

House Engrossed

nonnative species eradication; projects; appropriation

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

HOUSE BILL 2539

AN ACT

AMENDING SECTION 37-1309, ARIZONA REVISED STATUTES; APPROPRIATING MONIES;
RELATING TO THE ARIZONA DEPARTMENT OF FORESTRY AND FIRE MANAGEMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 37-1309, Arizona Revised Statutes, is amended to
3 read:

4 37-1309. Nonnative vegetation species eradication fund;
5 department duties; grants; annual report

6 A. The nonnative vegetation species eradication fund is established
7 consisting of legislative appropriations for specific nonnative vegetation
8 invasive species eradication projects. Monies in the fund are
9 continuously appropriated to the Arizona department of forestry and fire
10 management for the purposes of this section and are exempt from the
11 provisions of section 35-190 relating to lapsing of appropriations. On
12 notice from the state forester, the state treasurer shall invest and
13 divest monies in the fund as provided in section 35-313, and monies earned
14 from investment shall be credited to the fund.

15 B. The Arizona department of forestry and fire management shall:

16 1. Coordinate with the ~~Arizona~~ state land department on projects
17 conducted on state trust land pursuant to this section.

18 2. Coordinate with the Arizona game and fish department on projects
19 conducted pursuant to this section.

20 3. Monitor and oversee specific projects for which the legislature
21 appropriates monies to the nonnative vegetation species eradication fund.

22 4. Provide grants to other state agencies, cities, towns, counties,
23 Indian tribes and other political subdivisions of this state and to
24 nonprofit organizations for nonnative vegetation invasive species
25 eradication projects that will assist in preventing fire and flooding,
26 conserving water, replacing nonnative ~~vegetative~~ VEGETATION species with
27 native ~~vegetative~~ VEGETATION species and restoring habitat to wildlife. A
28 grant recipient shall follow state and federal laws to preserve endangered
29 species when implementing the nonnative vegetation invasive species
30 eradication project.

31 5. Establish application procedures and qualification criteria for
32 the grants. Grants awarded pursuant to this section shall be awarded in
33 accordance with title 41, chapter 24.

34 C. On or before September 1 of each year, the Arizona department of
35 forestry and fire management shall report to the joint legislative budget
36 committee and the governor's office of strategic planning and budgeting
37 the total expenditures from the previous year for grants for nonnative
38 vegetation species eradication projects. The report shall indicate each
39 project's expenditures, the benefits of each project to the treated land,
40 the status of each project and the projected timeline for completion of
41 each project.

1 Sec. 2. Appropriation; nonnative vegetation species
2 eradication fund; nonnative vegetation invasive
3 species eradication projects; fiscal agent;
4 contractors; exemption; reversion

5 A. The sum of \$15,000,000 is appropriated from the state general
6 fund in fiscal year 2022-2023 to the nonnative vegetation species
7 eradication fund established by section 37-1309, Arizona Revised Statutes,
8 as amended by this act, for nonnative vegetation invasive species
9 eradication projects, including projects to replace nonnative vegetation
10 invasive species with native vegetation species and restoring habitat for
11 wildlife, in and along the portion of the Gila River between the western
12 boundary of the city of Avondale and the bridge over the Gila River at
13 State Route 85.

14 B. The Arizona department of forestry and fire management shall
15 serve as the fiscal agent and contractor for the projects described in
16 subsection A of this section. The department may subcontract the
17 eradication and other required services for the project pursuant to title
18 34, chapter 6, article 1, Arizona Revised Statutes, to expedite the
19 projects.

20 C. The appropriation made in subsection A of this section is exempt
21 from the provisions of section 35-190, Arizona Revised Statutes, relating
22 to lapsing of appropriations, except all monies remaining unencumbered or
23 unexpended for the purposes of this section on June 30, 2025 revert to the
24 state general fund.