

REFERENCE TITLE: nonnative species eradication; projects; appropriation

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

HB 2539

Introduced by
Representative John

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. Jackie Meck nonnative vegetation species eradication
5 fund; department duties; grants; annual report

6 A. The JACKIE MECK nonnative vegetation species eradication fund is
7 established consisting of legislative appropriations for specific
8 nonnative vegetation invasive species eradication projects. Monies in the
9 fund are continuously appropriated to the Arizona department of forestry
10 and fire management for the purposes of this section and are exempt from
11 the provisions of section 35-190 relating to lapsing of
12 appropriations. On notice from the state forester, the state treasurer
13 shall invest and divest monies in the fund as provided in section 35-313,
14 and monies earned 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. COORDINATE WITH THE DEPARTMENT OF TRANSPORTATION ON PROJECTS
21 CONDUCTED PURSUANT TO THIS SECTION.

22 ~~3.~~ 4. Monitor and oversee specific projects for which the
23 legislature appropriates monies to the JACKIE MECK nonnative vegetation
24 species eradication fund.

25 ~~4.~~ 5. Provide grants to other state agencies, cities, towns,
26 counties, Indian tribes and other political subdivisions of this state and
27 to nonprofit organizations for nonnative vegetation invasive species
28 eradication projects that will assist in preventing fire and flooding,
29 conserving water, replacing nonnative ~~vegetative~~ VEGETATION species with
30 native ~~vegetative~~ VEGETATION species and restoring habitat to wildlife. A
31 grant recipient shall follow state and federal laws to preserve endangered
32 species when implementing the nonnative vegetation invasive species
33 eradication project.

34 ~~5.~~ 6. Establish application procedures and qualification criteria
35 for the grants. Grants awarded pursuant to this section shall be awarded
36 in accordance with title 41, chapter 24.

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

1 Sec. 2. Gila River nonnative species eradication project
2 advisory committee; membership; duties; report;
3 delayed repeal; definition

4 A. The Gila River nonnative species eradication project advisory
5 committee is established consisting of the following members:

6 1. The director of the Arizona department of forestry and fire
7 management, or the director's designee, who shall serve as chairperson of
8 the committee.

9 2. The director of the department of transportation or the
10 director's designee.

11 3. The director of the department of water resources or the
12 director's designee.

13 4. The director of the Maricopa county flood control district or
14 the director's designee.

15 5. The manager of the city of Avondale or the manager's designee.

16 6. The manager of the city of Buckeye or the manager's designee.

17 7. The manager of the city of Goodyear or the manager's designee.

18 B. Committee members are not eligible to receive compensation or
19 reimbursement of expenses under title 38, chapter 4, article 2, Arizona
20 Revised Statutes.

21 C. The committee shall:

22 1. Meet at least quarterly.

23 2. Review the progress of nonnative vegetation invasive species
24 eradication projects.

25 3. Receive community testimony and input on the nonnative
26 vegetation invasive species eradication projects.

27 4. Make recommendations to the project contractor on future steps
28 of the project.

29 5. On or before September 1 of each year, submit a report regarding
30 the committee's activities, status of the projects and recommendations for
31 future steps for the projects to the governor, the president of the senate
32 and the speaker of the house of representatives and provide a copy of this
33 report to the secretary of state.

34 D. This section is repealed from and after September 30, 2025.

35 E. For the purposes of this section, "nonnative vegetation invasive
36 species eradication projects" means nonnative vegetation invasive species
37 eradication projects in and along the portion of the Gila River between
38 the western boundary of the city of Avondale and the bridge over the Gila
39 River at State Route 85.

40 Sec. 3. Appropriation; Jackie Meck nonnative vegetation
41 species eradication fund; nonnative vegetation
42 invasive species eradication projects; fiscal
43 agent; contractors; exemption; reversion

44 A. The sum of \$15,000,000 is appropriated from the state general
45 fund in fiscal year 2022-2023 to the Jackie Meck nonnative vegetation

1 species eradication fund established by section 37-1309, Arizona Revised
2 Statutes, as amended by this act, for nonnative vegetation invasive
3 species eradication projects, including projects to replace nonnative
4 vegetation invasive species with native vegetation species and restoring
5 habitat for wildlife, in and along the portion of the Gila River between
6 the western boundary of the city of Avondale and the bridge over the Gila
7 River at State Route 85.

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

9 1. Serve as the fiscal agent for the projects described in
10 subsection A of this section.

11 2. Designate the department of transportation as the contractor for
12 the projects described in subsection A of this section. The department of
13 transportation may subcontract the eradication and other required services
14 for the project pursuant to title 34, chapter 6, article 1, Arizona
15 Revised Statutes, to expedite the projects.

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