AN ACT
AMENDING TITLE 37, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 10; AMENDING TITLE 41, CHAPTER 7, ARTICLE 12, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-1293; AMENDING TITLE 41, CHAPTER 27, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-3026.04; RELATING TO PUBLIC LAND.
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 37, Arizona Revised Statutes, is amended by adding chapter 10, to read:

CHAPTER 10
ARIZONA DEPARTMENT OF PUBLIC LAND MANAGEMENT
ARTICLE 1. GENERAL PROVISIONS

37-1601. Definitions
IN THIS CHAPTER, UNLESS THE CONTEXT OTHERWISE REQUIRES:
1. "DEPARTMENT" MEANS THE ARIZONA DEPARTMENT OF PUBLIC LAND MANAGEMENT.
2. "DIRECTOR" MEANS THE DIRECTOR OF THE DEPARTMENT.
3. "PUBLIC LAND" MEANS PUBLIC LANDS AS DEFINED IN SECTION 37-901 THAT ARE SUBJECT TO AN AGREEMENT BETWEEN THIS STATE AND THE UNITED STATES DEPARTMENT OF THE INTERIOR OR ANOTHER FEDERAL AGENCY FOR THIS STATE TO MANAGE.

37-1602. Arizona department of public land management; director; appointment; qualifications
A. THE ARIZONA DEPARTMENT OF PUBLIC LAND MANAGEMENT IS ESTABLISHED TO PROVIDE FOR PUBLIC LAND MANAGEMENT BY THIS STATE.
B. THE GOVERNOR SHALL APPOINT A DIRECTOR OF THE DEPARTMENT PURSUANT TO SECTION 38-211. THE DIRECTOR SERVES AT THE PLEASURE OF THE GOVERNOR.
C. THE DIRECTOR SHALL HAVE THE NECESSARY ADMINISTRATIVE AND PROFESSIONAL ABILITY THROUGH EDUCATION AND EXPERIENCE TO EFFICIENTLY AND EFFECTIVELY MANAGE THE DEPARTMENT.
D. THE DIRECTOR SHALL RECEIVE COMPENSATION AS DETERMINED PURSUANT TO SECTION 38-611.

37-1603. Powers and duties
A. THE DIRECTOR AND THE DEPARTMENT SHALL:
1. EXERCISE AND PERFORM ALL POWERS AND DUTIES VESTED IN OR IMPOSED ON THE DEPARTMENT.
2. ADOPT RULES NECESSARY TO DISCHARGE THE POWERS AND DUTIES OF THE DEPARTMENT.
3. SUBJECT TO TITLE 41, CHAPTER 4, ARTICLE 4, EMPLOY, DETERMINE THE TERMS AND CONDITIONS OF EMPLOYMENT OF AND PRESCRIBE THE DUTIES AND POWERS OF ADMINISTRATIVE, TECHNICAL, SECRETARIAL, CLERICAL AND OTHER PERSONS AS MAY BE NECESSARY TO PERFORM THE DEPARTMENT'S DUTIES. THE COMPENSATION OF DEPARTMENT EMPLOYEES SHALL BE AS DETERMINED PURSUANT TO SECTION 38-611.
4. CONTRACT FOR THE SERVICES OF OUTSIDE ADVISORS, CONSULTANTS AND AIDES AS MAY BE REASONABLY NECESSARY.
5. PERFORM ALL MANAGEMENT AND ADMINISTRATIVE FUNCTIONS ASSIGNED OR DELEGATED TO THIS STATE BY THE UNITED STATES RELATING TO MANAGING PUBLIC LAND PURSUANT TO ANY AGREEMENT WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR OR ANOTHER FEDERAL AGENCY.
6. PROVIDE MANAGEMENT POLICIES AND PROGRAMS FOR THE USES OF PUBLIC LAND AS PRESCRIBED IN SECTION 37-1604.

7. CONSULT WITH OTHER STATE AGENCIES THAT HAVE MANAGEMENT RESPONSIBILITY OVER NATURAL RESOURCES IN THIS STATE THAT MAY BE IMPACTED BY MANAGEMENT DECISIONS AND ACTIONS ON PUBLIC LAND, INCLUDING THE STATE LAND DEPARTMENT, THE ARIZONA DEPARTMENT OF FORESTRY AND FIRE MANAGEMENT, THE ARIZONA DEPARTMENT OF AGRICULTURE AND THE ARIZONA GAME AND FISH DEPARTMENT.

8. PARTNER WITH STATE AGENCIES, CITIES, TOWNS, COUNTIES OR OTHER POLITICAL SUBDIVISIONS OF THIS STATE TO PREPARE COORDINATED PUBLIC LAND POLICIES.

B. THE DIRECTOR MAY:

1. FURNISH TECHNICAL ADVICE TO THE PEOPLE OF THIS STATE ON PUBLIC LAND POLICIES AND LAND MANAGEMENT MATTERS.

2. DO ALL OTHER ACTS NECESSARY TO TAKE ADVANTAGE OF AND CARRY OUT THE PROVISIONS OF ANY AGREEMENT WITH THE FEDERAL GOVERNMENT RELATING TO MANAGING PUBLIC LAND.

37-1604. Public land management; uses

A. THE DEPARTMENT SHALL MANAGE EACH PARCEL OF PUBLIC LAND IN THIS STATE TO PROMOTE THE FOLLOWING USES:

1. DOMESTIC LIVESTOCK GRAZING.

2. FISH AND WILDLIFE DEVELOPMENT AND UTILIZATION, INCLUDING HUNTING, FISHING AND TRAPPING.

3. MINERAL EXPLORATION AND PRODUCTION.

4. RIGHTS-OF-WAY.

5. OUTDOOR RECREATION.

6. TIMBER PRODUCTION.

7. WILDERNESS CONSERVATION.

B. THE DIRECTOR, SUBJECT TO PERIODIC REVIEW BY THE JOINT LEGISLATIVE COMMITTEE ON PUBLIC LAND MANAGEMENT ESTABLISHED BY SECTION 41-1293, MAY ESTABLISH PROGRAMS TO CONDUCT PROJECTS, PLANNING, PERMITTING, LEASING, CONTRACTING AND OTHER ACTIVITIES ON PUBLIC LAND.

37-1605. Applications and fees for use permits and leases

THE DIRECTOR MAY ESTABLISH BY RULE APPLICATIONS AND FEES FOR PERMITS AND LEASES RELATED TO PUBLIC LAND USES PRESCRIBED IN SECTION 37-1604. THE DIRECTOR SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND 35-147, ALL FEES RECEIVED PURSUANT TO THIS SECTION IN THE PUBLIC LAND MANAGEMENT FUND ESTABLISHED BY SECTION 37-1606.

37-1606. Public land management fund

A. THE PUBLIC LAND MANAGEMENT FUND IS ESTABLISHED CONSISTING OF MONIES DEPOSITED PURSUANT TO THIS CHAPTER. THE DIRECTOR SHALL ADMINISTER THE FUND AND USE THE MONIES IN THE FUND TO IMPLEMENT THIS CHAPTER. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED.
B. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

C. THE DIRECTOR MAY ACCEPT AND SPEND FEDERAL MONIES AND PRIVATE GRANTS, GIFTS, CONTRIBUTIONS AND DEVICES TO ASSIST IN CARRYING OUT THE PURPOSES OF THIS CHAPTER. THESE MONIES DO NOT REVERT TO THE STATE GENERAL FUND AT THE END OF THE FISCAL YEAR.

Sec. 2. Title 41, chapter 7, article 12, Arizona Revised Statutes, is amended by adding section 41-1293, to read:

41-1293. Joint legislative committee on public land management; committee termination

A. THE JOINT LEGISLATIVE COMMITTEE ON PUBLIC LAND MANAGEMENT IS ESTABLISHED CONSISTING OF THE FOLLOWING EIGHT MEMBERS:

1. THREE MEMBERS OF THE SENATE WHO ARE APPOINTED BY THE PRESIDENT OF THE SENATE, NOT MORE THAN TWO OF WHOM ARE FROM THE SAME POLITICAL PARTY. THE PRESIDENT OF THE SENATE SHALL DESIGNATE ONE MEMBER AS COCHAIRPERSON.


B. THE COMMITTEE SHALL:

1. CONVENE AT LEAST EIGHT TIMES EACH YEAR.

2. STUDY AND MAKE RECOMMENDATIONS ON THE FOLLOWING:

(a) THE MANAGEMENT OF PUBLIC LAND BY THIS STATE.

(b) THIS STATE'S SOVEREIGN RIGHT TO PROTECT THE HEALTH, SAFETY AND WELFARE OF ITS CITIZENS AS IT RELATES TO PUBLIC LAND.

(c) THE APPROPRIATE DESIGNATION OF PUBLIC LAND THAT IS MANAGED BY THIS STATE, INCLUDING STEWARDSHIP OF THE LAND AND APPROPRIATE USES OF THE LAND.

(d) THE USE OF MONIES RECEIVED BY THIS STATE FROM THE PUBLIC LAND THAT IS MANAGED BY THIS STATE.

3. COORDINATE WITH AND REPORT ON THE EFFORTS OF THE EXECUTIVE BRANCH, COUNTIES AND POLITICAL SUBDIVISIONS OF THIS STATE, THE CONGRESSIONAL DELEGATION OF THIS STATE, GOVERNORS OF OTHER WESTERN STATES, OTHER STATES AND OTHER STAKEHOLDERS CONCERNING THE MANAGEMENT OF PUBLIC LAND BY THIS STATE.

4. RECEIVE REPORTS FROM AND MAKE RECOMMENDATIONS TO THE ATTORNEY GENERAL AND OTHER STAKEHOLDERS THAT ARE INVOLVED IN LITIGATION ON BEHALF OF THIS STATE'S INTEREST IN PUBLIC LAND THAT IS MANAGED BY THIS STATE REGARDING:

(a) PREPARING FOR POTENTIAL LITIGATION.

(b) SELECTING OUTSIDE LEGAL COUNSEL.

(c) DEVELOPING A LEGAL STRATEGY TO MANAGE PUBLIC LAND.
(d) Using monies appropriated by the legislature to secure the management of public land by this state.

C. The joint legislative committee on public land management has the powers conferred by law on legislative committees.

D. The legislature shall provide staff assistance to the committee as directed by the president of the Senate and the speaker of the House of Representatives.

E. The joint legislative committee on public land management shall report to the Senate committee on natural resources and energy, or its successor committee, and the House of Representatives committee on federal relations, or its successor committee, on or before November 30 of each year.

F. The committee established by this section ends on July 1, 2027 pursuant to section 41-3103.

Sec. 3. Title 41, chapter 27, article 2, Arizona Revised Statutes, is amended by adding section 41-3026.04, to read:

41-3026.04. Arizona department of public land management; termination July 1, 2026

A. The Arizona Department of Public Land Management terminates on July 1, 2026.

B. Title 37, chapter 10 and this section are repealed on January 1, 2027.

Sec. 4. Conditional enactment; notice

A. Title 37, chapter 10, Arizona Revised Statutes, as added by this act, and section 41-3026.04, Arizona Revised Statutes, as added by this act, do not become effective unless on or before December 31, 2023 the governor of this state, or the governor's designee, enters into an agreement with the United States department of the interior or another federal agency relating to the management of public land by this state.

B. The governor shall notify in writing the director of the Arizona legislative council on or before January 31, 2024 either:

1. Of the date on which the condition was met.

2. That the condition was not met.