

REFERENCE TITLE: **Yarnell Hill memorial; appropriation**

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

## **HB 2624**

Introduced by

Representatives Fann, Alston, Barton, Borrelli, Campbell, Cardenas, Forese, Hale, Kwasman, Lesko, Miranda, Mitchell, Montenegro, Peshlakai, Pierce J, Robson, Smith, Thorpe, Tobin, Townsend, Senators Burges, Driggs, Farley, Tovar; Representatives Brophy McGee, Carter, Coleman, Contreras, Dial, Escamilla, Farnsworth E, Gabaldón, Gonzales, Goodale, Gowan, Gray, Hernández, Kavanagh, Livingston, Lovas, McCune Davis, Mesnard, Meyer, Orr, Otondo, Pratt, Quezada, Saldate, Seel, Sherwood, Shope, Steele, Ugenti, Wheeler, Senators Dalessandro, McComish, McGuire, Pancrazi, Pierce, Shooter, Yarbrough

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

10 2. THE YARNELL HILL MEMORIAL SITE BOARD APPROVES THE DESIGN AND  
11 CONSTRUCTION OF THE MEMORIAL.

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

16 41-519.01. Yarnell Hill memorial site board; members; duties;  
17 report

18 A. THE YARNELL HILL MEMORIAL SITE BOARD IS ESTABLISHED CONSISTING OF  
19 THE FOLLOWING MEMBERS:

20 1. THE DIRECTOR OF THE ARIZONA STATE PARKS BOARD OR THE DIRECTOR'S  
21 DESIGNEE, WHO SHALL SERVE AS THE CHAIRPERSON OF THE YARNELL HILL MEMORIAL  
22 SITE BOARD.

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

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

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

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

32 6. A SURVIVING MEMBER OF THE GRANITE MOUNTAIN HOTSHOT CREW OR A  
33 RELATIVE OF A MEMBER OF THE GRANITE MOUNTAIN HOTSHOT CREW WHO LOST HIS LIFE  
34 FIGHTING THE YARNELL HILL FIRE, WHO IS APPOINTED BY THE SPEAKER OF THE HOUSE  
35 OF REPRESENTATIVES.

36 7. A RELATIVE OF A MEMBER OF THE GRANITE MOUNTAIN HOTSHOT CREW WHO  
37 LOST HIS LIFE FIGHTING THE YARNELL HILL FIRE, WHO IS APPOINTED BY THE SPEAKER  
38 OF THE HOUSE OF REPRESENTATIVES.

39 8. A REPRESENTATIVE OF A NONPROFIT ORGANIZATION IN THIS STATE THAT  
40 SUPPORTS PUBLIC SAFETY, WHO IS APPOINTED BY THE PRESIDENT OF THE SENATE.

41 9. A REPRESENTATIVE OF A RECOGNIZED ASSOCIATION REPRESENTING PUBLIC  
42 FIREFIGHTERS, WHO IS APPOINTED BY THE SPEAKER OF THE HOUSE OF  
43 REPRESENTATIVES.

44 10. A REPRESENTATIVE OF THE ARIZONA ARTS COMMUNITY OR A PERSON WITH  
45 SUBSTANTIAL MEMORIAL DESIGN EXPERIENCE, WHO IS APPOINTED BY THE SPEAKER OF  
46 THE HOUSE OF REPRESENTATIVES.

1           11. ONE MEMBER OF THE HOUSE OF REPRESENTATIVES WHO REPRESENTS THE  
2 DISTRICT IN WHICH THE YARNELL HILL FIRE OCCURED, WHO IS APPOINTED BY THE  
3 SPEAKER OF THE HOUSE OF REPRESENTATIVES AS AN ADVISORY MEMBER.

4           12. ONE MEMBER OF THE SENATE WHO REPRESENTS THE DISTRICT IN WHICH THE  
5 YARNELL HILL FIRE OCCURRED, WHO IS APPOINTED BY THE PRESIDENT OF THE SENATE  
6 AS AN ADVISORY MEMBER.

7           B. MEMBERS OF THE YARNELL HILL MEMORIAL SITE BOARD ARE NOT ELIGIBLE TO  
8 RECEIVE COMPENSATION, BUT MEMBERS APPOINTED PURSUANT TO SUBSECTION A,  
9 PARAGRAPHS 3 THROUGH 10 OF THIS SECTION ARE ENTITLED TO REIMBURSEMENT FROM  
10 THE YARNELL HILL MEMORIAL FUND ESTABLISHED BY SECTION 41-519.02 FOR  
11 REASONABLE EXPENSES IN TRAVELING ON AND ATTENDING TO OFFICIAL BOARD BUSINESS.

12           C. THE YARNELL HILL MEMORIAL SITE BOARD SHALL:

13           1. ESTABLISH A MEMORIAL DEDICATED TO THE MEMBERS OF THE GRANITE  
14 MOUNTAIN HOTSHOT CREW WHO LOST THEIR LIVES FIGHTING THE YARNELL HILL FIRE.

15           2. PLAN FOR THE MAINTENANCE AND PRESERVATION OF THE MEMORIAL.

16           3. SOLICIT PRIVATE MONETARY DONATIONS OR PUBLIC MONIES FOR DEPOSIT IN  
17 THE YARNELL HILL MEMORIAL FUND ESTABLISHED BY SECTION 41-519.02.

18           4. SUBMIT A REPORT ON THE PROGRESS OF THE MEMORIAL TO THE GOVERNOR,  
19 THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES  
20 ON OR BEFORE DECEMBER 31, 2015 AND PROVIDE A COPY OF THIS REPORT TO THE  
21 SECRETARY OF STATE.

22           D. THE YARNELL HILL MEMORIAL MUST BE COMPLETED AND DEDICATED TO THIS  
23 STATE WITHIN TWO YEARS AFTER THE EFFECTIVE DATE OF THIS ACT.

24           41-519.02. Yarnell Hill memorial fund; exemption

25           A. THE YARNELL HILL MEMORIAL FUND IS ESTABLISHED CONSISTING OF  
26 LEGISLATIVE APPROPRIATIONS AND DONATIONS TO THE FUND. THE YARNELL HILL  
27 MEMORIAL SITE BOARD SHALL ADMINISTER THE FUND. ON NOTICE FROM THE YARNELL  
28 HILL MEMORIAL SITE BOARD, THE STATE TREASURER SHALL INVEST AND DIVEST MONIES  
29 IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED FROM INVESTMENT  
30 SHALL BE CREDITED TO THE FUND. THE MONIES IN THE FUND ARE EXEMPT FROM  
31 SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS. THE MONIES IN THE FUND  
32 AND ANY ADDITIONAL DONATIONS TO THE FUND MUST BE USED FOR THE PURPOSE OF  
33 MAINTAINING AND PRESERVING THE YARNELL HILL MEMORIAL AND ACCESS ROAD AND  
34 REIMBURSEMENT OF THE YARNELL HILL MEMORIAL SITE BOARD MEMBERS' TRAVEL  
35 EXPENSES.

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

38           Sec. 2. Delayed repeal

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

41           Sec. 3. Appropriation; exemption

42           A. The sum of \$500,000 is appropriated from the state general fund in  
43 fiscal year 2013-2014 to the Arizona state parks board for the purpose of  
44 purchasing the Yarnell Hill memorial site.

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

4           Sec. 4. Emergency

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