

REFERENCE TITLE: state forester; community protection initiative

State of Arizona  
Senate  
Forty-eighth Legislature  
First Regular Session  
2007

## **SB 1565**

Introduced by  
Senators O'Halleran, Aguirre, Blendu; Representatives Burns J, Mason,  
Tobin; Senators Allen, Arzberger; Representative Konopnicki

AN ACT

AMENDING TITLE 37, CHAPTER 2.1, ARIZONA REVISED STATUTES, BY ADDING ARTICLE  
2; RELATING TO THE STATE FORESTER.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 37, chapter 2.1, Arizona Revised Statutes, is amended  
3 by adding article 2, to read:

4 ARTICLE 2. COMMUNITY PROTECTION INITIATIVE

5 37-641. Community protection initiative fund; continuing  
6 appropriation

7 A. THE COMMUNITY PROTECTION INITIATIVE FUND IS ESTABLISHED. THE STATE  
8 FORESTER SHALL ADMINISTER THE FUND. THE FUND CONSISTS OF APPROPRIATIONS  
9 PURSUANT TO SUBSECTION D OF THIS SECTION AND GIFTS, GRANTS AND ANY OTHER  
10 PUBLIC OR PRIVATE REVENUE RECEIVED BY THE STATE FORESTER FOR THAT  
11 PURPOSE. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED TO THE STATE  
12 FORESTER FOR THE PURPOSES OF THIS ARTICLE, AND THE STATE FORESTER MAY SPEND  
13 MONIES IN THE FUND FOR THE PURPOSES OF THIS ARTICLE WITHOUT ANY FURTHER  
14 LEGISLATIVE AUTHORIZATION.

15 B. ON NOTICE FROM THE STATE FORESTER, THE STATE TREASURER SHALL INVEST  
16 AND DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES  
17 EARNED FROM INVESTMENT SHALL BE CREDITED TO THE FUND. MONIES IN THE FUND ARE  
18 EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF  
19 APPROPRIATIONS.

20 C. THE STATE FORESTER MAY APPLY FOR AND ACCEPT FEDERAL AND PRIVATE  
21 MONIES, GRANTS, GIFTS, CONTRIBUTIONS AND DEVICES FOR DEPOSIT IN THE FUND TO  
22 BE SPENT FOR THE PURPOSES OF THIS ARTICLE.

23 D. BEGINNING IN FISCAL YEAR 2007-2008, THE SUM OF FIVE MILLION DOLLARS  
24 IS APPROPRIATED EACH FISCAL YEAR FROM THE STATE GENERAL FUND TO THE COMMUNITY  
25 PROTECTION INITIATIVE FUND.

26 37-642. Community protection grants; eligibility

27 A. THE COMMUNITY PROTECTION INITIATIVE PROGRAM IS ESTABLISHED TO  
28 PROVIDE A CONSISTENT SOURCE OF COST-SHARE FUNDING TO ASSIST LOCAL GOVERNMENTS  
29 AND PRIVATE LANDOWNERS IN REDUCING THE VOLUME OF HAZARDOUS FUELS ON  
30 NONFEDERAL FORESTED LAND IN THIS STATE.

31 B. THE STATE FORESTER SHALL MAINTAIN A LIST OF COMMUNITIES AT RISK OF  
32 WILDFIRE. THE FORESTER MAY ISSUE GRANTS FROM THE COMMUNITY PROTECTION  
33 INITIATIVE FUND TO AT RISK COMMUNITIES TO COMPLETE COMMUNITY WILDFIRE  
34 PROTECTION PLANS. IN EACH OF FISCAL YEARS 2007-2008 AND 2008-2009, THE  
35 GRANTS FOR PLAN COMPLETION SHALL NOT EXCEED A TOTAL OF TWO HUNDRED THOUSAND  
36 DOLLARS PER YEAR. THEREAFTER, THE FORESTER MAY ISSUE GRANTS FOR REVISING AND  
37 MAINTAINING COMPLETED PLANS.

38 C. THE STATE FORESTER SHALL PRIORITIZE GRANTS ACCORDING TO A  
39 COMMUNITY'S AVAILABLE RESOURCES. IN ADDITION, THE GRANTS ARE SUBJECT TO THE  
40 FOLLOWING REQUIREMENTS:

41 1. THE GRANTS SHALL BE ISSUED ONLY TO COUNTIES, CITIES, TOWNS, FIRE  
42 DISTRICTS AND QUALIFIED NONPROFIT CORPORATIONS THAT HAVE EXPERTISE IN  
43 HAZARDOUS FUELS REDUCTION.

44 2. THE STATE FORESTER SHALL REQUIRE THAT ANY GRANTEE MUST ENTER INTO A  
45 LEGALLY BINDING FINANCIAL PARTICIPATION AGREEMENT TO PROVIDE AT LEAST  
46 TWENTY-FIVE PER CENT OF THE TOTAL COST OF THE FUEL TREATMENT. ANY MONIES

1 FROM NONFEDERAL AND NONSTATE SOURCES AND IN-KIND CONTRIBUTIONS MAY BE  
2 CONSIDERED TO QUALIFY FOR THE FINANCIAL PARTICIPATION REQUIREMENT OF THIS  
3 PARAGRAPH.

4 3. PROJECT MANAGERS MUST AGREE TO PROVIDE:

5 (a) TREATMENT INFORMATION FOR PURPOSES OF THE ARIZONA FIRE MAP  
6 PROJECT.

7 (b) FINANCIAL AND PROGRESS UPDATES TO THE STATE FORESTER EACH CALENDAR  
8 QUARTER.

9 4. ANY FUNDED PROJECT MUST MEET STANDARDS FOR HAZARDOUS FUEL REDUCTION  
10 ESTABLISHED BY THE STATE FORESTER.

11 5. THE GEOGRAPHIC AREA OF THE PROPOSED PROJECT MUST BE IDENTIFIED IN A  
12 COMMUNITY WILDFIRE PROTECTION PLAN.

13 6. THE PROJECT MUST BE COMPLETED WITHIN THIRTY-SIX MONTHS AFTER THE  
14 DATE OF THE GRANT. AT THE END OF THIRTY-SIX MONTHS, ANY UNEXPENDED AND  
15 UNENCUMBERED GRANT MONIES LAPSE AND REVERT TO THE COMMUNITY PROTECTION  
16 INITIATIVE FUND. THE STATE FORESTER SHALL EXTEND THE TERM OF THE GRANT IN  
17 THE CASE OF FOREST CLOSURE OR PROHIBITIVE WEATHER CONDITIONS THAT ARE BEYOND  
18 THE CONTROL OF THE GRANTEE.

19 37-643. Management; categorical funding limits; annual report

20 A. THE STATE FORESTER IS RESPONSIBLE AND SHALL PROVIDE FOR THE  
21 MANAGEMENT OF THE COMMUNITY PROTECTION INITIATIVE PROGRAM UNDER THIS ARTICLE.

22 B. IN ANY FISCAL YEAR THE STATE FORESTER SHALL NOT SPEND FROM THE  
23 COMMUNITY PROTECTION INITIATIVE FUND MORE THAN:

24 1. TWO HUNDRED FIFTY THOUSAND DOLLARS FOR PROGRAM ADMINISTRATION,  
25 INCLUDING:

26 (a) RANKING GRANT PRIORITIES.

27 (b) RECEIVING AND EVALUATING GRANT APPLICATIONS.

28 (c) AWARDING AND MONITORING GRANTS.

29 (d) REALLOCATING LAPSED GRANT MONIES.

30 2. ONE HUNDRED FIFTY THOUSAND DOLLARS FOR AN ARIZONA FIRE MAP TO TRACK  
31 THE PROGRESS OF FOREST TREATMENT UNDER COMMUNITY WILDFIRE PROTECTION PLANS BY  
32 MANAGING TREATMENT INFORMATION AND LOADING DATA ASSOCIATED WITH THE PLANS  
33 INTO THE COMMUNITY PROTECTION INITIATIVE SYSTEM.

34 3. FIVE HUNDRED THOUSAND DOLLARS TO DEVELOP BUSINESSES AND MARKETS FOR  
35 SMALL DIAMETER WOOD BASED PRODUCTS.

36 C. THE STATE FORESTER SHALL PREPARE AN ANNUAL REPORT ON THE COMMUNITY  
37 PROTECTION INITIATIVE PROGRAM, INCLUDING BUDGETED EXPENDITURES AND  
38 OUTSTANDING GRANTS FROM THE FUND AND PROGRESS IN COMPLETING PROJECTS FUNDED  
39 BY THE GRANTS. THE FORESTER SHALL PROVIDE COPIES OF THE ANNUAL REPORT TO THE  
40 GOVERNOR, THE JOINT LEGISLATIVE BUDGET COMMITTEE, THE SECRETARY OF STATE, THE  
41 ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS AND ANY PERSON REQUESTING  
42 A COPY.

43 37-644. Program termination

44 THE PROGRAM ESTABLISHED BY THIS ARTICLE ENDS ON JULY 1, 2017 PURSUANT  
45 TO SECTION 41-3102.