

COMMITTEE ON NATURAL RESOURCES, ENERGY & WATER
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1134
(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 45-1901, Arizona Revised Statutes, is amended to
3 read:

4 45-1901. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Active management area" means an active management area
7 established under chapter 2 of this title.

8 2. "Authority" means a county water augmentation authority
9 established under this chapter.

10 3. "Board" means the board of directors of the authority.

11 4. "County" means the county containing over fifty ~~per cent~~ PERCENT
12 of the area of the authority.

13 5. "Operating unit" means a county, city, town, water company or
14 political subdivision, this state, the United States, an Indian tribe or
15 any other public or private entity with which an authority has a
16 contractual relationship for the acquisition, delivery, exchange,
17 treatment, storage or recharge of water.

18 6. "Project" means ~~a~~ ANY OF THE FOLLOWING:

19 (a) ANY facility necessary or convenient to obtain, divert,
20 withdraw, transport, exchange, deliver, treat, CONSERVE, STORE or recharge
21 water, including rights-of-way, CANALS, PIPELINES, PUMPING STATIONS,
22 STORAGE PROJECTS, RECOVERY WELLS, DELIVERY AND RETENTION FACILITIES, WATER
23 AND WASTEWATER TREATMENT PLANTS, real and personal property, interests in

1 property and improvements to property that are necessary or appropriate to
2 maintain and operate the facilities.

3 (b) THE ACQUISITION OF WATER AND RIGHTS TO WATER.

4 (c) A LOAN OF BOND PROCEEDS FROM AN AUTHORITY TO AN OPERATING UNIT
5 TO ACQUIRE OR CONSTRUCT ANY FACILITY PRESCRIBED IN SUBDIVISION (a) OF THIS
6 PARAGRAPH.

7 7. "Water company" means either a private water company as defined
8 in section 45-402 or an irrigation district that primarily serves municipal
9 water.

10 Sec. 2. Section 45-1973, Arizona Revised Statutes, is amended to
11 read:

12 45-1973. Water supply fees

13 The authority may assess fees, including extraction fees, development
14 impact fees, connection fees, user fees, replenishment fees and
15 administrative fees, against any operating unit or other person with which
16 the authority has a contractual responsibility to provide any service. The
17 amount of the fee and the method of payment shall be determined pursuant to
18 the agreement between the authority and the operating unit or person, based
19 on the cost of the service the authority provides, including the cost of
20 developing an equivalent water supply for an operating unit that has
21 exchanged with the authority a water right or right to receive water for a
22 water supply contract with the authority. Any fee assessed under this
23 section is not a rate or charge of the operating unit and is not subject to
24 regulation by the ~~Arizona~~ corporation commission. The secretary-treasurer
25 of the authority shall deposit all monies received under this section in
26 EITHER OF THE FOLLOWING:

27 1. The general fund of the authority.

28 2. IF THE MONIES ARE COLLECTED PURSUANT TO THE CONTRACTING AND
29 BONDING POWERS OF THE AUTHORITY, THE BOND FUND OF THE AUTHORITY.

30 Sec. 3. Section 45-1976, Arizona Revised Statutes, is amended to
31 read:

32 45-1976. Payment of interest; investment of bond fund monies

1 The secretary-treasurer of the authority shall:

2 1. Pay ~~matured~~ PRINCIPAL AND interest ~~coupons from~~ DUE ON bonds of
3 the authority from the bond fund.

4 2. Invest monies in the bond fund, under THE direction of the board,
5 ~~in bonds of the United States or this state that shall be kept in the bond~~
6 ~~fund and that may be used to redeem bonds of the authority, on the request~~
7 ~~of the holders, either by exchanging them for bonds of the authority or by~~
8 ~~converting them into cash~~ AS PROVIDED IN TITLE 35, CHAPTER 2.

9 Sec. 4. Repeal

10 Section 45-1991, Arizona Revised Statutes, is repealed.

11 Sec. 5. Title 45, chapter 11, article 5, Arizona Revised Statutes,
12 is amended by adding a new section 45-1991, to read:

13 45-1991. Authority to issue bonds

14 THE AUTHORITY, ACTING THROUGH THE BOARD, MAY ISSUE REVENUE BONDS IN A
15 PRINCIPAL AMOUNT THAT THE AUTHORITY DETERMINES IS NECESSARY TO PROVIDE
16 SUFFICIENT MONIES TO ACQUIRE OR CONSTRUCT PROJECTS PURSUANT TO THIS
17 CHAPTER. THE AUTHORITY MAY ISSUE REVENUE BONDS IN CONJUNCTION WITH ANY
18 OTHER OPTIONAL OR ALTERNATIVE PLANS PROVIDED IN THIS CHAPTER.

19 Sec. 6. Section 45-1993, Arizona Revised Statutes, is amended to
20 read:

21 45-1993. Scope of resolution

22 A. Resolutions for a bond issue or issues shall state the amount of
23 the proposed issue or issues, the proposed interest rate and types and
24 terms of bonds, ~~that all other methods of necessary financing by the~~
25 ~~authority have been found impractical, inadvisable or inadequate~~ and that
26 the issuance of the bonds is necessary and advisable as proposed.

27 B. The authority ~~chairman~~ CHAIRPERSON and secretary-treasurer shall
28 sign the resolutions. In support of the resolution the authority shall
29 enter into its record pertinent engineering, economic and financial data,
30 appropriate maps, drawings, plans, outlines, calculations, summaries and
31 related agreements and any other essential information constituting a
32 record appropriate to the resolution.

1 C. The resolution may approve a bond issue to finance an entire plan
2 or system or any single or joint project, section or other facility of a
3 related system or plan proposed for ultimate integration and completion.

4 Sec. 7. Section 45-1994, Arizona Revised Statutes, is amended to
5 read:

6 45-1994. Hearing; findings

7 A. The ~~chairman~~ CHAIRPERSON of the board, ~~at the earliest practical~~
8 ~~date,~~ THE EXECUTIVE DIRECTOR OF THE BOARD OR THE CHAIRPERSON'S OR
9 DIRECTOR'S DESIGNEE shall fix a time and place for a hearing ~~at least~~
10 ~~twenty but not more than thirty days after~~ BEFORE adopting the
11 resolution. The authority shall ~~publish~~ PROVIDE notice of the time and
12 place fixed for the hearing ~~twice~~ AT LEAST TWENTY DAYS IN ADVANCE OF THE
13 HEARING in a newspaper of general circulation in the county in which the
14 authority is established.

15 B. All pertinent records and documents shall be filed WITH THE BOARD
16 at least ten days before the date set for the hearing. Prehearings
17 respecting any particular document, feature or incidental matter or any
18 separable part or portion of any resolution may be held by the board on ten
19 days' previous written notice if the board deems that holding a prehearing
20 is conducive to expediting a ~~final~~ hearing PURSUANT TO SUBSECTION A OF THIS
21 SECTION, and a decision as to the issues presented may thereupon be
22 rendered.

23 C. At the time and place fixed for the hearing, the board shall
24 examine and determine the matters and questions involved. Hearings may be
25 recessed, adjourned or continued as the board orders.

26 ~~D. Any person who holds an original agreement or proposal made with~~
27 ~~the authority relating to or concerning the handling, sale, control or~~
28 ~~disposition of a proposed issue of bonds or who has previously made an~~
29 ~~offer or bid in good faith to purchase the bonds pursuant to a published~~
30 ~~invitation for bids by the authority, and any operating unit holding~~
31 ~~contracts with the authority at least ten days before the date fixed for~~
32 ~~the hearing, may qualify to be heard.~~

1 ~~F.~~ D. AT THE CONCLUSION OF THE HEARING, if the board finds that all
2 precedent requirements and conditions have been fulfilled, ~~it~~ THE BOARD
3 shall approve the bond issue in whole or in part or shall otherwise
4 disapprove the bond issue as a whole or as to such features or proposals as
5 do not meet the essential requirements. When the board has made and
6 entered its findings, ~~it~~ THE BOARD shall enter a decision accordingly.

7 ~~F.~~ E. The decision of the board based on findings of fact that are
8 supported by a preponderance of the evidence and that are not arbitrary or
9 unreasonable is final and conclusive.

10 Sec. 8. Section 45-1996, Arizona Revised Statutes, is amended to
11 read:

12 45-1996. Provisions of bonds; sale

13 ~~A. The bonds shall provide that:~~

14 ~~1. The bond is purchased and taken after a complete disclosure and~~
15 ~~with a full knowledge of all of the surrounding relevant facts and~~
16 ~~circumstances and not on the representation, faith or credit of the~~
17 ~~authority, this state or any of its political subdivisions.~~

18 ~~2. The holder in order to obtain payment may not compel this state~~
19 ~~or any of its political subdivisions to exercise its appropriation or~~
20 ~~taxing power.~~

21 ~~3. The bond does not constitute a debt of this state, any political~~
22 ~~subdivision of this state or any operating unit and is payable only from~~
23 ~~revenues of the authority.~~

24 ~~B. The gross or net revenue derived from any project or any part of~~
25 ~~a project may be pledged to secure the payment of any series of bonds.~~

26 A. TO SECURE ANY BONDS PURSUANT TO THIS ARTICLE, THE BOARD, BY
27 RESOLUTION, MAY:

28 1. PROVIDE THAT BONDS ISSUED PURSUANT TO THIS CHAPTER MAY BE SECURED
29 BY A FIRST LIEN ON ALL OR PART OF THE MONIES PAID INTO THE APPROPRIATE
30 ACCOUNT OR SUBACCOUNT ADMINISTERED BY THE AUTHORITY.

1 2. PLEDGE OR ASSIGN TO OR IN TRUST FOR THE BENEFIT OF THE HOLDER ANY
2 PART OR APPROPRIATE ACCOUNT OR SUBACCOUNT OF THE MONIES IN THE FUNDS AS IS
3 NECESSARY TO PAY THE PRINCIPAL AND INTEREST OF THE BONDS AS THEY COME DUE.

4 3. SET ASIDE, REGULATE AND DISPOSE OF ANY RESERVES AND SINKING
5 FUNDS.

6 4. PROVIDE THAT SUFFICIENT AMOUNTS OF THE PROCEEDS FROM THE SALE OF
7 THE BONDS MAY BE USED TO FULLY OR PARTLY FUND ANY RESERVES OR SINKING FUNDS
8 ESTABLISHED BY THE RESOLUTION.

9 5. PRESCRIBE THE PROCEDURE, IF ANY, BY WHICH THE TERMS OF ANY
10 CONTRACT WITH BONDHOLDERS MAY BE AMENDED OR ABROGATED, THE AMOUNT OF BONDS
11 THAT THE HOLDERS MUST CONSENT TO AND THE MANNER IN WHICH THAT CONSENT MAY
12 BE GIVEN.

13 6. PROVIDE FOR PAYMENT FROM THE PROCEEDS OF THE SALE OF THE BONDS OF
14 ALL LEGAL AND FINANCIAL EXPENSES INCURRED BY THE BOARD IN ISSUING, SELLING,
15 DELIVERING AND PAYING THE BONDS.

16 7. DO ANY OTHER MATTERS THAT MAY AFFECT THE SECURITY AND PROTECTION
17 OF THE BONDS.

18 B. THE BONDS SHALL BE SIGNED BY THE CHAIRPERSON OR VICE CHAIRPERSON
19 AND THE SECRETARY-TREASURER OF THE AUTHORITY. BOARD MEMBERS OR ANY PERSON
20 EXECUTING THE BONDS ARE NOT PERSONALLY LIABLE FOR THE PAYMENT OF THE
21 BONDS. THE BONDS ARE VALID AND BINDING OBLIGATIONS UNLESS BEFORE THE
22 DELIVERY OF THE BONDS ANY OF THE PERSONS WHOSE SIGNATURES APPEAR ON THE
23 BONDS CEASES TO BE A MEMBER OF THE BOARD. FROM AND AFTER THE SALE AND
24 DELIVERY OF THE BONDS, THE BOARD MAY NOT CONTEST THE VALIDITY OF A BOND.

25 C. The authority may provide for reimbursement to the holder OF ANY
26 BONDS of all expenses of litigation and attorney fees incurred in
27 collecting the bonds in the event of default and may provide for and fix
28 the powers and duties of a trustee if necessary to enforce
29 collection. Bond resolutions, agreements and bonds may be in such form and
30 may contain such other conditions and terms as the authority deems
31 appropriate or necessary to make the bonds fully salable and marketable.

1 D. THE BOARD MAY USE AVAILABLE MONIES TO PURCHASE BONDS THAT MAY BE
2 CANCELED AT A PRICE NOT EXCEEDING EITHER OF THE FOLLOWING:

3 1. IF THE BONDS ARE THEN REDEEMABLE, THE REDEMPTION PRICE THEN
4 APPLICABLE PLUS ACCRUED INTEREST TO THE NEXT INTEREST PAYMENT DATE.

5 2. IF THE BONDS ARE NOT THEN REDEEMABLE, THE REDEMPTION PRICE
6 APPLICABLE ON THE FIRST DATE AFTER PURCHASE ON WHICH THE BONDS BECOME
7 SUBJECT TO REDEMPTION PLUS ACCRUED INTEREST TO THAT DATE.

8 ~~D.~~ E. The authority may provide that any holder of bonds, or a
9 trustee designated by the authority at the time of issuing the bonds, on
10 proper showing may secure an order of the superior court requiring the
11 authority, subject to the contracts with operating units then in effect, to
12 fix and collect rates and charges that will produce adequate revenues to
13 permit setting up adequate yearly reserves with which to meet future
14 payments according to the terms of the bond.

15 F. ANY PLEDGE MADE PURSUANT TO THIS ARTICLE IS VALID AND BINDING
16 FROM THE TIME THE PLEDGE IS MADE. THE MONIES PLEDGED AND RECEIVED TO BE
17 PLACED IN THE APPROPRIATE FUND ARE IMMEDIATELY SUBJECT TO THE LIEN OF THE
18 PLEDGE WITHOUT ANY FUTURE PHYSICAL DELIVERY OR FURTHER ACT, AND ANY SUCH
19 LIEN OF ANY PLEDGE IS VALID OR BINDING AGAINST ALL PARTIES HAVING CLAIMS OF
20 ANY KIND AGAINST THE BOARD REGARDLESS OF WHETHER THE PARTIES HAVE NOTICE OF
21 THE LIEN. THE RESOLUTION OR TRUST INDENTURE OR ANY INSTRUMENT BY WHICH A
22 PLEDGE IS CREATED AND PLACED IN THE BOARD'S RECORDS SHALL SERVE AS NOTICE
23 TO ALL CONCERNED OF THE CREATION OF THE PLEDGE. THE BOARD IS NOT REQUIRED
24 TO RECORD THESE INSTRUMENTS OF CREATION IN ANY OTHER PLACE.

25 G. BONDS ISSUED PURSUANT TO THIS ARTICLE, THE TRANSFER OF SUCH BONDS
26 AND THE INCOME SUCH BONDS PRODUCE ARE EXEMPT FROM TAXATION BY THIS STATE OR
27 ANY POLITICAL SUBDIVISION OF THIS STATE.

28 H. BONDS ISSUED PURSUANT TO THIS ARTICLE ARE OBLIGATIONS OF THE
29 AUTHORITY AND ARE PAYABLE ONLY ACCORDING TO THEIR TERMS AND ARE NOT
30 OBLIGATIONS GENERAL, SPECIAL OR OTHERWISE OF THIS STATE, THE COUNTY IN
31 WHICH THE AUTHORITY IS ESTABLISHED OR, OTHER THAN THE AUTHORITY, A
32 POLITICAL SUBDIVISION OF THIS STATE. PAYMENT OF THE BONDS IS NOT

1 ENFORCEABLE OUT OF ANY MONIES OF THIS STATE OTHER THAN THE INCOME AND
2 REVENUE PLEDGED AND ASSIGNED TO OR IN TRUST FOR THE BENEFIT OF THE HOLDER
3 OR HOLDERS OF THE BONDS.

4 ~~E.~~ I. All bonds issued by the authority and agreements of the
5 authority with respect to bonds are subject to this chapter, and no bond or
6 agreement may contain any provision in conflict with this chapter. An
7 amendment of this chapter does not diminish or impair the remedy and rights
8 of the bondholder.

9 ~~F. The bonds shall be signed by the chairman or vice-chairman and~~
10 ~~the secretary-treasurer of the authority in office at the date of signing~~
11 ~~and are valid obligations of the authority although before delivery or sale~~
12 ~~the persons whose signatures appear on the bonds may have ceased to be~~
13 ~~officers of the authority.~~

14 ~~G.~~ J. The validity of the bonds is not dependent on or affected by
15 the legality of any proceeding relating to the acquisition, construction,
16 improvement or extension of a project for which the bonds are issued. The
17 bonds shall recite that they are regularly issued pursuant to this chapter
18 and that recital is prima facie evidence of their legality and validity.

19 ~~H.~~ K. Bonds so issued may be sold when the money is needed for the
20 purposes for which they are issued. Pending the preparation or execution
21 of definite bonds, interim receipts or certificates or temporary bonds may
22 be delivered to the purchaser or purchasers of bonds.

23 L. EACH OPERATING UNIT THAT OWNS, OPERATES OR OTHERWISE BENEFITS FROM
24 PROJECTS THAT ARE FINANCED BY BONDS ISSUED PURSUANT TO THIS CHAPTER SHALL
25 COLLECT FROM EACH END USER THAT BENEFITS FROM THE PROJECTS THAT PROPORTION
26 OF THE REVENUE REQUIRED UNDER 45-1992, THAT IS EQUAL TO THE PROPORTION OF
27 THE BENEFITS OF THE PROJECTS ALLOCATED TO EACH END USER TO ENSURE ALL
28 NECESSARY FISCAL RESERVES, OPERATION COSTS, MAINTENANCE AND DEPRECIATION
29 CHARGES AND PAYMENT AMOUNTS DUE TO THE AUTHORITY IN CONNECTION WITH THE
30 AUTHORITY'S PAYMENT OF PRINCIPLE AND INTEREST OF THE BONDS. THIS SECTION
31 DOES NOT AFFECT THE CORPORATION COMMISSION'S AUTHORITY TO PRESCRIBE JUST
32 AND REASONABLE CLASSIFICATIONS TO BE USED AND JUST AND REASONABLE RATES AND

1 CHARGES TO BE MADE AND COLLECTED BY PUBLIC SERVICE
2 CORPORATIONS. NOTWITHSTANDING THIS SUBSECTION, ANY PROJECT ALLOCATION BY
3 AN OPERATING UNIT IS SUBJECT TO RESTRICTIONS ON PLACE OF USE UNDER THIS
4 TITLE.

5 Sec. 9. Repeal

6 Section 45-1997, Arizona Revised Statutes, is repealed.

7 Sec. 10. Title 45, chapter 11, article 5, Arizona Revised Statutes,
8 is amended by adding a new section 45-1997, to read:

9 45-1997. Attorney general notification

10 THE BOARD SHALL NOTIFY THE ATTORNEY GENERAL OF THE AUTHORITY'S
11 INTENTION TO ISSUE BONDS. THE NOTIFICATION SHALL ADEQUATELY DESCRIBE THE
12 PROJECT. THE ATTORNEY GENERAL SHALL INFORM THE BOARD WITHIN TEN DAYS AFTER
13 RECEIVING THE NOTICE WHETHER THE ATTORNEY GENERAL BELIEVES THE PROPOSED
14 PROJECT DOES NOT COMPLY WITH THIS CHAPTER. IF THE ATTORNEY GENERAL DOES
15 NOT ISSUE AN OPINION WITHIN TEN DAYS AFTER RECEIVING THE NOTICE, THE BOARD
16 MAY ISSUE THE BONDS. IF WITHIN TEN DAYS AFTER RECEIVING THE NOTICE THE
17 ATTORNEY GENERAL ISSUES AN OPINION THAT THE BOND DOES NOT COMPLY WITH THIS
18 CHAPTER, THE BOARD MAY NOT ISSUE THE BONDS. A PERSON MAY NOT BRING AN
19 ACTION CHALLENGING THE LEGALITY OF ANY CONTRACT, AGREEMENT, LEASE,
20 MORTGAGE, OBLIGATION OR PROCEEDING OR THE ISSUANCE OF BONDS PURSUANT TO
21 THIS CHAPTER FROM AND AFTER THIRTY CALENDAR DAYS AFTER THE BOARD IS
22 AUTHORIZED TO ISSUE BONDS.

23 Sec. 11. Title 45, chapter 11, article 5, Arizona Revised Statutes,
24 is amended by adding section 45-2000, to read:

25 45-2000. Wastewater treatment; loan repayment; definitions

26 A. NOTWITHSTANDING ANY OTHER LAW, THE AUTHORITY MAY CONSTRUCT,
27 ACQUIRE OR IMPROVE A WASTEWATER TREATMENT FACILITY, DRINKING WATER FACILITY
28 OR NONPOINT SOURCE PROJECT WITH MONIES BORROWED FROM OR FINANCIAL
29 ASSISTANCE, INCLUDING FORGIVABLE PRINCIPAL, PROVIDED BY THE WATER
30 INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA PURSUANT TO TITLE 49,
31 CHAPTER 8.

1 B. THE AUTHORITY MAY ENTER INTO A LOAN REPAYMENT AGREEMENT WITH THE
2 WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA. A LOAN REPAYMENT
3 AGREEMENT IS PAYABLE FROM ANY REVENUES OTHERWISE AUTHORIZED BY LAW TO BE
4 USED TO PAY LONG-TERM OBLIGATIONS.

5 C. THE BOARD SHALL OBTAIN APPROVAL FOR THE LOAN REPAYMENT AGREEMENT
6 IN THE SAME MANNER PROVIDED BY LAW FOR APPROVING AND ISSUING OTHER BONDS OR
7 LONG-TERM OBLIGATIONS PAYABLE FROM REVENUES THAT ARE TO BE USED TO PAY THE
8 LOAN.

9 D. A LOAN REPAYMENT AGREEMENT ENTERED INTO PURSUANT TO THIS SECTION
10 SHALL CONTAIN THE COVENANTS AND CONDITIONS PERTAINING TO THE CONSTRUCTION,
11 ACQUISITION OR IMPROVEMENT OF A WASTEWATER TREATMENT FACILITY, DRINKING
12 WATER FACILITY OR NONPOINT SOURCE PROJECT AND REPAYMENT OF THE LOAN AS THE
13 WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA DEEMS PROPER.

14 E. LOAN AGREEMENTS MAY PROVIDE FOR THE PAYMENT OF INTEREST ON THE
15 UNPAID PRINCIPAL BALANCE OF THAT AGREEMENT AT THE RATES ESTABLISHED IN THE
16 AGREEMENT. THE AGREEMENT MAY PROVIDE FOR PAYMENT OF THE AUTHORITY'S
17 PROPORTIONATE SHARE OF THE EXPENSE OF ADMINISTERING THE CLEAN WATER AND
18 DRINKING WATER REVOLVING FUNDS ESTABLISHED BY SECTIONS 49-1221 AND 49-1241
19 AND MAY PROVIDE THAT THE AUTHORITY PAY FINANCING AND LOAN ADMINISTRATION
20 FEES APPROVED BY THE WATER INFRASTRUCTURE FINANCE AUTHORITY. THESE COSTS
21 MAY BE INCLUDED IN THE ASSESSMENT AMOUNTS PLEDGED TO REPAY THE LOAN. AN
22 AUTHORITY IS BOUND BY AND SHALL FULLY PERFORM THE LOAN REPAYMENT
23 AGREEMENTS, AND THE AGREEMENTS ARE INCONTESTABLE AFTER THE LOAN IS FUNDED
24 BY THE WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA. THE BOARD SHALL
25 AGREE TO PAY ANY COSTS INCURRED BY THE WATER INFRASTRUCTURE FINANCE
26 AUTHORITY IN ISSUING BONDS OR OTHERWISE BORROWING TO FUND A LOAN.

27 F. A LOAN REPAYMENT AGREEMENT UNDER THIS SECTION DOES NOT CREATE A
28 DEBT OF THE AUTHORITY. THE WATER INFRASTRUCTURE FINANCE AUTHORITY OF
29 ARIZONA MAY NOT REQUIRE THE AUTHORITY TO MAKE PAYMENT ON A LOAN AGREEMENT
30 FROM ANY SOURCE OTHER THAN THOSE SOURCES PERMITTED IN SUBSECTION B OF THIS
31 SECTION.

1 G. AN AUTHORITY MAY EMPLOY OR CONTRACT FOR THE SERVICES OF
2 ATTORNEYS, ACCOUNTANTS, FINANCIAL CONSULTANTS AND OTHER EXPERTS IN THEIR
3 FIELDS AS DEEMED NECESSARY TO PERFORM SERVICES WITH RESPECT TO THE LOAN
4 REPAYMENT AGREEMENT.

5 H. THIS SECTION IS SUPPLEMENTAL AND ALTERNATIVE TO ANY OTHER LAW
6 UNDER WHICH AN AUTHORITY MAY BORROW MONEY OR ISSUE BONDS. THIS SECTION
7 SHALL BE CONSTRUED AS THE EXCLUSIVE AUTHORIZATION TO ENTER INTO LOAN
8 AGREEMENTS WITH THE WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA.

9 I. FOR THE PURPOSES OF THIS SECTION:

10 1. "DRINKING WATER FACILITY" HAS THE SAME MEANING PRESCRIBED IN
11 SECTION 49-1201.

12 2. "WASTEWATER TREATMENT FACILITY" HAS THE SAME MEANING PRESCRIBED
13 IN SECTION 49-1201."

14 Amend title to conform

GAIL GRIFFIN
CHAIRMAN

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