

State of Arizona
House of Representatives
Forty-seventh Legislature
Second Regular Session
2006

HOUSE BILL 2870

AN ACT

AMENDING SECTIONS 15-1642, 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 15-1642, Arizona Revised Statutes, is amended to
3 read:

4 15-1642. Financial aid trust fund; aid to students with
5 verifiable financial need; endowment

6 A. The Arizona board of regents may establish a financial aid trust
7 fund for the purposes of providing immediate aid to students with verifiable
8 financial need, including students who are underrepresented in the population
9 of university students or who by virtue of their special circumstances
10 present unique needs for financial aid, and creating an endowment for future
11 financial aid. Subject to the limitations provided in subsection B, paragraph
12 3, the board may assess a surcharge upon registration fees paid by students
13 for deposit in the fund.

14 B. The board shall adopt rules to govern the financial aid trust fund,
15 including the following:

16 1. ~~Fifty~~ TWENTY-FIVE per cent of the monies received each year shall
17 be placed in the trust fund as a permanent endowment. The remaining monies
18 received shall be used for immediate aid for students with verifiable
19 financial need. At least fifty per cent of the immediate aid monies shall be
20 used for grant aid.

21 2. The immediate aid monies shall be distributed to the universities
22 on a pro rata basis based on relative student contributions to the fund.

23 3. The surcharge on student registration shall not exceed one per cent
24 of the registration fee for students taking more than six credit surcharge
25 hours. The surcharge hours for students taking fewer than seven credit hours
26 shall equal one-half the surcharge assessed students taking more than six
27 credit hours.

28 C. ~~Monies~~ EACH DOLLAR raised pursuant to the surcharge on student
29 registration shall be matched by ~~monies~~ TWO DOLLARS appropriated by the
30 legislature.

31 D. The board shall report every three years to the legislature on the
32 status of the financial aid trust fund. The report shall include the use to
33 which the monies have been put and the impact of such use.

34 E. Fund monies shall only be used in university assistance programs
35 approved by the board and such monies shall be in addition to, and not in
36 replacement of, existing state or institutional financial aid monies.
37 Assistance may be provided to full-time or part-time students. Monies
38 appropriated by this state shall not be used to provide assistance to
39 students who are not residents of this state.

40 Sec. 2. Section 41-1352, Arizona Revised Statutes, is amended to read:

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

43 A. A historical advisory commission is established consisting of
44 members appointed by the director for staggered terms of three years ending
45 on July 1. The commission membership of not less than ten nor more than

1 twenty members shall consist of experts in the disciplines of history, arts
2 and culture, architecture and archaeology, professional librarians and
3 archivists or persons otherwise associated with the interpretation, research,
4 writing, preservation or teaching of this state's heritage, including the
5 Indian nations' history and heritage, and the director of the Arizona
6 historical society, the director of the state museum, the director of the
7 Arizona state parks board and the state historic preservation officer.

8 B. Members shall serve without compensation but those employed by the
9 state shall be reimbursed for travel and subsistence by the department or
10 agency they represent AND THOSE WHO ARE NOT EMPLOYED BY THE STATE ARE
11 ELIGIBLE FOR REIMBURSEMENT OF EXPENSES BY THE COMMISSION PURSUANT TO TITLE
12 38, CHAPTER 4, ARTICLE 2.

13 C. The commission shall:

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

16 2. Recommend measures to the legislature and state agencies to
17 coordinate or improve the effectiveness of activities of state agencies and
18 agencies of the political subdivisions of this state and other persons
19 relating to the interpretation, research, writing and teaching of this
20 state's history, heritage and historic preservation, including the Indian
21 nations' history, heritage and preservation.

22 3. Advise the legislature and state agencies on the dissemination of
23 information pertaining to activities relating to historic preservation as
24 provided in paragraph 2.

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

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

32 D. A historic sites review committee consisting of nine members is
33 established to serve as a standing committee of the historical advisory
34 commission. The state historic preservation officer shall appoint committee
35 members for staggered terms of three years ending on July 1. The state
36 historic preservation officer may appoint persons other than commission
37 members to serve on the committee and shall appoint at least five persons who
38 are professionals qualified in the disciplines of history, prehistoric and
39 historic archaeology, architectural history or architecture. The committee
40 shall select annually at the first meeting a chairman who is a commission
41 member. The chairman shall report on committee activities at commission
42 meetings. The committee shall assist in the duties prescribed in this
43 section and by federal law, review nominations to the national and state
44 historic registers, provide general advice and guidance to the state historic
45 preservation officer and perform other duties as are necessary. On or before

1 September 1 of each year, the state historic preservation officer shall
2 submit a report of the committee's activities to the governor, the president
3 of the senate, the speaker of the house of representatives and the director,
4 including information prescribed in sections 41-862 and 41-881.

5 Sec. 3. Section 44-309, Arizona Revised Statutes, is amended to read:
6 44-309. Notice and publication of abandoned property

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

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

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

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

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

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

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

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

41 Sec. 3. Arizona centennial 2012

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

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

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

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

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

15 Sec. 5. Bill of Rights commemorative monument; procedures

16 A. Pursuant to section 41-1363, subsection A, Arizona Revised
17 Statutes, this section authorizes the department of administration to provide
18 for the placement of a monument dedicated to the commemoration of the federal
19 Bill of Rights in Wesley Bolin plaza.

20 B. The procedures prescribed in section 41-1363, subsection B, Arizona
21 Revised Statutes, apply to the establishment of the monument.

22 C. No public monies are authorized for the costs of the monument. All
23 fund-raising and contracts for artistic design and construction of the
24 monument are the sole responsibility of the proponents. This state shall not
25 facilitate fund-raising or establish a state fund for the deposit of the
26 monies.

27 Sec. 6. Delayed repeal

28 Section 5 of this act, relating to the Bill of Rights commemorative
29 monument, is repealed from and after September 30, 2009.

30 Sec. 7. Appropriation; centennial celebration; matching monies;
31 condition; exemption

32 A. The sum of \$2,500,000 is appropriated from the state general fund
33 in fiscal year 2006-2007 to the legislative council for a statewide plan,
34 activities and projects relating to the Arizona centennial celebration.

35 B. Monies from the appropriation made in subsection A of this section
36 shall not be spent except on an affirmative vote of the legislative council.
37 Monies from the appropriation made in subsection A of this section shall not
38 be spent until a matching amount of \$5,000,000 from sources other than the
39 state of gifts, grants and donations is collected by the historical advisory
40 commission and deposited in an Arizona centennial account in the office of
41 the state treasurer. The state treasurer shall invest and divest monies in
42 the account as provided by section 35-313, Arizona Revised Statutes, and
43 monies earned from investment shall be credited to the account.

44 C. Monies from gifts, grants and donations may be spent by the
45 historical advisory commission as they are collected, but an accounting shall

1 be made by the commission to the legislative council to determine
2 qualification for the state match.

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

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

10 Sec. 8. Department of administration; employee wellness
11 program; appropriation

12 The sum of \$500,000 is appropriated from the state general fund in
13 fiscal year 2006-2007 to the department of administration for one-time
14 funding for an employee wellness program.

15 Sec. 9. AHCCCS; 211 phone system; appropriation

16 The sum of \$1,900,000 and 5 full-time equivalent positions are
17 appropriated from the state general fund in fiscal year 2006-2007 to the
18 Arizona health care cost containment system for the 211 phone system. Of the
19 \$1,900,000, \$900,000 shall be used for one-time expenditures.

20 Sec. 10. AHCCCS; imaging; appropriation

21 The sum of \$200,000 from the state general fund and \$200,000 in federal
22 expenditure authority are appropriated in fiscal year 2006-2007 to the
23 Arizona health care cost containment system for imaging system equipment.

24 Sec. 11. AHCCCS; computer system planning; appropriation

25 The sum of \$200,000 from the state general fund and \$1,800,000 in
26 federal expenditure authority are appropriated in fiscal year 2006-2007 to
27 the Arizona health care cost containment system for one-time computer system
28 replacement planning. This appropriation does not obligate the legislature
29 to increase funding for this purpose in future years.

30 Sec. 12. Arizona health care cost containment system;
31 eligibility workers; appropriation

32 The sum of \$5,200,000 and 28.8 full-time equivalent positions from the
33 state general fund and \$5,200,000 and 28.8 full-time equivalent positions in
34 federal expenditure authority are appropriated in fiscal year 2006-2007 to
35 the Arizona health care cost containment system for additional staff to
36 verify citizenship in accordance with the federal deficit reduction act in
37 order to prevent ineligible applicants from receiving services. The monies
38 shall be allocated as follows:

39 1. The sum of \$1,800,000 and 28.8 full-time equivalent positions from
40 the state general fund and \$1,800,000 and 28.8 full-time equivalent positions
41 in federal expenditure authority to the DES eligibility and proposition
42 204 - DES eligibility special line items. The DES eligibility special line
43 item shall receive \$1,045,800 and 16.7 full-time equivalent positions from
44 the state general fund and \$1,045,800 and 16.7 full-time equivalent positions
45 in federal expenditure authority. The proposition 204 - DES eligibility

1 special line item shall receive \$754,200 and 12.1 full-time equivalent
2 positions from the state general fund and \$754,200 and 12.1 full-time
3 equivalent positions in federal expenditure authority:

4 2. The sum of \$3,400,000 from the state general fund and \$3,400,000 in
5 federal expenditure authority to the DES eligibility and proposition
6 204 - DES eligibility special line items. The one-time monies may be used to
7 hire temporary staff. The DES eligibility special line item shall receive
8 \$1,975,400 from the state general fund and \$1,975,400 in federal expenditure
9 authority. The proposition 204 - DES eligibility special line item shall
10 receive \$1,424,600 from the state general fund and \$1,424,600 in federal
11 expenditure authority.

12 Sec. 13. Attorney general; base restoration; appropriation

13 The sum of \$500,000 is appropriated from the state general fund in
14 fiscal year 2006-2007 to the attorney general for operating expenditures.

15 Sec. 14. Attorney general; case management redesign;
16 appropriation

17 A. The sum of \$1,000,000 is appropriated from the state general fund
18 in fiscal year 2006-2007 to the attorney general for one-time funding of the
19 third year of the case management system redesign.

20 B. In addition to any other appropriation, the appropriation from the
21 consumer fraud revolving fund in fiscal year 2006-2007 in the attorney
22 general budget is reduced by \$720,300.

23 Sec. 15. Attorney general; appropriation

24 The sum of \$1,300,000 and 18 full-time equivalent positions are
25 appropriated from the state general fund in fiscal year 2006-2007 to the
26 attorney general for the prosecution of crimes related to drug trafficking,
27 human trafficking, and identity theft.

28 Sec. 16. State treasurer; community college out-of-county
29 reimbursement; appropriation

30 A. The sum of \$1,000,000 is appropriated from the state general fund
31 in fiscal year 2006-2007 to the state treasurer for distribution to the
32 following counties:

33	1. Apache County	\$466,000
34	2. Greenlee County	\$382,800
35	3. Santa Cruz County	\$151,200

36 B. Monies appropriated by this section are to provide one-time state
37 funding to reduce the community college out-of-county reimbursement
38 obligation pursuant to section 15-1469, Arizona Revised Statutes.

39 Sec. 17. Department of corrections; one-time equipment monies;
40 appropriation

41 The sum of \$1,000,000 is appropriated from the state general fund in
42 fiscal year 2006-2007 to the state department of corrections for one-time
43 equipment monies.

1 2. One-time transitional assistance not to exceed three hundred
2 dollars per child to help cover the cost of additional beds and furniture and
3 other necessary expenses related to transitioning the child into the
4 grandparent's home. Before the department provides this assistance, the
5 grandparent must submit written receipts to the department for each purchase.

6 C. Monies in subsection A of this section are exempt from the
7 provisions of section 35-190, Arizona Revised Statutes, relating to lapsing
8 of appropriations, until June 30, 2008.

9 Sec. 24. Department of economic security; developmentally
10 disabled dental pilot program; appropriation

11 A. The sum of \$1,000,000 is appropriated from the state general fund
12 to the department of economic security in fiscal year 2006-2007 in one-time
13 funding for a dental pilot program administered by a dental school located in
14 a county with a population of more than one million five hundred thousand
15 persons. The pilot program shall be the payer of last resort and serve
16 adults who qualify to receive other services under title XIX of the social
17 security act and receive developmentally disabled services through the
18 department of economic security and who are at or below two hundred fifty per
19 cent of the federal poverty guidelines. Of the \$1,000,000 appropriation,
20 \$925,000 is appropriated for dental services and \$75,000 is appropriated for
21 transportation services.

22 B. Monies in subsection A of this section are exempt from the
23 provisions of section 35-190, Arizona Revised Statutes, relating to lapsing
24 of appropriations, until June 30, 2008.

25 Sec. 25. Department of education; mentor training;
26 appropriation

27 The sum of \$1,000,000 is appropriated from the state general fund in
28 fiscal year 2006-2007 to the department of education for distribution to the
29 state board of education, which will distribute the monies to the Arizona
30 K-12 center for program implementation and mentor training for the Arizona
31 master teacher program as prescribed by the state board of education.

32 Sec. 26. Department of environmental quality; small rural water
33 systems grants; appropriation

34 The sum of \$750,000 is appropriated from the state general fund in
35 fiscal year 2006-2007 to the department of environmental quality for one-time
36 grants to interim operators or managers of small rural water systems that
37 have been approved by the Arizona corporation commission. The Arizona water
38 infrastructure finance authority shall administer the small rural water
39 system program.

40 Sec. 27. Government information technology agency; e-health
41 initiative; appropriation

42 The sum of \$1,500,000 is appropriated from the state general fund in
43 fiscal year 2006-2007 to the government information technology agency to
44 provide information technology grants for rural health care providers.

