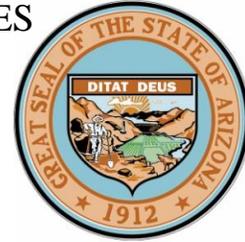


ARIZONA STATE HOUSE OF REPRESENTATIVES
RESEARCH STAFF



TO: JOINT LEGISLATIVE AUDIT COMMITTEE

DATE: January 25 , 2023

SUBJECT: Sunset Review of the Arizona Outdoor Recreation
Coordinating Commission

Paul Bergelin
Committee on Land,
Agriculture and Rural
Affairs
Telephone: (602) 926-3458

Attached is the final report of the sunset review of the Arizona Outdoor Recreation Coordinating Commission which was conducted by the Senate Natural Resources, Energy & Water and House Land, Agriculture & Rural Affairs Joint Committee of Reference.

This report has been distributed to the following individuals and agencies:

Governor of the State of Arizona
The Honorable Katie Hobbs

President of the Senate
Senator Warren Peterson

Speaker of the House of Representatives
Representative Ben Toma

House Members
Representative Lupe Diaz, Co-Chair
Representative Michele Peña
Representative Michael Carbone
Representative David L. Cook
Representative Gail Griffin
Representative Consuelo Hernandez
Representative Lydia Hernandez
Representative Mariana Sandoval
Representative Keith Seamen

Senate Members
Senator Sine Kerr, Co-Chair
Senator Frank Carroll
Senator Brian Fernandez
Senator David Gowan
Senator Juan Mendez
Senator Thomas "T.J." Shope
Senator Priya Sundareshan

Arizona Outdoor Recreation Coordinating Commission Senate Resource Center
Arizona State Library, Archives & Public Records Senate Republican Staff
House Republican Staff Senate Democratic Staff
House Democratic Staff Senate Research Staff
House Research Staff Office of the Auditor General

Senate Natural Resources, Energy & Water and House Land,
Agriculture & Rural Affairs Joint Committee of Reference
Sunset Review of the Arizona Outdoor
Recreation Coordinating Commission



Final Report

January 2023

House Members

Representative Lupe Diaz, Co-Chair
Representative Michele Peña
Representative Michael Carbone
Representative David L. Cook
Representative Gail Griffin
Representative Consuelo Hernandez
Representative Lydia Hernandez
Representative Mariana Sandoval
Representative Keith Seamen

Senate Members

Senator Sine Kerr, Co-Chair
Senator Frank Carroll
Senator Brian Fernandez
Senator David Gowan
Senator Juan Mendez
Senator Thomas "T.J." Shope
Senator Priya Sundareshan

TABLE OF CONTENTS

- I. Report
 - a. Background
 - b. Summary of Committee Activity
 - c. Committee Recommendation
- II. Appendix
 - a. Minutes and reference materials from January 19, 2023, Senate Natural Resources, Energy & Water and House Land, Agriculture & Rural Affairs Joint Committee of Reference

Report 2023

Background

Pursuant to [A.R.S. § 41-2953](#), the Joint Legislative Audit Committee assigned the sunset review of the Arizona Outdoor Recreation Coordinating Commission (AORCC) to the Senate Natural Resources, Energy & Water Committee of Reference and the House Land, Agriculture & Rural Affairs Committee of Reference.

In 1965, AORCC was created in response to the Federal Land and Water Conservation Act (Laws 1965, Chapter 68). As a standalone agency, AORCC was responsible for planning, coordinating and administering Arizona's outdoor recreation program. In 1984, AORCC was consolidated with Arizona State Parks to serve in an advisory capacity to the State Parks Board (Board) (Laws 1984, Chapter 182). AORCC is statutorily charged with:

- reviewing statewide outdoor recreation and lake improvement plans and providing comments to the Board;
- reviewing budget proposals and providing recommendations for the use of the Land and Water Conservation Fund surcharges and the State Lake Improvement Fund; and
- establishing criteria and policies for application review and funding distribution for eligible projects from the Land and Water Conservation Fund, the State Lake Improvement Fund and the Off-Highway Vehicle Recreation Fund ([A.R.S. § 41-511.25](#)).

AORCC consists of seven members including the Director of the Arizona Game and Fish Department, the Director of the Board and five members who are appointed by the Governor to serve three-year terms ([A.R.S. § 41-511.25](#)).

The AORCC is statutorily set to terminate on July 1, 2023, unless legislation is enacted for its continuation ([A.R.S. § 41-3023.16](#)).

Summary of Committee Activity

The Senate Natural Resources, Energy & Water Committee of Reference and the House Land, Agriculture & Rural Affairs Committee of Reference jointly met on January 19, 2023, to evaluate the AORCC's response to the sunset factors and receive public testimony.

Committee Recommendation

The Senate Natural Resources, Energy & Water Committee of Reference and the House Land, Agriculture & Rural Affairs Committee of Reference jointly recommended that AORCC be continued for eight years until July 1, 2031 and that AORCC provide updated reporting to the COR on spending and acquisitions in four years.

Appendix A:

January 19, 2023 Senate Natural Resources, Energy & Water Committee of
Reference and the House Land, Agriculture & Rural Affairs Committee of
Reference Minutes and Reference Materials

ARIZONA STATE LEGISLATURE

Senate Natural Resources, Energy and Water and House Land, Agriculture and Rural Affairs Joint Committee of Reference

Minutes of the Meeting
January 19, 2023
1:30 P.M., HHR1

Members of the public may access a livestream of the meeting here:

<https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2023011022>

Members Present:

Senator Sine Kerr, Co-Chair
Senator Frank Carroll
Senator Brian Fernandez
Senator David Gowan
Senator Thomas T.J. Shope
Senator Priya Sundareshan

Representative Lupe Diaz, Co-Chair
Representative Michael Carbone
Representative David L Cook
Representative Gail Griffin
Representative Consuelo Hernandez
Representative Lydia Hernandez
Representative Michele Peña
Representative Mariana Sandoval
Representative Keith Seaman

Members Absent:

Senator Juan Mendez

Staff:

Rachel Andrews, Senate Natural Resources, Energy and Water Research Analyst
Fausto Burruel, Senate Natural Resources, Energy and Water Assistant Research Analyst
Stephanie Freeman, Senate Natural Resources, Energy and Water Research Intern
Paul Bergelin, House Land, Agriculture and Rural Affairs Research Analyst
Abigail Hobson, House Land, Agriculture and Rural Affairs Research Intern

Co-Chair Kerr called the meeting to order at 1:53 p.m. and attendance was taken.

SUNSET REVIEW OF THE ARIZONA GRAIN RESEARCH AND PROMOTION COUNCIL

Presentation by Arizona Grain Research and Promotion Council

David Sharp, Chairman, Arizona Grain Research and Promotion Council, distributed and explained a handout entitled "Arizona Grain Research & Promotion Council, Annual Newsletter, Spring 2022" (Attachment A). Mr. Sharp answered questions posed by the Committee.

Public Testimony

No public testimony took place.

Discussion and Recommendation

No further discussion took place.

Representative Diaz moved that the Senate Natural Resources, Energy and Water Committee of Reference and the House Land, Agriculture and Rural Affairs Committee of Reference recommends that the Arizona Grain Research and Promotion Council be continued for eight years. The motion CARRIED by a voice vote.

SUNSET REVIEW OF THE ARIZONA OUTDOOR RECREATION COORDINATING COMMISSION

Presentation by Arizona Outdoor Recreation Coordinating Commission

Brittany Hudson, Legislative Liaison, Arizona State Parks and Trails, distributed and explained a PowerPoint presentation entitled "Arizona Outdoor Recreation Coordinating Commission (AORCC)" (Attachment B). Ms. Hudson answered questions posed by the Committee.

Representative Griffin distributed and explained handouts entitled "Federal Public Land Surface & Subsurface" (Attachment C) and "Private Lands in Arizona" (Attachment D).

Public Testimony

No public testimony took place.

Discussion and Recommendation

No further discussion took place.

Representative Diaz moved that the Senate Natural Resources, Energy and Water Committee of Reference and the House Land, Agriculture and Rural Affairs Committee of Reference recommends that the Arizona Outdoor Recreation Coordinating Commission be continued for eight years.

Representative Griffin offered an additional recommendation that the Arizona Outdoor Recreation Coordinating update reporting to the Committee on Land acquisition every four years to this Committee.

Representative Diaz moved that the Senate Natural Resources, Energy and Water Committee of Reference and the House Land, Agriculture and Rural Affairs Committee of Reference recommends that the Arizona Outdoor Recreation Coordinating Commission be continued for eight years and they update reporting to the Committee on

Spending and acquisitions in four years to this Committee. The motion CARRIED by a voice vote.

SUNSET REVIEW OF THE ARIZONA STATE PARKS BOARD

Presentation by the Arizona Office of the Auditor General

Lindsey Perry, Auditor General, distributed and explained a PowerPoint presentation entitled "Arizona State Parks Board" (Attachment E).

Jeff Gove, Director, Performance Audit Division, Arizona Office of the Auditor General, continued with the PowerPoint presentation (Attachment E). Mr. Gove answered questions posed by the Committee.

Response by the Arizona State Parks Board

Bob Broscheid, Executive Director, Arizona State Parks Board, expressed the Board's gratitude with the Arizona Office of the Auditor General's Sunset Review.

Public Testimony

No public testimony took place.

Discussion and Recommendation

The Committee offered comments.

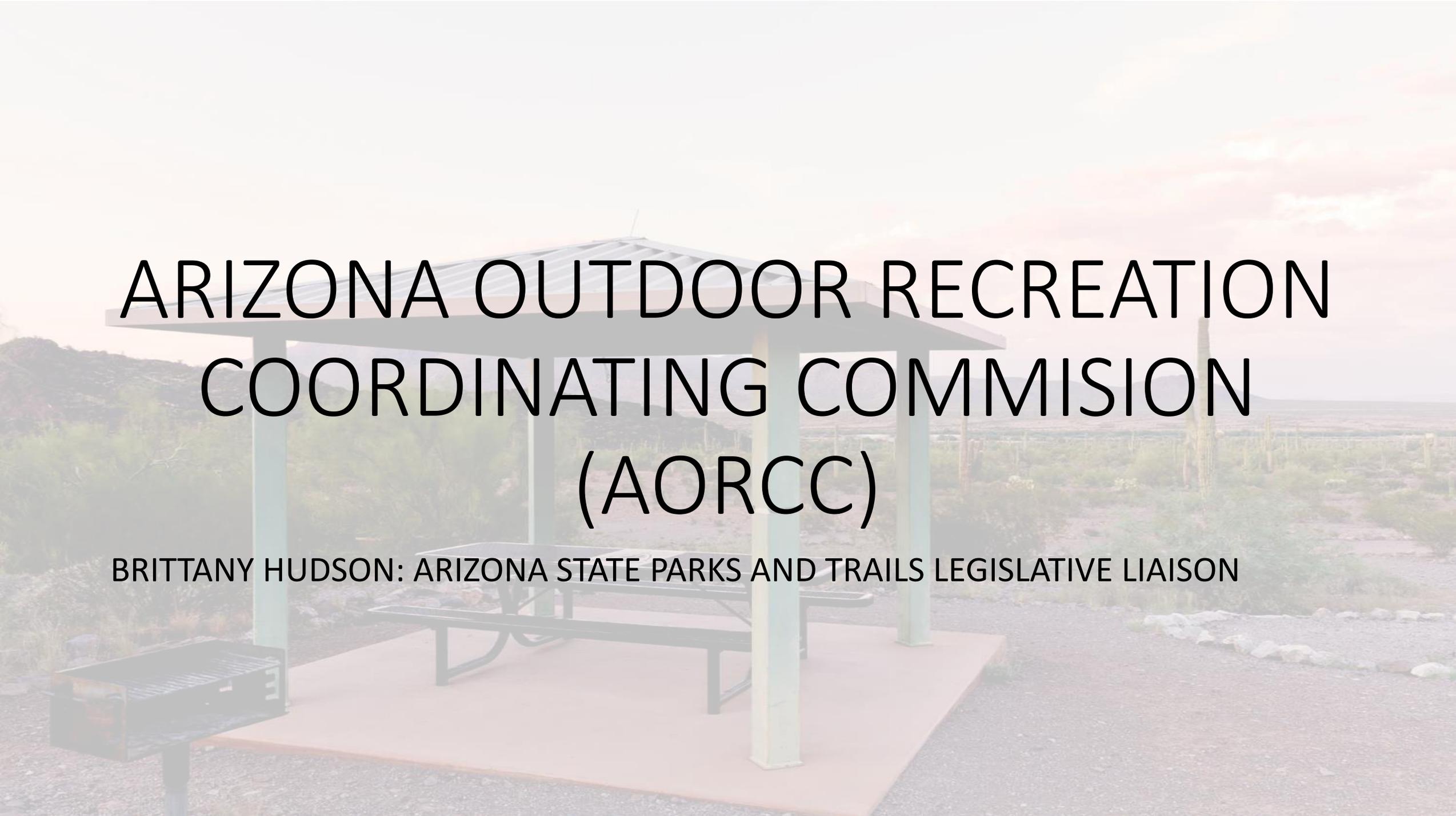
Representative Diaz moved that the Senate Natural Resources, Energy and Water Committee of Reference and the House Land, Agriculture and Rural Affairs Committee of Reference recommend that the Arizona State Parks Board be continued for eight years. The motion CARRIED by a voice vote.

There being no further business, the meeting was adjourned at 2:46 p.m.

Respectfully submitted,

Brisa Roman
Committee Secretary

(Audio recordings and attachments are on file in the Secretary of the Senate's Office/Resource Center, Room 115. Audio archives are available at <http://www.azleg.gov>)



ARIZONA OUTDOOR RECREATION COORDINATING COMMISSION (AORCC)

BRITTANY HUDSON: ARIZONA STATE PARKS AND TRAILS LEGISLATIVE LIAISON

WHAT IS AORCC?

- [STATUTORY AUTHORITY: A.R.S. §41-511.25 & 511.26](#)
- AORCC was created as a stand-alone agency in 1965 in response to the enactment of the federal Land and Water Conservation Act. Originally responsible for planning, coordinating and administering the state's outdoor recreation program.
- 1984, AORCC was combined with Arizona State Parks to serve in an advisory capacity to the State Parks Board for statewide planning and equitable distribution of grant monies as required by statute.
- AORCC is an all-volunteer advisory body. Under statute, the Arizona State Parks Board provides staff support for AORCC. In concert with AORCC and other community resources, staff coordinate the statewide planning for the SCORP, the statewide trails plan and other planning initiatives.
- Projects reviewed and approved by the State Parks Board and AORCC are typically completed by private contractors. When necessary, the State Parks Board contracts with private contractors. In such cases, AORCC may review draft and final documents or research produced by a contracted party.

AORCC MEMBERSHIP

- 7 members who have expertise in parks and outdoor recreation.
- 5 full time recreational professionals and 2 general public members appointed by the Governor to terms of 3 years.
- Includes the Directors of the Arizona State Parks Board and the Game and Fish Department.

AORCC SUCCESS

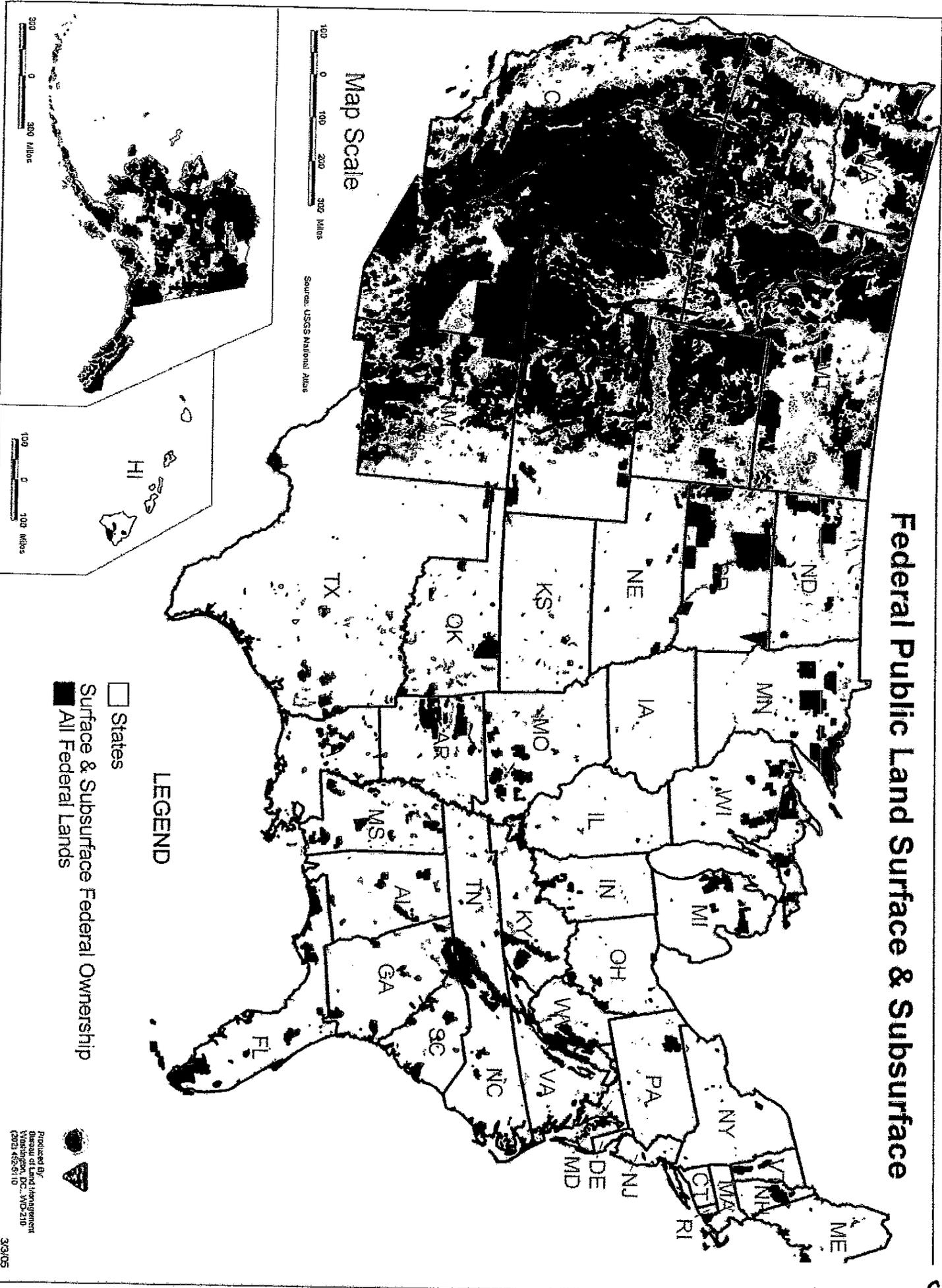
- AORCC has advanced its statutory objectives by contributing to the development of the Statewide Comprehensive Outdoor Recreation Plan (SCORP) that enables Arizona to receive federal LWCF funds and sets funding priorities. Since 1965, Arizona has received over \$80 million for use by state parks, counties and local communities.
- Looking at the past 5 years, AORCC has approved approximately 274 grants totaling close to \$49 million dollars in funding.
- A total of 86 projects were reviewed and recommended for funding totaling over \$23 million in Fiscal Year '22 alone.
- With the passage of the Great American Outdoors Act which permanently authorized funding for the Land and Water Conservation Fund in 2020, AORCC is very important now that Arizona is receiving more funding under the LWCF program.

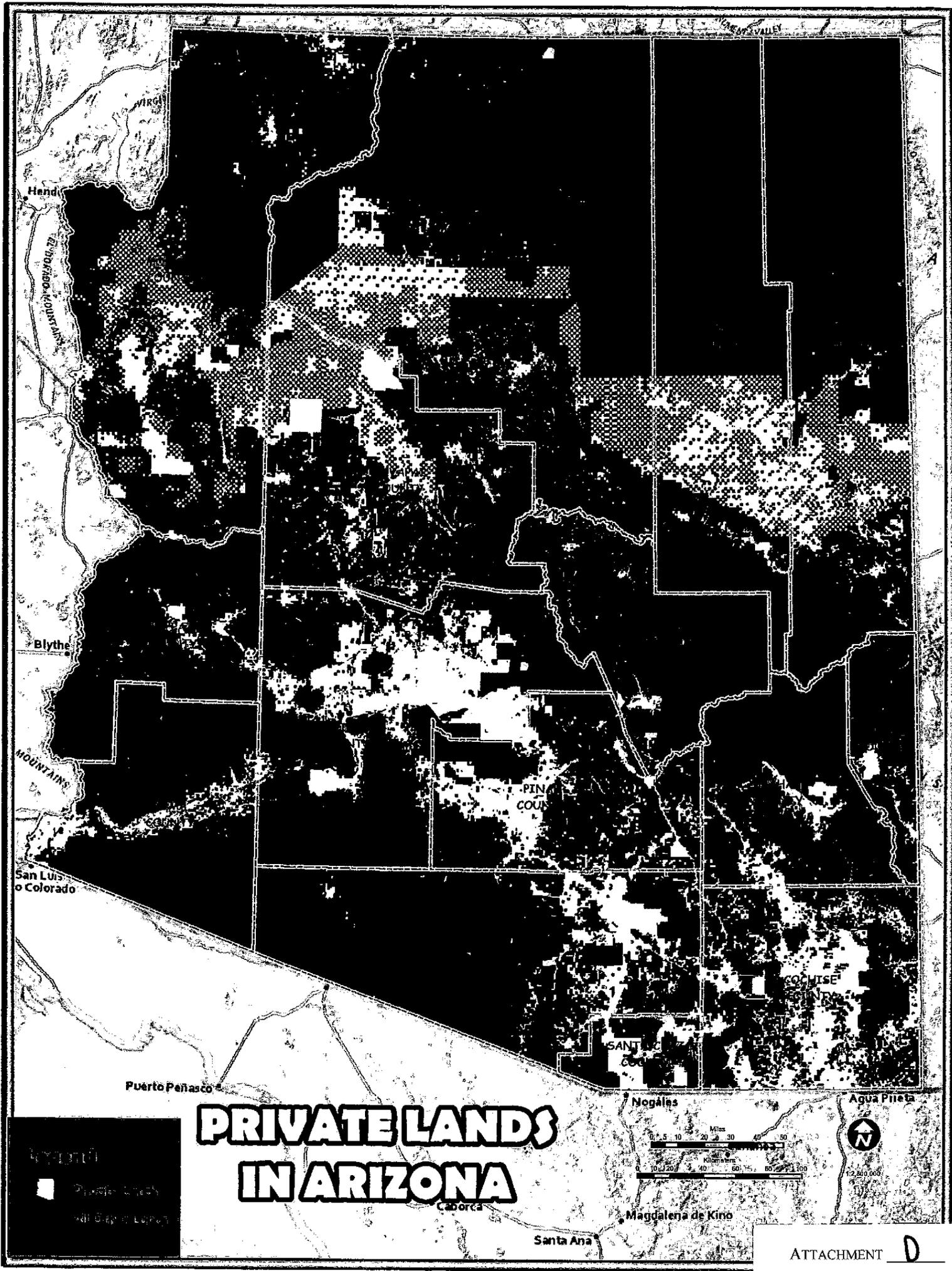
QUESTIONS?

BRITTANY HUDSON

[EMAIL: BHUDSON@AZSTATEPARKS.GOV](mailto:BHUDSON@AZSTATEPARKS.GOV)

Federal Public Land Surface & Subsurface

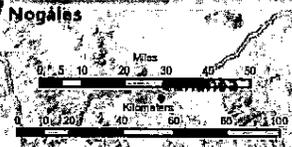




PRIVATE LANDS IN ARIZONA

Legend

- Private Lands
- State Lands
- Federal Lands





Arizona House of Representatives Phoenix, Arizona 85007

July 7, 2022

Bob Broscheid, Executive Director
Arizona State Parks & Trails
1110 West Washington Street, Suite 100
Phoenix, Arizona 85007

Dear Executive Director Broscheid:

The sunset review process prescribed in Title 41, Chapter 27, Arizona Revised Statutes, provides a system for the Legislature to evaluate the need to continue the existence of state agencies. During the sunset review process, an agency is reviewed by legislative committees of reference. On completion of the sunset review, the committees of reference recommend to continue, revise, consolidate or terminate the agency.

The Joint Legislative Audit Committee has assigned the sunset review of the Arizona Outdoor Recreation Coordinating Commission to committees of reference comprised of members of the House of Representatives Land, Agriculture & Rural Affairs Committee and the Senate Natural Resources, Energy and Water Committee.

Pursuant to A.R.S. § 41-2954, the committee of reference is required to consider certain sunset factors in deciding whether to recommend continuance, modification or termination of an agency. Please provide your agency's response to the factors listed below:

1. The objective and purpose in establishing the agency and the extent to which the objective and purpose are met by private enterprises in other states.
2. The extent to which the agency has met its statutory objective and purpose and the efficiency with which it has operated.
3. The extent to which the agency serves the entire state rather than specific interests.
4. The extent to which rules adopted by the agency are consistent with the legislative mandate.
5. The extent to which the agency has encouraged input from the public before adopting its rules and the extent to which it has informed the public as to its actions and their expected impact on the public.
6. The extent to which the agency has been able to investigate and resolve complaints that are within its jurisdiction and the ability of the agency to timely investigate and resolve complaints within its jurisdiction.

7. The extent to which the attorney general or any other applicable agency of state government has the authority to prosecute actions under the enabling legislation.
8. The extent to which agencies have addressed deficiencies in their enabling statutes that prevent them from fulfilling their statutory mandate.
9. The extent to which changes are necessary in the laws of the agency to adequately comply with the factors listed in A.R.S. § 41-2954.
10. The extent to which the termination of the agency would significantly affect the public health, safety or welfare.
11. The extent to which the level of regulation exercised by the agency compares to other states and is appropriate and whether less or more stringent levels of regulation would be appropriate.
12. The extent to which the agency has used private contractors in the performance of its duties as compared to other states and how more effective use of private contractors could be accomplished.
13. The extent to which the agency potentially creates unexpected negative consequences that might require additional review by the committee of reference, including increasing the price of goods, affecting the availability of services, limiting the abilities of individuals and businesses to operate efficiently and increasing the cost of government.

Additionally, please provide written responses to the following:

1. Identify the problem or the needs that the agency is intended to address.
2. State, to the extent practicable, in quantitative and qualitative terms, the objectives of the agency and its anticipated accomplishments.
3. Identify any other agencies having similar, conflicting or duplicative objectives, and an explanation of the manner in which the agency avoids duplication or conflict with other such agencies.
4. Assess the consequences of eliminating the agency or of consolidating it with another agency.

Finally, Laws 2021, Chapter 176 requires the committees of reference to consider certain factors for each agency that administers an *occupational regulation*, which is defined as: 1) a statute, rule, practice, policy or other state law that allows an individual to use an occupational title or work in a lawful occupation; and 2) a government registration, government certification and occupational or professional license. An *occupational regulation* does not include a business license, facility license, building permit or zoning and land use regulation, except to the extent those state laws regulate an individual's personal qualification to perform a lawful occupation. If your agency falls under this category, please provide written responses to the following:

1. The extent to which the occupational regulation meets the requirements of A.R.S. § 41-3502, as amended, transferred and renumbered by Laws 2021, Chapter 176.
2. The extent to which the failure to regulate a profession or occupation will result in:
 - a. the loss of insurance.
 - b. an impact to the ability to practice in other states or as required by federal law.
 - c. an impact to the required licensure or registration with the federal government.
 - d. the loss of constitutionally afforded practices.

Your response should be received by September 1, so we may proceed with the sunset review and schedule the required public hearing. Please submit the requested information to:

Paul Bergelin
Arizona House of Representatives
1700 West Washington
Phoenix, Arizona 85007

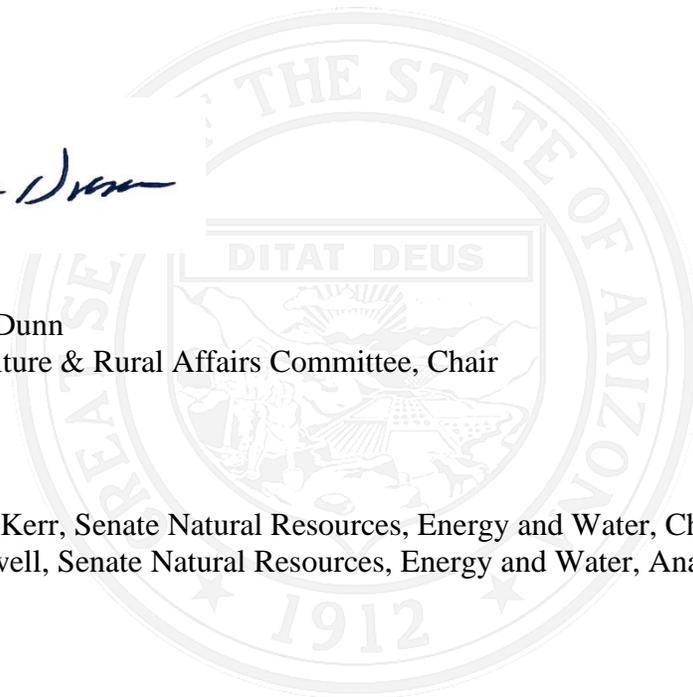
Thank you for your time and cooperation. If you have any questions, please feel free to contact me at (602) 926-4139 or Paul Bergelin, the House Land, Agriculture & Rural Affairs Research Analyst, at (602) 926-3458.

Sincerely,



Representative Tim Dunn
House Land, Agriculture & Rural Affairs Committee, Chair

cc: Senator Sine Kerr, Senate Natural Resources, Energy and Water, Chair
Rachel Caldwell, Senate Natural Resources, Energy and Water, Analyst





Doug Ducey
Governor

ARIZONA STATE PARKS BOARD

Bob Broscheid
Executive Director



August 30, 2022

Paul Bergelin
Arizona House of Representatives
1700 West Washington
Phoenix, Arizona 85007

RE: Sunset Review - Arizona Outdoor Recreation Coordinating Commission (AORCC)

Dear Mr. Bergelin,

Please find the attached responses to the Sunset questions and prescribed agency factors outlined in statute to be considered by the Committee of Reference for the 2022 Arizona Outdoor Recreation Coordinating Commission (AORCC).

AORCC is an advisory body of the Arizona State Parks Board that supports statewide recreational planning and distribution of grant monies for state and local recreation projects. On behalf of AORCC, Arizona State Parks Board responds as such.

Thank you again for the opportunity to respond. For any further questions, please contact Brittany Hudson, Legislative Liaison, at bhudson@azstateparks.gov or (602) 448-3187.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Broscheid".

Bob Broscheid
Executive Director
Arizona State Parks Board



Doug Ducey
Governor

ARIZONA STATE PARKS BOARD

Bob Broscheid
Executive Director



1. The objective and purpose in establishing the agency and the extent to which the objective and purpose are met by private enterprises in other states.

AORCC is an advisory body to Arizona State Parks & Trails (statutory name remains State Parks Board) that supports statewide recreational planning and the distribution of grant monies for state and local recreation projects. The seven-member commission comprised primarily of full-time recreational managers including five gubernatorial appointees and the directors of Arizona State Parks Board (SPB) and Arizona Game & Fish as statutory members. The Commission advises SPB on setting of statewide recreational priorities, determining grant criteria that support our receipt of federal and state recreation monies, and makes grant recommendations to SPB.

The legislature established AORCC in 1965 as a stand-alone agency to fulfill the requirements of receiving and distributing federal monies made available from Congress from the Land Water Conservation Fund (LWCF) Act of 1964. The legislation requires statewide planning for states that want to receive funds that can be used as 50:50 matching monies for state and local projects. Over time, the Arizona legislature established an advisory role for AORCC in statewide planning and grant evaluation for the State Lake Improvement Fund (SLIF) and the Off-Highway Vehicle (OHV) Recreation Fund. AORCC was melded with the SPB as an advisory body in 1984.

2. The extent to which the agency has met its statutory objective and purpose and the efficiency with which it has operated.

AORCC has five full time recreational professionals and 2 general public members that assist the SPB in statewide planning and the equitable distribution of grant monies as required by statute.

AORCC has advanced its statutory objectives in the following ways. Contributing to the development of the Statewide Comprehensive Outdoor Recreation Plan (SCORP) that enables Arizona to receive federal LWCF funds and sets funding priorities. Since 1965, Arizona has received over \$80 million for use by state parks, counties and local communities.

Providing advisory review and guidance to the SPB to allow for a professional vetting of statewide priorities and potential grantees. AORCC participates in the creation of the SCORP that sets grant priorities for federal LWCF monies and vets potential projects. The Commission has a statutory obligation to review state grant projects from the SLIF and OHV funds. AORCC also participates in the creation of Arizona's Statewide Trails Plan which sets grant priorities for all federal and state trail funding. At present, AORCC reviews budget proposals from state agencies, counties, federal agencies, non-profits, tribal governments and local communities related to the federal LWCF monies, the OHV

Recreation Fund monies, the State Lake Improvement Fund (SLIF), the Heritage Fund,



Doug Ducey
Governor

ARIZONA STATE PARKS BOARD

Bob Broscheid
Executive Director



American Rescue Plan Act (ARPA) funds and the federal Recreational Trails Program (RTP) monies.

3. The extent to which the agency serves the entire state rather than specific interests.

AORCC contributes to the entire state assisting in the planning process that allows Arizona to receive their share of federal monies that can be used to further local & state investment in recreation. The agency statute for AORCC includes legislative authorization for the state's participation in the federal LWCF program. In 2020, the Great American Outdoors Act was passed by Congress and signed by the President which provided permanent funding for the Land and Water Conservation Fund.

AORCC serves the entire state by contributing to the prioritization of statewide recreational needs and the equitable distribution of grant monies. When AORCC was melded with SPB in 1984 after review by the Auditor General, the legislature retained AORCC in an advisory role rather than ceding the entire LWCF process to SPB. A commission promotes local community involvement and additional independent review. Also, statute mandates the commission include geographic diversity by stating that no more than two of the five appointees shall reside in the same county. The current board has more than 2 appointees from the same county, and SPB will work to rectify this.

Beyond providing independent expertise, the Commission can promote statewide goals for recreation and further the sharing of experience and resources. Recently reviewed projects include OHV monies for enforcement and education to 4 agencies including Game & Fish, OHV monies for a trailhead at River Island State Park, and mitigation funding for dust suppression at a heavily used trail near I-17. During 2022, AORCC reviewed and recommended Land and Water Conservation Fund (LWCF) matching funds for, 2 splash pads in Quartzsite and Bullhead City, new ballfields in Benson, funding for completion of Pinal County's first regional Park and community park improvements in Clarkdale.

AORCC reviewed and recommended funding for several State Lake Improvement Fund (SLIF) for 11 new desperately needed fire, rescue and enforcement boats for communities along the Colorado River and Lake Havasu, a new wind warning system at Lake Pleasant and major improvements to a boat launch at Parker Canyon Lake in Cochise County.

AORCC reviewed and recommended Heritage funding for the rehabilitation of 6 historic buildings on the national or state historic register, a major park expansion in Buckeye, park improvements at two parks in Willcox, park improvements at Ft. Tuthill in Flagstaff, 11 statewide environmental education projects and six non-motorized trail projects. Finally, AORCC reviewed and recommended 13 American Rescue Plan Act (ARPA) grants including funds for outdoor recreation in Eloy, Nogales, Sierra Vista, Kingman, Superior, Camp Verde, and several more communities. A total of 86 projects were reviewed and recommended for funding totaling over \$23 million in Fiscal Year '22 alone.



Doug Ducey
Governor

ARIZONA STATE PARKS BOARD

Bob Broscheid
Executive Director



4. The extent to which rules adopted by the agency are consistent with the legislative mandate.

Non-applicable. As an advisory body, AORCC does not promulgate rules as the commission does not have rulemaking authority.

5. The extent to which the agency has encouraged input from the public before adopting its rules and the extent to which it has informed the public as to its actions and their expected impact on the public.

Not applicable. As an advisory body, AORCC does not promulgate rules as the commission does not have rulemaking authority.

6. The extent to which the agency has been able to investigate and resolve complaints that are within its jurisdiction and the ability of the agency to timely investigate and resolve complaints within its jurisdiction.

AORCC addresses complaints through a public participation process at Commission meetings. Interested parties submit a form to address AORCC. The Chairman recognizes individual speakers or groups to provide a comment to the group before recommendations are made through this process. In 1994, a formal protocol was established to deal with differences of opinion between the AORCC and the SPB. The extent to which the attorney general or any other applicable agency of state government has the authority to prosecute actions under the enabling legislation.

7. The extent to which the attorney general or any other applicable agency of state government has the authority to prosecute actions under the enabling legislation.

AORCCC does not have a regulatory role.

8. The extent to which agencies have addressed deficiencies in their enabling statutes that prevent them from fulfilling their statutory mandate.

AORCC is an advisory body to the SPB. AORCC and SPB enabling statutes were amended in 1984 to end AORCC as a stand-alone agency and set up the current advisory commission that coordinates with the SPB and the SPB staff. They both work together to fulfill the statutory mandate.

9. The extent to which changes are necessary in the laws of the agency to adequately comply with the factors listed in A.R.S. § 41-2954.

No legislative changes are necessary.

10. The extent to which the termination of the agency would significantly affect the public health, safety or welfare.

The termination of the agency and the repeal of Title 41, Chapter 3, Article 1.2, "Arizona Outdoor Recreation Coordinating Commission" would not significantly affect public



Doug Ducey
Governor

ARIZONA STATE PARKS BOARD

Bob Broscheid
Executive Director



health, safety and welfare. Termination would eliminate statutorily required professional oversight of recreational professionals evaluating the grant priorities and process and the gubernatorial appointees to the Commission. SPB staff and their board could integrate a non-statutory advisory board to provide professional expertise and oversight to contribute to evaluating and funding projects. As previously discussed, the authorization of state agencies, cities, tribal governments, counties, and towns to participate in the LWCF program provided in statute may need to be moved to the Arizona State Parks statute, if the commission was to sunset.

11. The extent to which the level of regulation exercised by the agency compares to other states and is appropriate and whether less or more stringent levels of regulation would be appropriate.

AORCC does not have a regulatory role and acts as advisory support to the SPB.

12. The extent to which the agency has used private contractors in the performance of its duties as compared to other states and how more effective use of private contractors could be accomplished.

AORCC is an all-volunteer advisory body, and has no need to contract privately. Under statute, SPB provides staff support for AORCC. In concert with AORCC and other community resources, staff coordinate the statewide planning for the SCORP, the statewide Trails Plan and other planning initiatives. Projects reviewed and approved by SPB and AORCC are typically completed by private contractors. When necessary, SPB contracts with private contractors. In such cases, AORCC may review draft and final documents or research produced by a contracted party.

13. The extent to which the agency potentially creates unexpected negative consequences that might require additional review by the committee of reference, including increasing the price of goods, affecting the availability of services, limiting the abilities of individuals and businesses to operate efficiently and increasing the cost of government.

AORCC is an advisory body to the SPB and participates in the review process for grants that is undertaken by the SPB. Individual communities seeking LWCF, SLIF and OHV grants match with their own financial resources. The public has a chance to comment on the projects with the AORCC, at the State Parks Board meetings, or in the public notice and review practices of local governments & communities.

Additionally, please provide written responses to the following:

1. Identify the problem or the needs that the agency is intended to address.

AORCC was created by the legislature as a stand-alone agency to enable Arizona's receipt and use of federal monies to expand recreation in 1965. The agency developed to contribute to statewide recreation planning and the distribution of federal, and later state grant monies for recreational purposes. The legislature in the mid-1980s amended the statute and



Doug Ducey
Governor

ARIZONA STATE PARKS BOARD

Bob Broscheid
Executive Director



assigned AORCC an advisory role to the appointed SPB and SPB agency staff for statewide planning and grant issues. Now, AORCC and SPB work together to fulfill the original mandate. Under current statute, the Commission contributes to statewide planning and the vetting of recreational projects receiving federal or certain state monies as an independent body comprised of appointed or statutorily named full-time recreational professionals.

2. State, to the extent practicable, in quantitative and qualitative terms, the objectives of the agency and its anticipated accomplishments.

The statutory objectives of AORCC can be summarized as allowing for the receipt of federal LWCF funds by contributing to statewide planning and development of SCORP. Statute provides for a commission comprised mainly of professionals and with statutory diversity to advise the State Parks Board on recreational planning and vet projects for grants from LWCF, ARPA and state funding from OHV, Heritage and SLIF. As a commission, the members are directed in statute to review and comment on statewide recreation plans and proposals from the LWCF, OHV, and SLIF to the SPB and establish criteria for the equitable distribution of funding and determine the appropriate amount of funding for each project. SLIF statute calls for AORCC establish criteria and scoring and to examine applications for eligible projects and determine proposed amounts and review uses of SLIF monies.

3. Identify any other agencies having similar, conflicting or duplicative objectives, and an explanation of the manner in which the agency avoids duplication or conflict with other such agencies.

AORCC is an advisory body primarily comprised of recreational managers and/or professionals that assist the SPB appointed by the governor that assists SPB in prioritizing statewide recreational needs and reviewing proposed outdoor recreation grants. There is not a separate body that fulfills this role. AORCC was previously consolidated with the SPB to make more efficient use of the state resources in 1984. The Commission was retained to provide independent guidance to SPB from primarily recreational professionals.

4. Assess the consequences of eliminating the agency or of consolidating it with another agency.

No major consequences as long as the SPB contributes and institutes a public process to vet projects with an emphasis on engaging recreational professionals and other stakeholders especially those interested in LWCF, RTP, Heritage, SLIF, and OHV projects. Elimination of the commission would remove a statutorily established process for the input and expertise of outdoor recreation managers to the statewide planning and grants distribution process, and the appointment of gubernatorial appointments. The State Parks Board comprised primarily of gubernatorial appointees would also continue to review these processes and grants under statute.



Doug Ducey
Governor

ARIZONA STATE PARKS BOARD

Bob Broscheid
Executive Director



If the sunset review takes effect with no modification of the current statute, this would eliminate the statute that grants state agencies, counties, cities and towns to participate in the LWCF. If the authority of the State Parks Board to plan and administer the programs established under the LWCF is not sufficient authority, there would need to be a modification of statute to not eliminate A.R.S. 41-511.26.

Finally, Laws 2021, Chapter 176 requires the committees of reference to consider certain factors for each agency that administers an *occupational regulation*, which is defined as: 1) a statute, rule, practice, policy or other state law that allows an individual to use an occupational title or work in a lawful occupation; and 2) a government registration, government certification and occupational or professional license. An *occupational regulation* does not include a business license, facility license, building permit or zoning and land use regulation, except to the extent those state laws regulate an individual's personal qualification to perform a lawful occupation. If your agency falls under this category, please provide written responses to the following:

1. The extent to which the occupational regulation meets the requirements of A.R.S. §41-3502, as amended, transferred and renumbered by Laws 2021, Chapter 176.

N/A

2. The extent to which the failure to regulate a profession or occupation will result in:

- a. the loss of insurance. N/A
- b. an impact to the ability to practice in other states or as required by federal law. N/A
- c. an impact to the required licensure or registration with the federal government. N/A
- d. the loss of constitutionally afforded practices. N/A