

REFERENCE TITLE: state parks board; heritage fund

State of Arizona  
Senate  
Fifty-fourth Legislature  
First Regular Session  
2019

# **SB 1241**

Introduced by  
Senators Brophy McGee: Boyer, Carter, Kerr, Navarrete, Otondo, Pratt

AN ACT

AMENDING TITLE 41, CHAPTER 3, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 1; RELATING TO THE ARIZONA STATE PARKS BOARD.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 41, chapter 3, Arizona Revised Statutes, is  
3 amended by adding article 1, to read:

4 ARTICLE 1. ARIZONA STATE PARKS HERITAGE FUND

5 41-501. Definitions

6 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 1. "FUND" MEANS THE ARIZONA STATE PARKS HERITAGE FUND ESTABLISHED  
8 BY SECTION 41-502.

9 2. "HISTORIC PRESERVATION PROJECT" MEANS A PROJECT FOR THE  
10 PRESERVATION OF ARCHAEOLOGICAL OR HISTORIC PROPERTIES, ARTIFACTS, ARCHIVES  
11 AND COLLECTIONS THAT REQUIRE STABILIZATION, REHABILITATION, RESTORATION  
12 AND MAINTENANCE, INTERPRETATION, EDUCATION AND PROGRAM DEVELOPMENT.

13 41-502. Arizona state parks heritage fund; exemption

14 A. THE ARIZONA STATE PARKS HERITAGE FUND IS ESTABLISHED CONSISTING  
15 OF LEGISLATIVE APPROPRIATIONS, GRANTS AND DONATIONS.

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

22 41-503. Expenditures from fund; purpose; amounts

23 A. THE ARIZONA STATE PARKS BOARD, IN CONSULTATION WITH THE  
24 HISTORICAL ADVISORY COMMISSION, SHALL:

- 25 1. ESTABLISH CRITERIA FOR THE USE OF THE MONIES IN THE FUND.  
26 2. ESTABLISH AND REVISE AS NECESSARY THE GRANT APPLICATION PROCESS.  
27 3. REVIEW AND EVALUATE GRANT APPLICATIONS.

28 B. THE MONIES IN THE FUND SHALL BE USED AS FOLLOWS:

- 29 1. FIFTY PERCENT ON LOCAL, REGIONAL OR STATE PARKS FOR OUTDOOR  
30 RECREATION AND OPEN SPACE DEVELOPMENT, RESTORATION OR RENOVATION.  
31 2. THIRTY PERCENT ON LOCAL, REGIONAL AND STATE HISTORIC  
32 PRESERVATION PROJECTS. THE ARIZONA STATE PARKS BOARD THROUGH THE STATE  
33 HISTORIC PRESERVATION OFFICER SHALL ADMINISTER MONIES PROVIDED UNDER THIS  
34 PARAGRAPH.

35 3. TEN PERCENT ON LOCAL, REGIONAL AND STATE NONMOTORIZED TRAILS.

36 4. TEN PERCENT ON OUTDOOR AND ENVIRONMENTAL EDUCATION.

37 C. AN ENTITY THAT RECEIVES MONIES UNDER THIS SECTION MAY NOT  
38 RECEIVE MORE THAN TWENTY PERCENT OF THE MONIES AVAILABLE IN EACH CATEGORY  
39 IN ANY FISCAL YEAR.

40 D. ALL MONIES EARNED AS INTEREST ON MONIES RECEIVED PURSUANT TO  
41 SECTION 41-502 SHALL BE SPENT ONLY IN THE PERCENTAGES AND FOR THE PURPOSES  
42 DESCRIBED IN SUBSECTION B OF THIS SECTION OR FOR THE COSTS OF  
43 ADMINISTERING THE FUND IN SUCH AMOUNTS AS DETERMINED BY THE ARIZONA STATE  
44 PARKS BOARD, IN CONSULTATION WITH THE HISTORICAL ADVISORY COMMISSION.

45 E. MONIES IN THE FUND MAY NOT BE USED TO ACQUIRE PROPERTY.

1 F. ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE ARIZONA STATE PARKS  
2 BOARD, IN CONSULTATION WITH THE HISTORICAL ADVISORY COMMISSION, SHALL  
3 SUBMIT A REPORT TO THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE  
4 OF REPRESENTATIVES AND THE CHAIRPERSONS OF THE SENATE COMMITTEE ON NATURAL  
5 RESOURCES AND ENERGY AND THE HOUSE OF REPRESENTATIVES COMMITTEE ON NATURAL  
6 RESOURCES, ENERGY AND WATER, OR THEIR SUCCESSOR COMMITTEES. THE BOARD  
7 SHALL PROVIDE A COPY OF THIS REPORT TO THE SECRETARY OF STATE. THE REPORT  
8 SHALL INCLUDE INFORMATION ON:

9 1. THE AMOUNT OF MONIES SPENT OR ENCUMBERED IN THE FUND DURING THE  
10 PRECEDING FISCAL YEAR AND A SUMMARY OF THE PROJECTS, ACTIVITIES AND  
11 EXPENDITURES RELATING TO:

12 (a) LOCAL, REGIONAL OR STATE PARKS FOR OUTDOOR RECREATION AND OPEN  
13 SPACE.

14 (b) LOCAL, REGIONAL AND STATE NONMOTORIZED TRAILS.

15 (c) LOCAL, REGIONAL AND STATE HISTORIC PRESERVATION PROJECTS.

16 (d) OUTDOOR AND ENVIRONMENTAL EDUCATION.

17 2. THE AMOUNT OF MONIES SPENT FROM THE FUND DURING THE PRECEDING  
18 FISCAL YEAR THAT IS ITEMIZED.

19 41-504. Performance audit

20 THE AUDITOR GENERAL SHALL CONDUCT A PERFORMANCE AUDIT, AS DEFINED IN  
21 SECTION 41-1278, OF THE PROGRAMS AND EXPENDITURES OF THE FUND PURSUANT TO  
22 THIS ARTICLE AT THE SAME TIME AN AGENCY PERFORMANCE AUDIT OF THE ARIZONA  
23 STATE PARKS BOARD IS CONDUCTED. THE AUDITOR GENERAL SHALL SUBMIT COPIES  
24 OF THE PERFORMANCE AUDIT TO THE PRESIDENT OF THE SENATE, THE SPEAKER OF  
25 THE HOUSE OF REPRESENTATIVES AND THE CHAIRPERSONS OF THE SENATE COMMITTEE  
26 ON NATURAL RESOURCES AND ENERGY AND THE HOUSE OF REPRESENTATIVES COMMITTEE  
27 ON NATURAL RESOURCES, ENERGY AND WATER, OR THEIR SUCCESSOR COMMITTEES.

28 Sec. 2. Legislative intent

29 The Arizona state parks heritage fund served this state well with  
30 its dedication to parks, outdoor recreation, open space and nonmotorized  
31 trails, outdoor and environmental education and historic preservation. It  
32 is the intent of the legislature to restore the Arizona state parks  
33 heritage fund after satisfying all other current encumbrances and to  
34 reestablish the fund in a responsible and deliberate manner.