

Senate Engrossed  
environment; 2024-2025.

State of Arizona  
Senate  
Fifty-sixth Legislature  
Second Regular Session  
2024

# SENATE BILL 1740

AN ACT

AMENDING SECTIONS 3-109.03, 26-305, 41-511.24 AND 49-1333, ARIZONA REVISED STATUTES; AMENDING LAWS 2023, CHAPTER 138, SECTION 3; APPROPRIATING MONIES; RELATING TO THE ENVIRONMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 3-109.03, Arizona Revised Statutes, is amended  
3 to read:

4 3-109.03. Livestock operator fire and flood assistance grant  
5 program; requirements; fund; exemption;  
6 definition

7 A. The livestock operator fire and flood assistance grant program  
8 is established under the department to provide grant monies to landowners  
9 and lessees of a livestock operation of more than forty animals under  
10 normal operating conditions for infrastructure projects that are required  
11 as a result of a wildfire ~~and~~ OR associated flooding and that are either:

- 12 1. Not eligible for funding from another federal or state program.
- 13 2. Partially funded by another federal or state program.

14 B. The department shall:

15 1. Develop guidelines and criteria to implement the program,  
16 including an application process that includes a description of the  
17 intended use for the grant monies.

18 2. Award all grants pursuant to title 41, chapter 24.

19 3. Not grant more than fifty percent of the monies in the livestock  
20 operator fire and flood assistance fund for infrastructure projects on  
21 land in one county in any fiscal year.

22 4. Ensure that grants from the livestock operator fire and flood  
23 assistance GRANT program do not exceed more than:

24 (a) Fifty percent of the total costs of any infrastructure project.

25 (b) An aggregate of \$250,000 per livestock operation for  
26 infrastructure projects that are required as a result of a single wildfire  
27 and that wildfire's associated flooding.

28 5. Require each grantee to submit to the department, within twelve  
29 months after receiving the grant, a written report detailing how the grant  
30 monies were used to achieve the infrastructure project described in the  
31 application. If the infrastructure project takes longer than one year to  
32 complete, the grantee shall submit a written report to the department  
33 annually until the infrastructure project is complete.

34 6. On or before December 31 of each year, submit a report of the  
35 disposition of monies appropriated to the livestock operator fire and  
36 flood assistance fund each fiscal year to the governor, the president of  
37 the senate and the speaker of the house of representatives and shall  
38 provide a copy of this report to the secretary of state and to any person  
39 who requests a copy.

40 C. The department is exempt from title 41, chapter 6 with respect  
41 to adopting rules for the purposes of this section, except that the  
42 department shall provide for public notice and sixty days for public  
43 comment on the annual grant guidelines and criteria, including public  
44 hearings.

1 D. The livestock operator fire and flood assistance fund is  
2 established consisting of federal monies, legislative appropriations from  
3 the state general fund, public and private grants and private donations  
4 received for the purpose of providing grant monies to landowners and  
5 lessees of a livestock operation OF MORE THAN FORTY ANIMALS UNDER NORMAL  
6 OPERATING CONDITIONS for infrastructure projects pursuant to this  
7 section. The department shall administer the fund. Monies in the fund  
8 are continuously appropriated. On notice from the department, the state  
9 treasurer shall invest and divest monies in the fund as provided by  
10 section 35-313, and monies earned from investment shall be credited to the  
11 fund. Monies in the fund are exempt from the provisions of section 35-190  
12 relating to lapsing of appropriations.

13 E. The department may use up to five percent of the monies  
14 appropriated to the livestock operator fire and flood assistance fund in  
15 any fiscal year for the purposes of administering the program.

16 F. For the purposes of this section, "infrastructure" includes  
17 wells, buildings, fences, pipelines, spring and water developments,  
18 corrals and other essential components to a livestock operation.

19 Sec. 2. Section 26-305, Arizona Revised Statutes, is amended to  
20 read:

21 26-305. Division of emergency management; duties; director;  
22 term; qualifications; compensation; emergency  
23 management training revolving fund

24 A. There is established in the department of emergency and military  
25 affairs the division of emergency management, which is administered by the  
26 department under the authority of the adjutant general, subject to powers  
27 vested in the governor as provided by law.

28 B. The division shall prepare for and coordinate those emergency  
29 management activities that may be required to reduce the impact of  
30 disaster on persons or property.

31 C. Through the powers vested in the governor, the division shall  
32 coordinate the cooperative effort of all governmental agencies including  
33 the federal government, this state and its political subdivisions to  
34 alleviate suffering and loss resulting from disaster.

35 D. The adjutant general shall appoint the director who serves at  
36 the pleasure of the adjutant general. The adjutant general shall select  
37 the director on the basis of demonstrated ability in governmental  
38 functions or business administration and general knowledge of contingency  
39 planning and disaster preparedness.

40 E. The director is eligible to receive compensation pursuant to  
41 section 38-611.

42 F. The emergency management training REVOLVING fund is established  
43 consisting of ~~monies received from~~ LEGISLATIVE APPROPRIATIONS,  
44 REIMBURSEMENTS RECEIVED AND fees collected by the division for  
45 coordinating ~~symposiums, training~~ conferences and ~~seminars~~, TRAININGS AND

1 EXERCISES relating to ~~its~~ THE DIVISION'S powers and duties. MONIES IN THE  
2 FUND ARE CONTINUOUSLY APPROPRIATED AND ARE EXEMPT FROM THE PROVISIONS OF  
3 SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS. The director of the  
4 division shall deposit all fees collected for these activities in the  
5 fund, which shall be used only for expenses of the activities. ~~All monies~~  
6 ~~collected from each event that are in excess of the expenses of the event~~  
7 ~~shall revert to the state general fund by the end of the fiscal year.~~

8 Sec. 3. Section 41-511.24, Arizona Revised Statutes, is amended to  
9 read:

10 41-511.24. Arizona state parks store fund

11 A. The Arizona state parks store fund is established consisting of  
12 monies deposited pursuant to a fee schedule for goods and services  
13 determined by the Arizona state parks board. The board shall administer  
14 the fund. Monies in the fund are subject to legislative appropriation and  
15 shall be used by the board to operate and maintain gift shops.

16 B. Monies in the fund are exempt from the provisions of section  
17 35-190 relating to lapsing of appropriations. All monies in the fund  
18 exceeding ~~\$1,250,000~~ \$1,750,000 at the end of a fiscal year are  
19 transferred to the state parks revenue fund established by section  
20 41-511.21.

21 Sec. 4. Section 49-1333, Arizona Revised Statutes, is amended to  
22 read:

23 49-1333. Water conservation grant fund; procedures

24 A. In compliance with any applicable requirements, an eligible  
25 entity as defined in section 49-1301 may apply to the authority for and  
26 accept grants from the water conservation grant fund for a water  
27 conservation program or project that complies with the requirements of  
28 sections 49-1332 and 49-1334. A nongovernment organization that focuses  
29 on water conservation or environmental protection may apply to the  
30 authority for and accept grants from the water conservation grant fund for  
31 a water conservation program or project if it partners with an eligible  
32 entity as defined in section 49-1301. AN ELIGIBLE ENTITY MAY APPLY TO THE  
33 AUTHORITY FOR AND ACCEPT GRANTS FROM THE WATER CONSERVATION GRANT FUND TO  
34 DISTRIBUTE REBATES FOR THE INSTALLATION OF GRAY WATER SYSTEMS.

35 B. The authority shall:

36 1. Prescribe a simplified form and procedure to apply for and  
37 approve assistance.

38 2. Establish by rule criteria that are consistent with this article  
39 by which assistance will be awarded.

40 3. Determine the order and priority of water conservation programs  
41 or projects assisted under this section based on the merits of the  
42 application with respect to the requirements of sections 49-1332 and  
43 49-1334.

44 4. Provide that a single water conservation program grant may not  
45 exceed \$3,000,000, a single water conservation project grant may not

1 exceed \$250,000 and at least a twenty-five percent match is required for  
2 each water conservation program or project. Monies from any other source  
3 may satisfy the match requirement.

4 Sec. 5. Laws 2023, chapter 138, section 3 is amended to read:

5 Sec. 3. Fire incident management fund; exemption; delayed  
6 repeal; transfer of monies

7 A. The fire incident management fund is established ~~for fiscal year~~  
8 ~~2023-2024~~ consisting of legislative appropriations. The department of  
9 administration shall administer the fund. Not more than \$200,000 of  
10 monies appropriated to the fund may be used by the department of  
11 administration to administer the fund. Monies in the fund are  
12 continuously appropriated and **ARE EXEMPT FROM THE PROVISIONS OF SECTION**  
13 **35-190, ARIZONA REVISED STATUTES, RELATING TO LAPSING OF APPROPRIATIONS.**  
14 **THE DEPARTMENT OF ADMINISTRATION shall ~~be used~~ DISTRIBUTE MONIES FROM THE**  
15 **FUND** to provide grants to municipal fire departments and fire districts  
16 for hardware and software that:

17 1. Enables the statewide deployment of a secure incident management  
18 platform to fire and law enforcement agencies.

19 2. Provides a standardized incident command and management platform  
20 based on federal emergency management agency standards that enable diverse  
21 incident management and support entities to work together and ensure the  
22 following:

23 (a) A clearly defined chain of command.

24 (b) The use of common terminology.

25 (c) The safety of first responders and others.

26 (d) The achievement of response objectives.

27 (e) The efficient use of resources.

28 3. Provides a collaboration and communications solution that does  
29 the following:

30 (a) Identifies the location, status and assignment of assigned  
31 resources.

32 (b) Allows status updates, tracking and management of an incident.

33 (c) Allows secure messaging and file sharing to all users involved  
34 in an incident.

35 (d) Allows the sharing of collaborative maps, building floor plans  
36 and images between public safety agencies.

37 (e) Allows collaboration and information sharing between disparate  
38 agencies during a mass casualty incident.

39 (f) Defines a federal emergency management agency or national  
40 incident management systems-based organizational structure for the  
41 management of incidents.

42 (g) Provides the ability to print standard integrated computer  
43 solutions forms for tracking and cost reimbursement.

44 (h) Provides enhanced telemetry-based firefighter safety  
45 monitoring.

- 1 (i) Works in areas without internet access in a disconnected mode.
- 2 (j) Provides a seamless and connected platform for notification,  
3 response and rostering.
- 4 (k) Provides cross-platform functionality.
- 5 (l) Provides a smartphone-based application for notification,  
6 accountability and situational awareness.

7 B. Each municipal fire department or fire district in this state  
8 may submit a grant request to the department of administration for the  
9 costs of the secure incident management system that meets all of the  
10 criteria described in subsection A of this section.

11 C. The department of administration shall award grants on a  
12 first-come, first-served basis. Grants that are awarded shall fully fund  
13 the costs of the secure incident management system for each municipal fire  
14 department or fire district for three years.

15 D. FROM AND AFTER JUNE 30, 2025, THIS SECTION IS REPEALED AND ALL  
16 UNEXPENDED AND UNENCUMBERED MONIES IN THE FIRE INCIDENT MANAGEMENT FUND  
17 ESTABLISHED BY THIS SECTION REVERT TO THE STATE GENERAL FUND.

18 Sec. 6. Arizona water protection fund; use of monies

19 Notwithstanding section 45-2114, Arizona Revised Statutes, in fiscal  
20 year 2024-2025, the Arizona water protection fund commission may grant to  
21 the department of water resources up to \$336,000 of the unobligated  
22 balance in the Arizona water protection fund established by section  
23 45-2111, Arizona Revised Statutes, to pay for administrative costs of the  
24 department in fiscal year 2024-2025.

25 Sec. 7. Underground storage tank revolving fund; use of  
26 monies

27 Notwithstanding any other law, in fiscal year 2024-2025, the  
28 department of environmental quality may use up to \$6,531,000 from the  
29 underground storage tank revolving fund established by section 49-1015,  
30 Arizona Revised Statutes, in fiscal year 2024-2025 for:

- 31 1. Administrative costs of the department.
- 32 2. Remediating sewage discharge issues in Naco, Arizona and other  
33 border areas of this state.

34 Sec. 8. Arizona water banking fund; use of monies

35 In addition to the purposes provided in section 45-2425, Arizona  
36 Revised Statutes, monies appropriated to the Arizona navigable stream  
37 adjudication commission from the Arizona water banking fund established by  
38 section 45-2425, Arizona Revised Statutes, may be used in fiscal year  
39 2024-2025 to pay legal fees.

40 Sec. 9. Appropriation limit; water quality assurance  
41 revolving fund

42 Notwithstanding section 49-282, Arizona Revised Statutes, the  
43 appropriation from the state general fund to the water quality assurance  
44 revolving fund established by section 49-282, Arizona Revised Statutes,  
45 for fiscal year 2024-2025 may not exceed \$15,000,000.

1           Sec. 10. Department of environmental quality; vehicle  
2                               emissions testing fees; exemption from rulemaking

3           A. Notwithstanding any other law, in fiscal year 2024-2025, the  
4 director of the department of environmental quality shall reduce fees for  
5 tests conducted in area A so that vehicle emissions testing fee revenues  
6 collected from area A are reduced by five percent of fiscal year 2023-2024  
7 area A collections. For the purposes of this subsection, "area A" has the  
8 same meaning prescribed in section 49-541, Arizona Revised Statutes.

9           B. The department of environmental quality is exempt from the  
10 rulemaking requirements of title 41, chapter 6, Arizona Revised Statutes,  
11 until July 1, 2025 for the purpose of establishing fees pursuant to this  
12 section.

13           Sec. 11. Agricultural fees; emergency rulemaking

14           A. For fiscal year 2024-2025, notwithstanding any other law, the  
15 director of the Arizona department of agriculture, subject to the review  
16 of the department of agriculture advisory council, may lower existing fees  
17 for any funds held in trust by the department.

18           B. The Arizona department of agriculture shall adopt emergency  
19 rules pursuant to title 41, chapter 6, Arizona Revised Statutes, through  
20 July 1, 2025, in conjunction with the industry, to modify fees deposited  
21 in the dangerous plants, pests and diseases trust fund established by  
22 section 3-214.01, Arizona Revised Statutes. These rules must be reviewed  
23 by the department of agriculture advisory council.

24           Sec. 12. Authorization for liabilities and expenses; fiscal  
25                               year 2024-2025

26           Notwithstanding section 35-192, Arizona Revised Statutes, in fiscal  
27 year 2024-2025, the governor may allocate \$500,000 to the emergency  
28 management assistance compact and Arizona mutual aid compact revolving  
29 fund established by section 26-403, Arizona Revised Statutes, and \$300,000  
30 to the emergency management training revolving fund established by section  
31 26-305, Arizona Revised Statutes, as amended by this act. Each allocation  
32 the governor makes pursuant to this section counts toward the \$4,000,000  
33 aggregate amount allowed in fiscal year 2024-2025 as prescribed by section  
34 35-192, subsection F, Arizona Revised Statutes.