over intrastate waters. Defines navigable waters as those on which routine interstate commerce can float. HWE amendment removes the Navigable waters definition.	Monitor	4/8 House Water and Energy; Passed 5-2 Amended
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ⁱ Hyperlink connects to the State Legislature’s website for the bill, where you can find sponsor information, bill text, amendments, votes and the status history of the bill.

ⁱⁱ Hyperlink connects to the AMWUA factsheet for the bill. Positions in **BOLD** reflect high-attention measures.

ⁱⁱⁱ Hyperlink connects to the vote detail for the last major vote activity, where applicable. Ref= Referred to Committee (example, ref:HWE; HApprops means Referred to House Water and Energy and House Appropriations)