

State of Arizona
Senate
Forty-seventh Legislature
Second Regular Session
2006

SENATE BILL 1550

AN ACT

AMENDING TITLE 41, CHAPTER 3, ARTICLE 1.1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 41-511.15; RELATING TO THE ARIZONA STATE PARKS BOARD.

(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, article 1.1, Arizona Revised Statutes,
3 is amended by adding section 41-511.15, to read:

4 41-511.15. Rock climbing state park

5 A. THE ARIZONA STATE PARKS BOARD SHALL ESTABLISH A ROCK CLIMBING STATE
6 PARK SUBJECT TO ALL OF THE FOLLOWING CONDITIONS:

7 1. THE CONVEYANCE OF APPROXIMATELY TWO THOUSAND ACRES OF BUREAU OF
8 LAND MANAGEMENT LAND BY THE UNITED STATES SECRETARY OF THE INTERIOR, PURSUANT
9 TO THE RECREATIONAL AND PUBLIC PURPOSES ACT (43 UNITED STATES CODE SECTIONS
10 869 THROUGH 869-4) TO THE ARIZONA STATE PARKS BOARD. THE LAND IS LOCATED IN
11 GILA COUNTY AND IS GENERALLY DESCRIBED AS: THE SOUTH 1/2 OF SECTION 4,
12 TOWNSHIP 4 SOUTH, RANGE 15 EAST; SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 4
13 SOUTH, RANGE 15 EAST; ALL OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 15 EAST,
14 EXCEPT NORTH 1/2, OF THE SOUTHWEST 1/4 AND SOUTHEAST 1/4, SOUTHEAST 1/4;
15 NORTH 1/2, AND THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 4
16 SOUTH, RANGE 15 EAST; NORTH 1/2 SECTION 16, TOWNSHIP 4 SOUTH, RANGE 15 EAST,
17 EXCEPT SOUTHEAST 1/4 OF THE NORTHEAST 1/4; THE NORTH 1/2 OF SECTION 17,
18 TOWNSHIP 4 SOUTH, RANGE 15 EAST.

19 2. THE CONVEYANCE OR LEASE OF THREE PARCELS OF STATE TRUST LAND
20 TOTALING APPROXIMATELY ONE HUNDRED SIXTY ACRES TO THE ARIZONA STATE PARKS
21 BOARD. THE TRUST LANDS ARE LOCATED IN GILA COUNTY AND ARE GENERALLY
22 DESCRIBED AS: THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP
23 4 SOUTH, RANGE 15 EAST; SOUTH 1/2 OF THE SOUTHEAST 1/4, SECTION 9, TOWNSHIP 4
24 SOUTH, RANGE 15 EAST; SOUTHEAST 1/4 OF THE NORTHEAST 1/4, SECTION 16,
25 TOWNSHIP 4 SOUTH, RANGE 15 EAST.

26 3. THE ESTABLISHMENT OF A PARK ACCESS ROAD AS SPECIFIED BY THE UNITED
27 STATES CONGRESS, AND A PUBLIC ACCESS EASEMENT ON THE ACCESS ROAD BEING
28 TRANSFERRED TO THE ARIZONA STATE PARKS BOARD.

29 4. THE ARIZONA STATE PARKS BOARD SHALL USE ITS BEST EFFORTS TO PREVENT
30 TRESPASS ONTO PRIVATE LANDS ADJACENT TO THE BOUNDARIES OF THE STATE PARK AND
31 SHALL PROVIDE ACCESS TO THE OWNERS OF ANY PRIVATE LANDS WITHIN THE EXTERIOR
32 BOUNDARY OF THE STATE PARK.

33 5. THE ARIZONA STATE PARKS BOARD SHALL BE RESPONSIBLE FOR IDENTIFYING
34 AND CLOSING ADITS AND TUNNELS WITHIN THE BOUNDARIES OF THE STATE PARK.

35 B. THE ARIZONA STATE PARKS BOARD MAY CHARGE USER FEES AND CONCESSION
36 FEES AND COLLECT MONIES FROM OTHER REVENUE GENERATING ACTIVITIES. THE STATE
37 PARKS BOARD SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND 35-147, ALL MONIES
38 COLLECTED IN THE STATE PARKS ENHANCEMENT FUND ESTABLISHED BY SECTION
39 41-511.11.

40 C. THE ARIZONA STATE PARKS BOARD MAY ACCEPT GIFTS AND DONATIONS TOWARD
41 THE ACQUISITION, MANAGEMENT AND OPERATIONS OF THE ROCK CLIMBING STATE
42 PARK. THE ARIZONA STATE PARKS BOARD SHALL DEPOSIT, PURSUANT TO SECTIONS
43 35-146 AND 35-147, ANY GIFTS OR DONATIONS COLLECTED IN THE STATE PARKS
44 ENHANCEMENT FUND AND ACCOUNT FOR THESE MONIES SEPARATELY.

1 D. THE ARIZONA STATE PARKS BOARD SHALL ENSURE PUBLIC ACCESS TO THE
2 ROCK CLIMBING STATE PARK.

3 E. THE LEGISLATURE FINDS THAT AREAS IN CLOSE PROXIMITY TO THE ROCK
4 CLIMBING STATE PARK AUTHORIZED BY THIS SECTION HAVE HISTORICALLY BEEN OR ARE
5 CURRENTLY THE SITES OF PAST, PRESENT OR POTENTIAL FUTURE MINING AND MINING
6 RELATED ACTIVITIES OR OPERATIONS, GRAZING AND AGRICULTURE. THE STATE PARK
7 SHALL COEXIST WITH ALL THE PAST, PRESENT AND FUTURE USES IN THE AREA. THE
8 LEGISLATURE DOES NOT INTEND THAT THE ESTABLISHMENT OF THE ROCK CLIMBING STATE
9 PARK AUTHORIZED BY THIS ACT WILL LEAD TO THE CREATION OF PROTECTIVE
10 PERIMETERS OR BUFFER ZONES AROUND THE PARK. THE FACT THAT NONPARK RELATED
11 ACTIVITIES CAN BE SEEN, HEARD OR OTHERWISE EXPERIENCED IN ANY WAY BY VISITORS
12 TO THE STATE PARK, WHETHER FROM INSIDE THE STATE PARK, OUTSIDE THE STATE PARK
13 OR ON THE ACCESS ROAD TO IT, OR THE FACT THAT THESE ACTIVITIES MIGHT AFFECT
14 ANY ENVIRONMENTAL CONDITION WITHIN THE STATE PARK SHALL NOT, OF ITSELF,
15 PRECLUDE THESE ACTIVITIES OR USES UP TO THE BOUNDARY OF THE STATE PARK.

16 F. NOTHING IN THE ESTABLISHMENT OF THE PARK SHALL BE CONSTRUED TO
17 IMPOSE ANY NEW OR ADDITIONAL MANAGEMENT REQUIREMENTS, RESTRICTIONS OR
18 REGULATIONS UNDER THE LAWS OF THIS STATE ON THE PERMITTING, MANAGEMENT OF OR
19 THE CONDUCT OF ACTIVITIES ON ANY LANDS OUTSIDE THE STATE PARK, OR TO IMPOSE
20 RESTRICTIONS ON THESE ACTIVITIES IN ADDITION TO THOSE APPLICABLE TO THE SAME
21 LAND WITHIN AND OUTSIDE THE STATE PARK, BEFORE ITS DESIGNATION AS A STATE
22 PARK.

23 G. ACTIVITIES CARRIED OUT BY CURRENT AND FUTURE USERS OF LANDS OUTSIDE
24 THE STATE PARK DOES NOT CREATE A CAUSE OF ACTION FOR ANY INJURIES SUSTAINED
25 BY A PERSON WITHIN THE BOUNDARIES OF THE STATE PARK.