

REFERENCE TITLE: state government; budget reconciliation

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

SB 1570

Introduced by
Senators Burns, Bee, Bennett (with permission of committee on Rules)

AN ACT

AMENDING SECTIONS 41-1352 AND 44-309, ARIZONA REVISED STATUTES; AMENDING LAWS 2005, CHAPTER 1, SECTION 3; MAKING APPROPRIATIONS; RELATING TO STATE GOVERNMENT BUDGET RECONCILIATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-1352, Arizona Revised Statutes, is amended to
3 read:

4 41-1352. Historical advisory commission; membership; terms;
5 expenses; duties; historic sites review committee

6 A. A historical advisory commission is established consisting of
7 members appointed by the director for staggered terms of three years ending
8 on July 1. The commission membership of not less than ten nor more than
9 twenty members shall consist of experts in the disciplines of history, arts
10 and culture, architecture and archaeology, professional librarians and
11 archivists or persons otherwise associated with the interpretation, research,
12 writing, preservation or teaching of this state's heritage, including the
13 Indian nations' history and heritage, and the director of the Arizona
14 historical society, the director of the state museum, the director of the
15 Arizona state parks board and the state historic preservation officer.

16 B. Members shall serve without compensation but those employed by the
17 state shall be reimbursed for travel and subsistence by the department or
18 agency they represent **AND THOSE WHO ARE NOT EMPLOYED BY THE STATE ARE**
19 **ELIGIBLE FOR REIMBURSEMENT OF EXPENSES BY THE COMMISSION PURSUANT TO TITLE**
20 **38, CHAPTER 4, ARTICLE 2.**

21 C. The commission shall:

22 1. Advise the legislature and state agencies on matters relating to
23 this state's history and historic preservation.

24 2. Recommend measures to the legislature and state agencies to
25 coordinate or improve the effectiveness of activities of state agencies and
26 agencies of the political subdivisions of this state and other persons
27 relating to the interpretation, research, writing and teaching of this
28 state's history, heritage and historic preservation, including the Indian
29 nations' history, heritage and preservation.

30 3. Advise the legislature and state agencies on the dissemination of
31 information pertaining to activities relating to historic preservation as
32 provided in paragraph 2.

33 4. Encourage, in cooperation with appropriate public and private
34 agencies, the Indian nations and other persons, training and education in the
35 field of the interpretation, research, writing and teaching of this state's
36 history, heritage and historic preservation.

37 5. Submit annually on September 30 a report of the commission's
38 activities to the director for inclusion in the annual report of the state
39 library.

40 D. A historic sites review committee consisting of nine members is
41 established to serve as a standing committee of the historical advisory
42 commission. The state historic preservation officer shall appoint committee
43 members for staggered terms of three years ending on July 1. The state
44 historic preservation officer may appoint persons other than commission
45 members to serve on the committee and shall appoint at least five persons who

1 are professionals qualified in the disciplines of history, prehistoric and
2 historic archaeology, architectural history or architecture. The committee
3 shall select annually at the first meeting a chairman who is a commission
4 member. The chairman shall report on committee activities at commission
5 meetings. The committee shall assist in the duties prescribed in this
6 section and by federal law, review nominations to the national and state
7 historic registers, provide general advice and guidance to the state historic
8 preservation officer and perform other duties as are necessary. On or before
9 September 1 of each year, the state historic preservation officer shall
10 submit a report of the committee's activities to the governor, the president
11 of the senate, the speaker of the house of representatives and the director,
12 including information prescribed in sections 41-862 and 41-881.

13 Sec. 2. Section 44-309, Arizona Revised Statutes, is amended to read:

14 44-309. Notice and publication of abandoned property

15 A. The department shall publish a notice ~~not later than November 30 of~~
16 ~~the year after the year in which~~ AT LEAST SEMIANNUALLY WITH A TOLL FREE
17 TELEPHONE NUMBER AND DIRECTING THE PUBLIC TO THE DEPARTMENT'S WEB SITE
18 REGARDING abandoned property THAT has been paid or delivered to the
19 department. The department shall cause the notice to be published in a
20 newspaper of general circulation in ~~the EACH county. in which the last known~~
21 ~~address of any person named in the notice is located. If a holder does not~~
22 ~~report an address for the apparent owner or the address is outside this~~
23 ~~state, the department shall cause the notice to be published in the county in~~
24 ~~which the holder has its principal place of business within this state or~~
25 ~~another county that the department reasonably selects.~~ The department shall
26 ensure that the notice is in a form that in the judgment of the department is
27 likely to attract the attention of the apparent owner of the unclaimed
28 property. The ~~notice~~ DEPARTMENT'S WEB SITE shall contain all of the
29 following information NOT LATER THAN NOVEMBER 30 OF THE YEAR AFTER THE YEAR
30 IN WHICH ABANDONED PROPERTY HAS BEEN PAID OR DELIVERED TO THE DEPARTMENT:

31 1. The name of each person that appears to be the owner of the
32 property as stated in the report filed by the holder.

33 2. The last known address or location of each person that appears to
34 be the owner of the property, if an address or location is stated in the
35 report filed by the holder.

36 3. A statement that explains that the property of the owner is
37 presumed abandoned and is in the protective custody of the department.

38 4. A statement that on request to the department information about the
39 property and its return to the owner is available to a person who has a legal
40 or beneficial interest in the property.

41 B. The ~~department is not required to publish a notice of~~ DEPARTMENT'S
42 WEB SITE IS NOT REQUIRED TO CONTAIN the name, address or location of an owner
43 of property that has a total value of less than fifty dollars or information
44 concerning a traveler's check, money order or similar instrument.

1 ~~C. In addition to the publication required in subsection A, the~~
2 ~~department shall cause to be published in a newspaper or newspapers of~~
3 ~~general circulation in this state a series of display advertisements.~~

4 Sec. 3. Laws 2005, chapter 1, section 3 is amended to read:

5 Sec. 3. Arizona centennial 2012

6 A. The historical advisory commission shall develop and coordinate a
7 statewide plan regarding this state's centennial in 2012. The plan shall
8 include the following:

9 1. Advising the legislature and state agencies on centennial history
10 and heritage, arts and culture and related activities.

11 2. Assisting the governor's countdown to the centennial to support
12 school children learning about this state's history.

13 3. Recommending **AND FUNDING** activities and projects that will ensure
14 lasting legacy accomplishments to commemorate the centennial.

15 B. ~~Pursuant to section 41-1336, Arizona Revised Statutes, the director~~
16 ~~of the Arizona state library, archives and public records~~ **THE HISTORICAL**
17 **ADVISORY COMMISSION** may accept and spend ~~public and private~~ appropriations,
18 grants, gifts, contributions and devises to assist in carrying out this
19 section. **THE HISTORICAL ADVISORY COMMISSION MAY ACCEPT AND SPEND GRANTS,**
20 **GIFTS, CONTRIBUTIONS AND DEVICES TO CONTRACT FOR ADMINISTRATIVE AND CLERICAL**
21 **STAFF, PROFESSIONAL AND ADMINISTRATIVE EXPERTS AND OTHER STAFF AS NECESSARY**
22 **TO ENABLE THE COMMISSION TO CARRY OUT THIS SECTION.**

23 Sec. 4. Appropriation; centennial celebration; matching monies;
24 condition; exemption

25 A. The sum of \$5,000,000 is appropriated from the state general fund
26 in fiscal year 2006-2007 to the legislative council for a statewide plan,
27 activities and projects relating to the Arizona centennial celebration.

28 B. Monies from the appropriation made in subsection A of this section
29 shall not be spent except on an affirmative vote of the legislative
30 council. Monies from the appropriation made in subsection A of this section
31 shall not be spent until a matching amount of \$10,000,000 from sources other
32 than the state of gifts, grants and donations is collected by the historical
33 advisory commission and deposited in an Arizona centennial account in the
34 office of the state treasurer. The state treasurer shall invest and divest
35 monies in the account as provided by section 35-313, Arizona Revised
36 Statutes, and monies earned from investment shall be credited to the account.

37 C. Monies from gifts, grants and donations may be spent by the
38 historical advisory commission as they are collected, but an accounting shall
39 be made by the commission to legislative council to determine qualification
40 for the state match.

1 D. Monies in the Arizona centennial account shall be spent and granted
2 by the historical advisory commission only for the development and
3 coordination of the statewide plan and the funding of activities and projects
4 relating to the Arizona centennial celebration.

5 E. The appropriation made in subsection A of this section is exempt
6 from the provisions of section 35-190, Arizona Revised Statutes, relating to
7 lapsing of appropriations until June 30, 2013.