

PROPOSED AMENDMENT

SENATE AMENDMENTS TO H.B. 2617

(Reference to House engrossed bill)

1 Page 1, strike lines 34 through 45

2 Strike pages 2, 3 and 4

3 Renumbr to conform

4 Page 10, after line 44, insert:

5 "Sec. 8. Section 45-104, Arizona Revised Statutes, is amended to read:

6 45-104. Department organization; deputy directors; employees;

7 legal counsel; branch offices; consultants

8 A. The director may establish and organize divisions within the
9 department and otherwise organize the department in the manner the director
10 deems necessary to make the operation of the department efficient and
11 effective.

12 B. The director may appoint a deputy director to each division or
13 organizational unit that the director may establish. Deputy directors are
14 exempt from the state personnel system, shall serve at the pleasure of the
15 director and are entitled to receive compensation pursuant to section 38-611.

16 C. The director, within the classification and pay scales adopted by
17 the state personnel board, may employ, define the duties of and prescribe the
18 terms and conditions of employment of such clerical, technical, professional
19 and administrative personnel as necessary to efficiently perform the
20 responsibilities of the department. Compensation for all employees shall be
21 pursuant to section 38-611.

22 D. The director may employ on a contract basis geologists,
23 hydrologists, consulting engineers, other expert consultants and engineering
24 and other assistants as the director deems advisable, who are not subject to
25 the classification provided for in title 41, chapter 4, article 5.

26 E. The director may utilize the services of accounting, legal or
27 engineering personnel made available by any department or agency of this
28 state, who shall serve without additional compensation.

29 F. The director may employ legal counsel to advise and represent the
30 department in connection with legal matters before other departments and
31 agencies of this state, and represent the department and this state in
32 litigation concerning affairs of the department. Legal counsel is not
33 subject to the classification provided for in title 41, chapter 4, article 5.

1 G. The director shall maintain the director's office in Phoenix and
2 may establish a branch office of the department in each active management
3 area established pursuant to chapter 2, article 2 of this title.

4 H. THE DIRECTOR ON BEHALF OF THE DEPARTMENT MAY CONTRACT WITH PRIVATE
5 CONSULTANTS FOR THE PURPOSES OF ASSISTING THE DEPARTMENT IN REVIEWING
6 LICENSES, PERMITS OR OTHER AUTHORIZATIONS TO DETERMINE WHETHER AN APPLICANT
7 MEETS THE CRITERIA. IF THE DEPARTMENT CONTRACTS WITH A CONSULTANT UNDER THIS
8 SUBSECTION, AN APPLICANT MAY REQUEST THAT THE DEPARTMENT EXPEDITE THE
9 APPLICATION REVIEW BY REQUESTING THAT THE DEPARTMENT USE THE SERVICES OF THE
10 CONSULTANT AND BY AGREEING TO PAY THE DEPARTMENT THE COSTS OF THE
11 CONSULTANT'S SERVICES. NOTWITHSTANDING ANY OTHER LAW, MONIES PAID BY
12 APPLICANTS FOR EXPEDITED REVIEWS PURSUANT TO THIS SUBSECTION ARE APPROPRIATED
13 TO THE DEPARTMENT FOR USE IN PAYING CONSULTANTS FOR SERVICES."

14 Renumber to conform

15 Page 13, line 23, after the first and second "TO" insert "METAL"

16 Line 35, after "THE" insert "METAL"

17 Page 14, line 19, after "A" insert "METAL"

18 Page 26, line 40, strike "SECTION" insert "PARAGRAPH"

19 Line 43, after the period insert "NOTWITHSTANDING ANY OTHER LAW, MONIES PAID BY
20 APPLICANTS FOR EXPEDITED REVIEWS PURSUANT TO THIS PARAGRAPH ARE APPROPRIATED
21 TO THE DEPARTMENT FOR USE IN PAYING CONSULTANTS FOR SERVICES."

22 Amend title to conform

SYLVIA ALLEN

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04/02/2010
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C: myr