

Senate Engrossed

Arizona state parks heritage fund

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SENATE CONCURRENT RESOLUTION 1038

A CONCURRENT RESOLUTION

ENACTING AND ORDERING THE SUBMISSION TO THE PEOPLE OF A MEASURE RELATING
TO THE ARIZONA STATE PARKS HERITAGE FUND.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the Senate of the State of Arizona, the House of
2 Representatives concurring:

3 1. Under the power of the referendum, as vested in the Legislature,
4 the following measure, relating to the Arizona state parks heritage fund,
5 is enacted to become valid as a law if approved by the voters and on
6 proclamation of the Governor:

7 AN ACT

8 AMENDING SECTIONS 5-572 AND 41-502, ARIZONA REVISED STATUTES;
9 RELATING TO THE ARIZONA STATE PARKS HERITAGE FUND.

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

11 Section 1. Section 5-572, Arizona Revised Statutes, is
12 amended to read:

13 5-572. Use of monies in state lottery fund; report

14 A. If there are any bonds or bond related obligations
15 payable from the state lottery revenue bond debt service fund,
16 the state lottery revenue bond debt service fund shall be
17 secured by a first lien on the monies in the state lottery
18 fund after the payment of operating costs of the lottery, as
19 prescribed in section 5-555, subsection A, paragraph 1, until
20 the state lottery bond debt service fund contains sufficient
21 monies to meet all the requirements for the current period as
22 required by the bond documents. Debt service for revenue
23 bonds issued pursuant to this chapter shall be paid first from
24 monies that would have otherwise been deposited pursuant to
25 this section in the state general fund. After the
26 requirements for the current period have been satisfied as
27 required by the bond documents, the monies in the state
28 lottery fund shall be expended for the expenses of the
29 commission incurred in carrying out its powers and duties and
30 in the operation of the lottery.

31 B. Of the monies remaining in the state lottery fund
32 each fiscal year after appropriations and deposits authorized
33 in subsection A of this section, ~~ten million dollars~~
34 \$10,000,000 shall be deposited in the Arizona game and fish
35 commission heritage fund established by section 17-297.

36 C. Of the monies remaining in the state lottery fund
37 each fiscal year after appropriations and deposits authorized
38 in subsections A and B of this section, ~~five million dollars~~
39 \$10,000,000 SHALL BE DEPOSITED IN THE ARIZONA STATE PARKS
40 HERITAGE FUND ESTABLISHED BY SECTION 41-502, \$5,000,000 shall
41 be allocated to the department of child safety for the healthy
42 families program established by section 8-481, ~~four million~~
43 ~~dollars~~ \$4,000,000 shall be allocated to the Arizona board of
44 regents for the Arizona area health education system
45 established by section 15-1643, ~~three million dollars~~

1 \$3,000,000 shall be allocated to the department of health
2 services to fund the teenage pregnancy prevention programs
3 established in Laws 1995, chapter 190, sections 2 and 3, ~~two~~
4 ~~million dollars~~ \$2,000,000 shall be allocated to the
5 department of health services for the health start program
6 established by section 36-697, ~~two million dollars~~ \$2,000,000
7 shall be deposited in the disease control research fund
8 established by section 36-274 and ~~one million dollars~~
9 \$1,000,000 shall be allocated to the department of health
10 services for the federal women, infants and children food
11 program. The allocations in this subsection shall be adjusted
12 annually according to changes in the GDP price deflator as
13 defined in section 41-563, and the allocations are exempt from
14 the provisions of section 35-190 relating to lapsing of
15 appropriations. If there are not sufficient monies available
16 pursuant to this subsection, the allocation of monies for each
17 program shall be reduced on a pro rata basis.

18 D. If the state lottery director determines that monies
19 available to the state general fund may not equal ~~eighty-four~~
20 ~~million one hundred fifty thousand dollars~~ \$84,150,000 in a
21 fiscal year, the director shall not authorize deposits to the
22 Arizona game and fish commission heritage fund OR THE ARIZONA
23 STATE PARKS HERITAGE FUND pursuant to subsection B OR C of
24 this section until the deposits to the state general fund
25 equal ~~eighty-four million one hundred fifty thousand dollars~~
26 \$84,150,000 in a fiscal year.

27 E. Of the monies remaining in the state lottery fund
28 each fiscal year after appropriations and deposits authorized
29 in subsections A through D of this section, ~~one million~~
30 ~~dollars~~ \$1,000,000 or the remaining balance in the fund,
31 whichever is less, is appropriated to the department of
32 economic security for grants to nonprofit organizations,
33 including ~~faith-based~~ FAITH-BASED organizations, for homeless
34 emergency and transitional shelters and related support
35 services. The department of economic security shall submit a
36 report on the amounts, recipients, purposes and results of
37 each grant to the governor, the speaker of the house of
38 representatives and the president of the senate on or before
39 December 31 of each year for the prior fiscal year and shall
40 provide a copy of this report to the secretary of state.

41 F. Of the monies remaining in the state lottery fund
42 each fiscal year after appropriations and deposits authorized
43 in subsections A through E of this section, and after a total
44 of at least ~~ninety-nine million six hundred forty thousand~~
45 ~~dollars~~ \$99,640,000 has been deposited in the state general

1 fund, ~~three million five hundred thousand dollars~~ \$3,500,000
2 shall be deposited in the Arizona competes fund established by
3 section 41-1545.01. The balance in the state lottery fund
4 remaining after deposits into the Arizona competes fund shall
5 be deposited in the university capital improvement lease-to-
6 own and bond fund established by section 15-1682.03, up to a
7 maximum of eighty percent of the total annual payments of
8 lease-to-own and bond agreements entered into by the Arizona
9 board of regents.

10 G. All monies remaining in the state lottery fund after
11 the appropriations and deposits authorized in this section
12 shall be deposited in the state general fund.

13 H. Except for monies expended for debt service of
14 revenue bonds as provided in subsection A of this section,
15 monies expended under subsection A of this section are subject
16 to legislative appropriation.

17 I. The commission shall transfer monies prescribed in
18 this section on a quarterly basis.

19 Sec. 2. Section 41-502, Arizona Revised Statutes, is
20 amended to read:

21 41-502. Arizona state parks heritage fund; exemption

22 A. The Arizona state parks heritage fund is established
23 consisting of MONIES DEPOSITED FROM THE STATE LOTTERY FUND
24 PURSUANT TO SECTION 5-572 AND INTEREST EARNED ON THOSE MONIES,
25 legislative appropriations, grants and donations.

26 B. The Arizona state parks board shall administer the
27 fund. Monies in the fund are continuously appropriated. On
28 notice from the Arizona state parks board, the state treasurer
29 shall invest and divest monies in the fund as provided by
30 section 35-313, and monies earned from investment shall be
31 credited to the fund. Monies in the fund are exempt from the
32 provisions of section 35-190 relating to lapsing of
33 appropriations.

34 Sec. 3. Exemption from rulemaking

35 For the purposes of this act, the Arizona state parks
36 board is exempt from the rulemaking requirements of title 41,
37 chapter 6, Arizona Revised Statutes, for one year after the
38 effective date of this act.

39 2. The Secretary of State shall submit this proposition to the
40 voters at the next general election as provided by article IV, part 1,
41 section 1, Constitution of Arizona.