

State of Arizona
House of Representatives
Fifty-first Legislature
Second Regular Session
2014

HOUSE BILL 2624

AN ACT

AMENDING TITLE 41, CHAPTER 3, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 1.4; PROVIDING FOR THE DELAYED REPEAL OF SECTION 41-519.01, ARIZONA REVISED STATUTES; MAKING AN APPROPRIATION; RELATING TO THE YARNELL HILL MEMORIAL.

(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 amended
3 by adding article 1.4, to read:

4 ARTICLE 1.4. YARNELL HILL MEMORIAL

5 41-519. Yarnell Hill memorial

6 A. THE ARIZONA STATE PARKS BOARD SHALL ESTABLISH THE YARNELL HILL
7 MEMORIAL STATE PARK SUBJECT TO THE FOLLOWING CONDITIONS:

8 1. THE YARNELL HILL MEMORIAL SITE BOARD RECOMMENDS THAT THE STATE
9 PARKS BOARD PURCHASE THE LAND FOR THE MEMORIAL SITE.

10 2. THE ARIZONA STATE PARKS BOARD PURCHASES THE YARNELL HILL MEMORIAL
11 SITE PURSUANT TO TITLE 37, CHAPTER 2, ARTICLE 3.

12 3. THE YARNELL HILL MEMORIAL SITE BOARD APPROVES THE DESIGN AND
13 CONSTRUCTION OF THE MEMORIAL.

14 4. THE YARNELL HILL MEMORIAL SITE BOARD SECURES THE NECESSARY
15 PERMISSIONS FOR INDIVIDUALS TO VISIT THE MEMORIAL.

16 B. THE ARIZONA STATE PARKS BOARD MAY ENTER INTO AN INTERGOVERNMENTAL
17 AGREEMENT PURSUANT TO TITLE 11, CHAPTER 7, ARTICLE 3 WITH THE COUNTY IN WHICH
18 THE PARK IS LOCATED FOR THE MAINTENANCE AND PRESERVATION OF THE YARNELL HILL
19 MEMORIAL AND ACCESS ROAD.

20 41-519.01. Yarnell Hill memorial site board; members; duties;
21 report

22 A. THE YARNELL HILL MEMORIAL SITE BOARD IS ESTABLISHED CONSISTING OF
23 THE FOLLOWING MEMBERS:

24 1. THE DIRECTOR OF THE ARIZONA STATE PARKS BOARD OR THE DIRECTOR'S
25 DESIGNEE, WHO SHALL SERVE AS THE CHAIRPERSON OF THE YARNELL HILL MEMORIAL
26 SITE BOARD.

27 2. THE STATE FORESTER OR THE STATE FORESTER'S DESIGNEE.

28 3. TWO REPRESENTATIVES FROM THE COUNTY IN WHICH THE YARNELL HILL FIRE
29 OCCURRED, WHO ARE APPOINTED BY THE PRESIDENT OF THE SENATE.

30 4. A REPRESENTATIVE FROM THE LARGEST CITY BY POPULATION IN THE COUNTY
31 IN WHICH THE YARNELL HILL FIRE OCCURRED, WHO IS APPOINTED BY THE PRESIDENT OF
32 THE SENATE.

33 5. A REPRESENTATIVE FROM THE FIRE DEPARTMENT IN THE LARGEST CITY BY
34 POPULATION IN THE COUNTY IN WHICH THE YARNELL HILL FIRE OCCURRED, WHO IS
35 APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

36 6. A REPRESENTATIVE FROM THE YARNELL FIRE DISTRICT, WHO IS APPOINTED
37 BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

38 7. A REPRESENTATIVE FROM THE YARNELL CHAMBER OF COMMERCE, WHO IS
39 APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

40 8. A SURVIVING MEMBER OF THE GRANITE MOUNTAIN HOTSHOT CREW OR A
41 RELATIVE OF A MEMBER OF THE GRANITE MOUNTAIN HOTSHOT CREW WHO LOST HIS LIFE
42 FIGHTING THE YARNELL HILL FIRE, WHO IS APPOINTED BY THE SPEAKER OF THE HOUSE
43 OF REPRESENTATIVES.

1 9. A RELATIVE OF A MEMBER OF THE GRANITE MOUNTAIN HOTSHOT CREW WHO
2 LOST HIS LIFE FIGHTING THE YARNELL HILL FIRE, WHO IS APPOINTED BY THE SPEAKER
3 OF THE HOUSE OF REPRESENTATIVES.

4 10. A REPRESENTATIVE OF A NONPROFIT ORGANIZATION IN THIS STATE THAT
5 SUPPORTS PUBLIC SAFETY, WHO IS APPOINTED BY THE PRESIDENT OF THE SENATE.

6 11. A REPRESENTATIVE OF A RECOGNIZED ASSOCIATION REPRESENTING PUBLIC
7 FIREFIGHTERS, WHO IS APPOINTED BY THE SPEAKER OF THE HOUSE OF
8 REPRESENTATIVES.

9 12. A REPRESENTATIVE OF THE ARIZONA ARTS COMMUNITY OR A PERSON WITH
10 SUBSTANTIAL MEMORIAL DESIGN EXPERIENCE, WHO IS APPOINTED BY THE PRESIDENT OF
11 THE SENATE.

12 13. ONE MEMBER OF THE HOUSE OF REPRESENTATIVES WHO REPRESENTS THE
13 DISTRICT IN WHICH THE YARNELL HILL FIRE OCCURRED, WHO IS APPOINTED BY THE
14 SPEAKER OF THE HOUSE OF REPRESENTATIVES AS AN ADVISORY MEMBER.

15 14. ONE MEMBER OF THE SENATE WHO REPRESENTS THE DISTRICT IN WHICH THE
16 YARNELL HILL FIRE OCCURRED, WHO IS APPOINTED BY THE PRESIDENT OF THE SENATE
17 AS AN ADVISORY MEMBER.

18 B. MEMBERS OF THE YARNELL HILL MEMORIAL SITE BOARD ARE NOT ELIGIBLE TO
19 RECEIVE COMPENSATION, BUT MEMBERS APPOINTED PURSUANT TO SUBSECTION A,
20 PARAGRAPHS 3 THROUGH 12 OF THIS SECTION ARE ENTITLED TO REIMBURSEMENT FROM
21 THE YARNELL HILL MEMORIAL FUND ESTABLISHED BY SECTION 41-519.02 FOR
22 REASONABLE EXPENSES IN TRAVELING ON AND ATTENDING TO OFFICIAL BOARD BUSINESS.

23 C. THE YARNELL HILL MEMORIAL SITE BOARD SHALL:

24 1. DETERMINE WHETHER TO ESTABLISH A MEMORIAL DEDICATED TO THE MEMBERS
25 OF THE GRANITE MOUNTAIN HOTSHOT CREW WHO LOST THEIR LIVES FIGHTING THE
26 YARNELL HILL FIRE AT THE LOCATION WHERE THE CREW LOST THEIR LIVES. IF THE
27 BOARD DETERMINES THAT THE SITE SHOULD BE MEMORIALIZED, THE BOARD SHALL
28 ESTABLISH THE MEMORIAL AND APPROVE ITS DESIGN AND CONSTRUCTION.

29 2. DETERMINE WHETHER THE STATE PARKS BOARD OR A PRIVATE PARTY SHOULD
30 PURCHASE THE LAND FOR THE MEMORIAL SITE.

31 3. WORK WITH INTERESTED PARTIES TO DESIGN AND CONSTRUCT THE MEMORIAL.

32 4. PLAN FOR AND SECURE THE NECESSARY PERMISSIONS FOR INDIVIDUALS TO
33 VISIT THE MEMORIAL.

34 5. SEEK TO MINIMIZE THE USE OF STATE GENERAL FUNDS FOR THE PURCHASE,
35 MAINTENANCE AND PRESERVATION OF THE MEMORIAL.

36 6. PLAN FOR THE MAINTENANCE AND PRESERVATION OF THE MEMORIAL.

37 7. SOLICIT PRIVATE MONETARY DONATIONS OR PUBLIC MONIES FOR DEPOSIT IN
38 THE YARNELL HILL MEMORIAL FUND ESTABLISHED BY SECTION 41-519.02.

39 8. SUBMIT A REPORT ON THE PROGRESS OF THE MEMORIAL TO THE GOVERNOR,
40 THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES
41 ON OR BEFORE DECEMBER 31, 2015 AND PROVIDE A COPY OF THIS REPORT TO THE
42 SECRETARY OF STATE.

43 41-519.02. Yarnell Hill memorial fund; exemption

44 A. THE YARNELL HILL MEMORIAL FUND IS ESTABLISHED CONSISTING OF
45 LEGISLATIVE APPROPRIATIONS AND DONATIONS TO THE FUND. THE YARNELL HILL

1 MEMORIAL SITE BOARD SHALL ADMINISTER THE FUND. ON NOTICE FROM THE YARNELL
2 HILL MEMORIAL SITE BOARD, THE STATE TREASURER SHALL INVEST AND DIVEST MONIES
3 IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED FROM INVESTMENT
4 SHALL BE CREDITED TO THE FUND. THE MONIES IN THE FUND ARE EXEMPT FROM
5 SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS. THE MONIES IN THE FUND
6 AND ANY ADDITIONAL DONATIONS TO THE FUND MUST BE USED FOR THE PURPOSE OF
7 PURCHASING LAND FOR THE MEMORIAL, MAINTAINING AND PRESERVING THE YARNELL HILL
8 MEMORIAL AND ACCESS ROAD AND REIMBURSEMENT OF THE YARNELL HILL MEMORIAL SITE
9 BOARD MEMBERS' TRAVEL EXPENSES.

10 B. BEGINNING ON JANUARY 1, 2017, THE ARIZONA STATE PARKS BOARD SHALL
11 ADMINISTER THE FUND.

12 Sec. 2. Delayed repeal

13 Section 41-519.01, Arizona Revised Statutes, as added by this act, is
14 repealed from and after December 31, 2016.

15 Sec. 3. Appropriation; exemption

16 A. The sum of \$500,000 is appropriated from the state general fund in
17 fiscal year 2013-2014 to the Arizona state parks board for the purpose of
18 purchasing the Yarnell Hill memorial site. Any amounts not used for the
19 purchase shall revert to the state general fund.

20 B. The appropriation made in subsection A of this section is exempt
21 from the provisions of section 35-190, Arizona Revised Statutes, relating to
22 lapsing of appropriations.

23 Sec. 4. Emergency

24 This act is an emergency measure that is necessary to preserve the
25 public peace, health or safety and is operative immediately as provided by
26 law.