

PROPOSED AMENDMENT
SENATE AMENDMENTS TO S.B. 1214
(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 37-1013, Arizona Revised Statutes, is amended to
3 read:

4 37-1013. Powers and duties of commissioner

5 A. The state natural resource conservation commissioner shall:

6 1. Offer appropriate assistance to the supervisors of districts in
7 carrying out their powers and programs.

8 2. Keep the supervisors of each district informed of the activities
9 and experiences of other districts, and facilitate cooperation and
10 interchange of advice and experience between districts.

11 3. Coordinate the programs of the several districts insofar as
12 possible by advice and consultation.

13 4. Require the supervisors of each district to file with ~~him~~ THE
14 COMMISSIONER annually any audits and the records of the operations of the
15 district for the preceding year in ~~such~~ THE form and detail as ~~he~~ THE
16 COMMISSIONER prescribes.

17 5. Secure the cooperation and assistance of the United States, its
18 agencies, ~~and~~ and agencies of this state, in the work of districts AS LOCAL
19 UNITS OF STATE GOVERNMENT WITH SPECIAL EXPERTISE CONCERNING LAND, SOIL, WATER
20 AND NATURAL RESOURCES MANAGEMENT WITHIN THE BOUNDARIES OF THE DISTRICT, as ~~he~~
21 THE COMMISSIONER deems for the best interest of the state.

22 6. Disseminate information throughout the state concerning the
23 activities and program of districts.

24 7. Provide staff support to the Arizona water protection fund
25 commission established by title 45, chapter 12 and provide administrative
26 assistance to natural resource conservation districts for compliance with the
27 duties for districts pursuant to title 45, chapter 12.

1 B. The commissioner may remove a district supervisor from ~~such~~ office
2 if the commissioner determines, after reasonable notice and an impartial
3 hearing, that the supervisor is guilty of misfeasance, malfeasance or
4 nonfeasance in office. For ~~THE~~ purposes of this subsection, "nonfeasance"
5 includes the failure to attend three consecutive meetings of district
6 supervisors without reasonable excuse.

7 Sec. 2. Section 37-1054, Arizona Revised Statutes, is amended to read:

8 37-1054. Powers of district

9 A. ~~THIS STATE RECOGNIZES THE SPECIAL EXPERTISE OF THE DISTRICTS IN THE~~
10 ~~FIELDS OF LAND, SOIL, WATER AND NATURAL RESOURCES MANAGEMENT WITHIN THE~~
11 ~~BOUNDARIES OF THE DISTRICT.~~ A district is empowered to:

12 1. Conduct surveys, investigations and research relating to the
13 character of the soil, soil erosion prevention within a farm or ranch,
14 methods of cultivation, farm and range practices, seeding, eradication of
15 noxious growths and ~~such~~ ANY other measures ~~as~~ THAT will aid farm and range
16 operations, disseminate information pertaining thereto, and carry on research
17 programs with or without the cooperation of ~~the~~ THIS state, ~~OR ITS AGENCIES~~
18 ~~OR~~ the United States or ITS agencies ~~thereof~~.

19 2. Conduct demonstration projects within the district on lands owned
20 or controlled by the state or any of its agencies with the consent and
21 cooperation of the agency having jurisdiction ~~thereof~~ OF THE LAND, and on any
22 other lands within the district ~~upon~~ ON obtaining the consent of the ~~owner~~
23 ~~thereof~~ LANDOWNER or the necessary rights or interests ~~therein~~ IN THE LAND,
24 in order to demonstrate by example the means, methods and measures by which
25 water, soil and soil resources may be conserved, ~~and~~ soil erosion and soil
26 washing MAY BE prevented and controlled.

27 3. Cooperate and enter into agreements with a landowner, an operator
28 or any agency or subdivision of the state or federal government to carry on
29 programs of watershed improvement, soil erosion prevention, methods of
30 cultivation, cropping practices, land leveling and improvement on
31 agricultural lands, and programs limited to methods of proper range use,
32 reseeding and the eradication of noxious growth on grazing lands, all within

1 the limits of an individual farm or ranch and subject to ~~such~~ THE conditions
2 ~~as~~ the supervisors deem necessary.

3 4. Acquire, by purchase, exchange, lease or otherwise, any property,
4 real or personal, or rights or interest ~~therein~~ IN ANY PROPERTY, maintain,
5 administer and improve any properties acquired, receive income ~~therefrom~~ FROM
6 ANY PROPERTY OR RIGHT OR INTEREST IN PROPERTY and expend it in carrying out
7 the purposes of this chapter, and sell, lease or otherwise dispose of any
8 property or interest ~~therein~~ IN PROPERTY in furtherance of the purposes of
9 this chapter.

10 5. Make available, on ~~such~~ THE terms ~~as~~ it prescribes to landowners
11 within the district, agricultural and engineering machinery and equipment,
12 fertilizer, seed and ~~such~~ other material or equipment as will assist the
13 landowners to carry on operations ~~upon~~ ON their lands for the purposes and
14 programs authorized by this chapter.

15 6. Develop, publish and bring to the attention of ~~owners-of-lands~~
16 LANDOWNERS within the district comprehensive plans for the conservation of
17 soil and water resources within the district ~~which shall~~ THAT specify in such
18 detail as may be feasible the acts, procedures, performances and avoidances
19 necessary or desirable for the effectuation of the plans.

20 7. Apply for, receive, ~~and~~ spend monies from the Arizona water
21 protection fund pursuant to title 45, chapter 12 to be used in individual
22 districts or in cooperation with other districts, persons, cities, towns,
23 counties, special districts and Indian communities for projects consistent
24 with ~~the provisions of~~ title 45, chapter 12.

25 8. Employ agents, engineers, attorneys or other employees not readily
26 available from existing state agencies.

27 9. Sue and be sued in the name of the district, have a seal, which
28 shall be judicially noticed, have perpetual succession unless terminated as
29 provided in this chapter, make and execute contracts and other instruments
30 necessary or convenient to the exercise of its powers, ~~and~~ make, amend and
31 repeal rules not inconsistent with this chapter to carry into effect its
32 purposes and powers.

1 10. Accept donations, gifts and contributions in money, services,
2 materials or otherwise, and use or expend them in carrying on its operations.

3 11. Organize and establish an education center.

4 B. No provision of law with respect to the acquisition, operation or
5 disposition of property by other public bodies shall be applicable to a
6 district organized under this chapter unless specifically stated therein.

7 C. After the formation of any district under ~~the provisions of~~ this
8 chapter, all participation thereunder shall be voluntary, notwithstanding any
9 provision of this chapter to the contrary.

10 D. A district may send to the Arizona water protection fund commission
11 established ~~pursuant to~~ BY title 45, chapter 12 written recommendations for
12 geographic areas to be emphasized, issues of concern and measures to
13 implement title 45, chapter 12. A district that sends written
14 recommendations to the commission shall request information from at least the
15 following:

16 1. The director of the department of water resources and the state
17 land commissioner.

18 2. The federal and state fish, wildlife, recreation and natural
19 resource agencies.

20 3. County and municipal entities.

21 4. The public.

22 E. The district shall develop procedures to ~~assure~~ ENSURE adequate
23 participation in the public involvement process prescribed by subsection D OF
24 THIS SECTION."

25 Amend title to conform

GAIL GRIFFIN

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