



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
First Regular Session

House: NREW DP 10-0-0-0

HB 2440: hazardous vegetation removal; state forester.

Sponsor: Representative Griffin, LD 14

House Engrossed

Overview

Authorizes the State Forester to enter into an intergovernmental agreement (IGA) or memorandum of understanding (MOU) with agencies to remove hazardous vegetation from lands in Arizona and use legislative appropriations and programs that are designed to reduce recidivism for forest restoration projects on these lands.

History

State Forester

The State Forester is appointed by the Governor to lead the Arizona Department of Forestry and Fire Management. This agency helps manage certain lands with Arizona and prevents and suppresses wildland fires on state lands and private property located outside of municipalities ([A.R.S. § 37-1301](#)).

[Laws 2017, Chapter 166](#) required the State Land Commissioner and the State Forester to establish by 2018 a program to remove natural vegetative products from State Trust Land to suppress fires, manage forests and watersheds and facilitate the development of wood products industries in Arizona. To implement this program, these officials could coordinate and contract with public and private entities, use programs that reduce parolee recidivism, and enter into IGAs to share the program's implementation costs with political subdivisions such as natural resource conservation districts and counties.

Cooperative Forestry Fund

The Cooperative Forestry Fund (Fund) consist of legislative appropriations and monies received from individuals, businesses, cities and towns, counties, political subdivisions and state and federal agencies. The State Forester uses these fund monies for various activities, including forestry assistance and wildland fire prevention and suppression on lands in Arizona. Monies in this fund are continuously appropriated and exempt from lapsing ([A.R.S. § 37-1306](#)).

According to the Joint Legislative Budget Committee [FY 2022 Baseline Report](#), the balance for this fund at the end of FY 2020 was \$2,736,800.

Provisions

1. Authorizes the State Forester to:
 - a) Enter into IGAs or MOUs with public agencies to remove hazardous vegetation from lands in Arizona, including state (but not State Trust Lands), federal, tribal and private lands for fire prevention, forest and watershed restoration and critical infrastructure protection.
 - b) Use programs to reduce recidivism for forest restoration projects.
 - c) Use legislative appropriations and spend monies received from public agencies, gifts, donations and grants for the costs of implementing the program. (Sec. 1)

Prop 105 (45 votes) Prop 108 (40 votes) Emergency (40 votes) Fiscal Note

2. Requires the IGAs or MOUs to outline each party's responsibilities in implementing the agreement. (Sec. 1)
3. Mandates receiving the property owner's consent to remove hazardous vegetation from private property. (Sec. 1)
4. Requires tribal consent when removing hazardous vegetation from tribal land. (Sec. 1)
5. Specifies that any appropriations, grants, gifts and contributions from a public or private source that is received and deposited into the Fund must be used for hazardous vegetation removal. (Sec. 2)
6. Stipulates that monies deposited into the Fund pursuant to an IGA or MOU must be used for the purposes outlined in that agreement. (Sec. 2)
7. Makes technical and conforming changes. (Sec 1 and 2)