

COMMITTEE ON NATURAL RESOURCES  
SENATE AMENDMENTS TO S.B. 1244  
(Reference to printed bill)

1 Page 5, between lines 4 and 5, insert:

2           "Sec. 3. Section 48-805.02, Arizona Revised Statutes, is amended to  
3 read:

4           48-805.02. Fire district annual budget; levy; requirements

5           A. A fire district shall prepare an annual budget that contains  
6 detailed estimated expenditures for each fiscal year and that clearly shows  
7 salaries payable to employees of the district. The budget summary shall be  
8 posted in three public places and a complete copy of the budget shall be  
9 published on the district's official website for twenty days before a public  
10 hearing at a meeting called by the board to adopt the budget. Copies of the  
11 budget shall also be available to members of the public on written request to  
12 the district. Following the public hearing, the district board shall adopt a  
13 budget. A complete copy of the adopted budget shall be posted in a prominent  
14 location on the district's official website within seven business days after  
15 final adoption and shall be retained on the website for at least sixty  
16 months. For any fire district that does not maintain an official website,  
17 the fire district may comply with this subsection by posting on a website of  
18 an association of fire districts in this state.

19           B. Not more than ten days after the organization of a fire district  
20 and not later than August 1 of each year thereafter, the chairman of the  
21 district board shall submit to the county board of supervisors a budget  
22 estimate that contains certifications by item and that specifies the amount  
23 of money required for the maintenance and operation of the district for the  
24 ensuing year.

1           C. Based on the budget submitted by the district, the board of  
2 supervisors shall levy the tax as prescribed in section 48-807, subsection ~~E~~  
3 F.

4           D. Every budget adopted by a fire district shall include the  
5 following:

6           1. A certification by the chairman and clerk of the district board as  
7 to both of the following:

8           (a) That the district has not incurred any debt or liability in excess  
9 of taxes levied and to be collected and the money actually available and  
10 unencumbered at that time in the district general fund, except for those  
11 liabilities as prescribed in section 48-805, subsection B, paragraph 2 and  
12 sections 48-806 and 48-807.

13           (b) That the district complies with subsection F of this section.

14           2. For each of the items listed in the budget summary approved  
15 pursuant to subsection A of this section, the district shall estimate the  
16 revenue or expense for the next two fiscal years. Estimates shall be based  
17 on the average increase or decrease of the item for the previous two fiscal  
18 years unless more certain information is available to the district.  
19 Estimates shall include any applicable levy or rate limitations.

20           3. If a district's total estimate of expenses exceeds its total  
21 estimate of revenues for any fiscal year, the district shall undertake a  
22 study of merger, consolidation or joint operating alternatives. The study  
23 required by this paragraph shall be presented to the fire district board in a  
24 special public meeting called for the sole purpose of evaluating the study.  
25 The study shall include an identification of districts available for merger,  
26 consolidation or joint operations, an analysis of the level of service and  
27 cost of service that may be provided to the residents of a merged,  
28 consolidated or jointly operated district as compared to the level and cost  
29 of service to the residents of the districts without any merger,  
30 consolidation or joint operations.

31           E. For any district that amends its budget after its initial adoption,  
32 the district board shall hold at least two hearings on the revision of the

1        budget and the revised budget must be considered and adopted in a special  
2        meeting that is called for the adoption of the revised budget. The special  
3        meeting must be held one week after the consideration of the revision of the  
4        budget at a regularly scheduled meeting of the board of directors of the  
5        district. This subsection does not apply to a district organized pursuant to  
6        article 3 of this chapter.

7              F. When a fire district has adopted a budget and the board of  
8        supervisors has levied a fire district tax as provided in subsection C of  
9        this section and the district has insufficient monies in its general fund  
10       with the county treasurer to operate the district, the chairman of the fire  
11       district board of directors, on or after August 1 of each year, may draw  
12       warrants for the purposes prescribed in section 48-805 on the county  
13       treasurer, payable on November 1 of that year or on April 1 of the succeeding  
14       year. The aggregate amounts of the warrants may not exceed ninety percent of  
15       the taxes levied by the county for the district's current fiscal year. If  
16       the treasurer cannot pay a warrant for lack of monies in the fire district  
17       general fund, the warrant shall be endorsed, be registered, bear interest and  
18       be redeemed as provided by law for county warrants, except that the warrants  
19       are payable only from the fire district general fund.

20              G. Any audit, report or review of a fire district made pursuant to  
21        section 48-253 shall be presented to the district board by the auditor  
22        telephonically or in another live electronic format during a public meeting  
23        of the board or, as directed by the board, in person at a public meeting of  
24        the board. The district board shall take formal action at the public meeting  
25        to review and receive the audit, report or review. The audit, report or  
26        review shall include an attestation by the auditor of the district as to all  
27        of the following:

28                  1. That the district has not incurred any debt or liability in excess  
29        of taxes levied and to be collected and the monies actually available and  
30        unencumbered at that time in the district general fund except for those  
31        liabilities as prescribed in section 48-805, subsection B, paragraph 2 and  
32        sections 48-806 and 48-807.

1           2. That the district complies with subsection F of this section.

2           3. Whether the audit, report or review disclosed any information

3           contrary to the certification made as prescribed by subsection D, paragraph 1

4           of this section."

5       Renumber to conform

6   Page 5, line 8, strike "~~shall levy~~" insert "shall levy"

7   Line 9, strike "SHALL LEVY"

8   Page 6, lines 8 and 9, strike "2012 AND ENDING WITH THE FISCAL YEAR THAT STARTS

9       JULY 1, 2015" insert "2016"

10   Line 10, strike "four hundred thousand dollars" insert "THE MAXIMUM ALLOWABLE

11       AMOUNT"

12   Line 11, after "monies" insert "AS PRESCRIBED IN SUBSECTION D OF THIS SECTION"

13   Line 12, after the period strike remainder of line

14   Strike lines 13 and 14

15   Line 15, strike "2012 AND ENDING"

16   Line 16, strike "WITH THE FISCAL YEAR THAT STARTS JULY 1, 2015" insert "2016";

17       strike "if" insert "FOR ANY"; after "districts" insert "THAT"

18   Line 17, after "merge" insert "OR CONSOLIDATE"; after "district" strike

19       remainder of line

20   Strike line 18

21   Line 19, strike "hundred thousand dollars" insert "ON OR AFTER JULY 1, 2014"

22   Line 20, strike "until its receipts total four hundred thousand dollars," insert

23       "IN AN AMOUNT NOT TO EXCEED THE SUM OF THE AVERAGE OF THE AMOUNT OF FIRE

24       DISTRICT ASSISTANCE TAX MONIES RECEIVED BY EACH OF THE CONSOLIDATING OR

25       MERGING DISTRICTS IN THE FIVE FISCAL YEARS IMMEDIATELY PRECEDING THE MERGER

26       OR CONSOLIDATION"

27   Line 22, after the period strike remainder of line

28   Strike lines 23 through 25, insert:

29       "E. FOR A CONSOLIDATED DISTRICT THAT IS FORMED IN ANY FISCAL YEAR

30       BEGINNING JULY 1, 2014 OR LATER AND THAT IS RECEIVING FIRE DISTRICT

31       ASSISTANCE TAX MONIES THAT ARE REDUCED AS PRESCRIBED IN SUBSECTION A,

32       PARAGRAPH 1, SUBDIVISION (c) OF THIS SECTION, IF THE TOTAL AMOUNT OF FIRE

1 DISTRICT ASSISTANCE TAX MONIES THAT WOULD BE PAID TO ALL DISTRICTS IN THE  
2 COUNTY PURSUANT TO SUBSECTION A OF THIS SECTION IS LESS THAN THE AMOUNT OF  
3 MONIES THAT WOULD BE RAISED BY THE LEVY OF TEN CENTS PER ONE HUNDRED DOLLARS  
4 ASSESSED VALUATION, THE TREASURER SHALL PAY THE CONSOLIDATED DISTRICT THE  
5 AMOUNT OF FIRE DISTRICT ASSISTANCE TAX MONIES PRESCRIBED BY SUBSECTION A OF  
6 THIS SECTION THAT WOULD HAVE BEEN PAID TO THE DISTRICTS AT THE TIME THE  
7 DISTRICTS MERGED OR CONSOLIDATED."

8 Reletter to conform

9 Page 6, line 31, strike "H" insert "I"

10 Line 36, strike "G" insert "H"

11 Line 37, strike "E" insert "F"

12 Page 7, line 1, after "2." strike remainder of line

13 Strike line 2

14 Line 3, strike "~~valuation years,~~" insert "If the net assessed valuation of all  
15 property in the district declines by a combined total of twenty percent or  
16 more over two consecutive valuation years,; strike "~~the next~~ A" insert "the  
17 next"

18 Line 7, after "cents" strike remainder of line

19 Strike line 8

20 Line 9, strike "~~tax year mulitplied by 1.05~~" insert ", but subject to an annual  
21 levy limit of the amount of the levy in the preceding tax year mulitplied by  
22 1.05"

23 Line 10, strike "E" insert "F"

24 Line 12, after the second "year" strike remainder of line

25 Strike line 13

26 Line 14, strike "**THE OVERRIDE**"

27 Line 16, strike "F" insert "G"

28 Lines 22, 27, 33, 37, 41 and 45, strike "E" insert "F"

29 Page 9, line 7, strike "E" insert "F"

Senate Amendments to S.B. 1244

1 Page 9, after line 34, insert:

2           "Sec. 7. Retroactivity

3           Section 48-805.02, Arizona Revised Statutes, as amended by this act,  
4           and section 48-807, Arizona Revised Statutes, as amended by this act, apply  
5           retroactively to from and after June 30, 2016."

6 Amend title to conform

1244NR  
02/05/2016  
11:29 AM  
C: MYR