

REFERENCE TITLE: state lake improvement fund

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

HB 2038

Introduced by
Representative Biasiucci

AN ACT

AMENDING SECTIONS 5-382 AND 41-511.21, ARIZONA REVISED STATUTES; RELATING TO STATE PARKS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 5-382, Arizona Revised Statutes, is amended to
3 read:
4 5-382. State lake improvement fund; use of monies; report
5 A. ~~THE~~ state lake improvement fund is established. Monies
6 deposited in the fund shall be used only as provided in this section.
7 B. All monies in the state lake improvement fund are appropriated
8 to the Arizona state parks board solely for the purposes provided in this
9 section. Interest earned on monies in the fund shall be credited to the
10 fund. Monies in the state lake improvement fund are exempt from the
11 provisions of section 35-190 relating to lapsing of appropriations.
12 C. The Arizona state parks board shall ~~administer~~ USE the monies in
13 the fund as follows:
14 1. NOT MORE THAN TEN PERCENT OF MONIES DEPOSITED IN THE FUND
15 ANNUALLY to fund staff support to plan and administer the state lake
16 improvement fund ~~in conjunction with other administrative tasks and~~
17 ~~recreation plans of the board.~~
18 2. FOR WATER SEARCH AND RESCUE OPERATIONS.
19 ~~2.~~ 3. To fund projects on waters where ~~gasoline powered~~
20 GASOLINE-POWERED boats are ~~permitted and shall be~~ ALLOWED, limited to the
21 following:
22 (a) Public launching ramps.
23 (b) Public piers, marinas or marina stadia.
24 (c) Public toilets, sanitation facilities and domestic waters.
25 (d) Public picnic tables and facilities.
26 (e) Public parking areas.
27 (f) Lake construction or improvement.
28 (g) Marking buoys and other safety facilities.
29 (h) Watercraft.
30 (i) Public campgrounds.
31 (j) Acquisition of real and personal property through purchase,
32 lease, agreement or otherwise for the purpose of providing access to
33 waters where boating is ~~permitted~~ ALLOWED.
34 (k) Design and engineering projects.
35 D. Projects involving expenditure of monies from ~~such~~ THE STATE
36 LAKE IMPROVEMENT fund may be accomplished by the Arizona state parks
37 board, by the Arizona game and fish commission, by the board of
38 supervisors of any county or by the governing body of a city or town,
39 provided such projects do not interfere with any vested water rights, or
40 the operation or maintenance of water projects, including domestic,
41 municipal, irrigation district, drainage district, flood control district
42 or reclamation projects. The Arizona outdoor recreation coordinating
43 commission, established by section 41-511.25, shall examine applications
44 for eligible projects, determine the amount of funding, if any, for each
45 project and submit a list of projects, subject to prior review by the

1 joint committee on capital review, to the Arizona state parks board for
2 allocation from the fund. The board shall annually report to the
3 legislature the expenditures made for such projects in conjunction with
4 the report required by section 41-511.12.

5 E. State lake improvement ~~funds~~ FUND MONIES may be used on projects
6 ~~where~~ IF matching ~~funds~~ MONIES are made available.

7 Sec. 2. Section 41-511.21, Arizona Revised Statutes, is amended to
8 read:

9 41-511.21. State parks revenue fund; purpose; exemption

10 A. The state parks revenue fund is established consisting of:

11 1. Monies received from the sale of park posters, park postcards,
12 books, souvenirs and sundry items pursuant to section 41-511.05,
13 paragraph 4.

14 2. Monies appropriated by the legislature for the purpose of
15 enhancing state parks.

16 3. Unconditional gifts and donations specifically designated to the
17 STATE PARKS revenue fund, except for unconditional gifts, donations,
18 bequests and endowments deposited in the state parks donations fund
19 pursuant to section 41-511.11.

20 4. All monies derived from state park user fees, concession fees
21 and other revenue generating activities.

22 5. Surcharges on park reservations.

23 6. MONIES FROM THE sale of park assets.

24 B. The monies in the STATE PARKS REVENUE fund are subject to
25 legislative appropriation:

26 1. ~~For the operation~~ TO OPERATE, ADMINISTER and ~~maintenance of~~
27 MAINTAIN the state park system.

28 2. For use by the board to acquire and develop real property and
29 improvements as state parks consistent with the purposes and objectives
30 prescribed in section 41-511.03, subject to review by the joint committee
31 on capital review.

32 C. Monies in the STATE PARKS REVENUE fund shall not be appropriated
33 in a manner that is inconsistent with restrictions in the lease or deed to
34 the property.

35 D. The board may collect monies as a surcharge on park reservations
36 and shall determine the surcharge rate as provided in section 41-511.05,
37 paragraph 8 after considering the costs to plan and administer the
38 reservation system.

39 E. On notice from the board, the state treasurer shall invest and
40 divest the monies in the state parks revenue fund as provided by section
41 35-313, and monies earned from investment shall be credited to the fund.

42 F. Monies in the state parks revenue fund are exempt from section
43 35-190, relating to lapsing of appropriations. The purposes for which
44 monies were expended during the preceding fiscal year shall be delineated
45 in the agency's annual report pursuant to section 41-511.12.