

REFERENCE TITLE: corporation commission; railroad safety fee

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

H. B. _____

Introduced by _____

AN ACT

AMENDING TITLE 40, CHAPTER 4, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING
40-857; RELATING TO RAILROAD SAFETY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 40, chapter 4, article 3, Arizona Revised Statutes,
3 is amended by adding section 40-857, to read:
4 40-857. Railroads; annual fee; railroad regulation revolving
5 fund; exemption
6 A. TO ENABLE THE CORPORATION COMMISSION TO PERFORM ITS DUTIES RELATING
7 TO RAILROAD SAFETY, THE COMMISSION SHALL ANNUALLY ASSESS EACH RAILROAD
8 CORPORATION OPERATING IN THIS STATE A FEE FOR THE PURPOSES PRESCRIBED IN
9 SUBSECTION D OF THIS SECTION.
10 B. THE FEE SHALL BE ASSESSED BY THE COMMISSION NOT LATER THAN JUNE 1
11 EACH YEAR AND SHALL BE PAID WITHIN THIRTY DAYS AFTER SENDING NOTICE AND A
12 STATEMENT OF THE AMOUNT BY REGISTERED MAIL TO THE CORPORATION.
13 C. THE RAILROAD REGULATION REVOLVING FUND IS ESTABLISHED. ALL MONIES
14 RECEIVED BY THE COMMISSION PURSUANT TO THIS SECTION SHALL BE DEPOSITED,
15 PURSUANT TO SECTIONS 35-146 AND 35-147, IN THE RAILROAD REGULATION REVOLVING
16 FUND.
17 D. SUBJECT TO LEGISLATIVE APPROPRIATION, THE COMMISSION SHALL USE THE
18 MONIES IN THE RAILROAD REGULATION REVOLVING FUND FOR ATTORNEYS AND OTHER
19 LEGAL STAFF, ALL EXPENSES OF THE RAILROAD SAFETY SECTION, INCLUDING
20 COMPENSATION OF CONSULTANTS AND OTHER STAFF, AND A PART OF THE EXPENSES FOR
21 THE HEARING AND ADMINISTRATION DIVISIONS.
22 E. MONIES IN THE RAILROAD REGULATION REVOLVING FUND ARE EXEMPT FROM
23 THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS.
24 F. UNENCUMBERED MONIES NOT APPROPRIATED OR EXPENDED FROM THE RAILROAD
25 REGULATION REVOLVING FUND AT THE END OF EACH FISCAL YEAR SHALL BE USED TO
26 PROPORTIONALLY REDUCE THE ANNUAL FEE PRESCRIBED PURSUANT TO SUBSECTION A OF
27 THIS SECTION.