AN ACT

AMENDING TITLE 41, CHAPTER 3, ARIZONA REvised STATUTES, BY ADDING ARTICLE 1; RELATING TO THE ARIZONA STATE PARKS BOARD.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 41, chapter 3, Arizona Revised Statutes, is amended by adding article 1, to read:

ARTICLE 1. ARIZONA STATE PARKS HERITAGE FUND

41-501. Definitions

IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:


2. "HISTORIC PRESERVATION PROJECT" MEANS A PROJECT FOR THE PRESERVATION OF ARCHAEOLOGICAL OR HISTORIC PROPERTIES, ARTIFACTS, ARCHIVES AND COLLECTIONS THAT REQUIRE STABILIZATION, REHABILITATION, RESTORATION AND MAINTENANCE, INTERPRETATION, EDUCATION AND PROGRAM DEVELOPMENT.

41-502. Arizona state parks heritage fund; exemption

A. THE ARIZONA STATE PARKS HERITAGE FUND IS ESTABLISHED CONSISTING OF LEGISLATIVE APPROPRIATIONS, GRANTS AND DONATIONS.

B. THE ARIZONA STATE PARKS BOARD SHALL ADMINISTER THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED. ON NOTICE FROM THE ARIZONA STATE PARKS BOARD, THE STATE TREASURER SHALL INVEST AND DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED FROM INVESTMENT SHALL BE CREDITED TO THE FUND. MONIES IN THE FUND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS.

41-503. Expenditures from fund; purpose; amounts

A. THE ARIZONA STATE PARKS BOARD, IN CONSULTATION WITH THE HISTORICAL ADVISORY COMMISSION, SHALL:

1. ESTABLISH CRITERIA FOR THE USE OF THE MONIES IN THE FUND.

2. ESTABLISH AND REVISE AS NECESSARY THE GRANT APPLICATION PROCESS.

3. REVIEW AND EVALUATE GRANT APPLICATIONS.

B. THE MONIES IN THE FUND SHALL BE USED AS FOLLOWS:

1. FIFTY PERCENT ON LOCAL, REGIONAL OR STATE PARKS FOR OUTDOOR RECREATION AND OPEN SPACE DEVELOPMENT, RESTORATION OR RENOVATION.

2. THIRTY PERCENT ON LOCAL, REGIONAL AND STATE HISTORIC PRESERVATION PROJECTS. THE ARIZONA STATE PARKS BOARD THROUGH THE STATE HISTORIC PRESERVATION OFFICER SHALL ADMINISTER MONIES PROVIDED UNDER THIS PARAGRAPH.

3. TEN PERCENT ON LOCAL, REGIONAL AND STATE NONMOTORIZED TRAILS.

4. TEN PERCENT ON OUTDOOR AND ENVIRONMENTAL EDUCATION.

C. AN ENTITY THAT RECEIVES MONIES UNDER THIS SECTION MAY NOT RECEIVE MORE THAN TWENTY PERCENT OF THE MONIES AVAILABLE IN EACH CATEGORY IN ANY FISCAL YEAR.

D. ALL MONIES EARNED AS INTEREST ON MONIES RECEIVED PURSUANT TO SECTION 41-502 SHALL BE SPENT ONLY IN THE PERCENTAGES AND FOR THE PURPOSES DESCRIBED IN SUBSECTION B OF THIS SECTION OR FOR THE COSTS OF ADMINISTERING THE FUND IN SUCH AMOUNTS AS DETERMINED BY THE ARIZONA STATE PARKS BOARD, IN CONSULTATION WITH THE HISTORICAL ADVISORY COMMISSION.

E. MONIES IN THE FUND MAY NOT BE USED TO ACQUIRE PROPERTY.
F. On or before December 31 of each year, the Arizona State Parks Board, in consultation with the Historical Advisory Commission, shall submit a report to the President of the Senate, the Speaker of the House of Representatives and the Chairpersons of the Senate Committee on Natural Resources and Energy and the House of Representatives Committee on Natural Resources, Energy and Water, or their successor committees. The Board shall provide a copy of this report to the Secretary of State. The report shall include information on:

1. The amount of monies spent or encumbered in the fund during the preceding fiscal year and a summary of the projects, activities and expenditures relating to:
   a. Local, regional or state parks for outdoor recreation and open space.
   b. Local, regional and state nonmotorized trails.
   c. Local, regional and state historic preservation projects.
   d. Outdoor and environmental education.

2. The amount of monies spent from the fund during the preceding fiscal year that is itemized.

41-504. Performance audit

The Auditor General shall conduct a performance audit, as defined in Section 41-1278, of the programs and expenditures of the fund pursuant to this Article at the same time an agency performance audit of the Arizona State Parks Board is conducted. The Auditor General shall submit copies of the performance audit to the President of the Senate, the Speaker of the House of Representatives and the Chairpersons of the Senate Committee on Natural Resources and Energy and the House of Representatives Committee on Natural Resources, Energy and Water, or their successor committees.

Sec. 2. Legislative intent

The Arizona state parks heritage fund served this state well with its dedication to parks, outdoor recreation, open space and nonmotorized trails, outdoor and environmental education and historic preservation. It is the intent of the legislature to restore the Arizona state parks heritage fund after satisfying all other current encumbrances and to reestablish the fund in a responsible and deliberate manner.