

Senate Engrossed

fire suppression; assistance; private landowners.

State of Arizona
Senate
Fifty-fifth Legislature
Second Regular Session
2022

SENATE BILL 1146

AN ACT

AMENDING LAWS 2021, FIRST SPECIAL SESSION, CHAPTER 1, SECTION 1; RELATING TO FINANCIAL ASSISTANCE FOR FIRE SUPPRESSION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Laws 2021, first special session, chapter 1, section 1,
3 is amended to read:

4 Section 1. Supplemental appropriation; Arizona department of
5 forestry and fire management; wildfire emergency
6 response; reports; exemption

7 A. In addition to any other appropriations made in fiscal year
8 2020-2021, the sum of \$75,000,000 is appropriated from the state general
9 fund in fiscal year 2020-2021 to the Arizona department of forestry and
10 fire management for wildfire emergency response. The department may spend
11 the monies for:

12 1. Fire suppression and pre-positioning of fire suppression
13 equipment and staff.

14 2. Capital expenditures and equipment associated with fire
15 suppression and pre-positioning activities for fire suppression.

16 3. Mitigation projects to address postfire flooding and other
17 damage that may occur as a result of fires or fire suppression activities.

18 4. A state or local government agency's emergency liabilities
19 related to emergency sheltering, wraparound services and support
20 activities.

21 5. Financial assistance to public and private landowners for
22 emergency repairs for infrastructure damage resulting from fires or fire
23 suppression activities.

24 6. Reimbursement to a state agency or political subdivision for the
25 state agency's or political subdivision's costshare of eligible claims
26 arising from an emergency declared pursuant to section 35-192, Arizona
27 Revised Statutes, or a federal declaration of emergency or major disaster.

28 B. The appropriation made in subsection A of this section shall be
29 used to supplement and not supplant any monies allocated by the federal
30 government for this purpose. The department shall seek federal
31 reimbursement as appropriate for expenditures made from this
32 appropriation. Any reimbursements shall be credited to this
33 appropriation.

34 C. The department may not spend more than a total of \$10,000,000 of
35 the appropriation made in subsection A of this section for state capital
36 purposes pursuant to subsection A, paragraph 2 of this section.

37 D. The department may not spend more than a total of \$10,000,000 of
38 the appropriation made in subsection A of this section for financial
39 assistance to private landowners pursuant to subsection A, paragraph 5 of
40 this section. The department shall distribute monies to landowners
41 pursuant to subsection A, paragraph 5 of this section only ~~as the payor of~~
42 ~~last resort~~ after all other sources of payment, including any insurance
43 and other reimbursements, have been ~~exhausted~~ DEDUCTED OR THE LANDOWNER
44 PROVIDES INFORMATION TO THE DEPARTMENT THAT THE LANDOWNER DOES NOT QUALIFY

1 FOR OTHER REIMBURSEMENT. THE DEPARTMENT SHALL PRIORITIZE DISTRIBUTIONS OF
2 FINANCIAL ASSISTANCE TO PRIVATE LANDOWNERS.

3 E. Not later than fifteen days after the end of each month, the
4 department shall report to the president of the senate, the speaker of the
5 house of representatives and the joint legislative budget committee on
6 expenditures from and reimbursements to the appropriation made in
7 subsection A of this section for the prior month. Each report shall
8 include, at a minimum, information regarding the total expenditures and
9 reimbursements for each paragraph listed in subsection A of this section
10 and the amount of monies remaining in the appropriation.

11 F. The appropriation made in subsection A of this section is exempt
12 from the provisions of section 35-190, Arizona Revised Statutes, relating
13 to lapsing of appropriations.