

State of Arizona
Senate
Fiftieth Legislature
First Regular Session
2011

SENATE BILL 1053

AN ACT

AMENDING SECTIONS 15-719, 28-2351, 28-2403 AND 28-2430, ARIZONA REVISED STATUTES; AMENDING TITLE 28, CHAPTER 7, ARTICLE 12, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 28-2437, 28-2438, 28-2439, 28-2440, 28-2441, 28-2442, 28-2443, 28-2444 AND 28-2445; AMENDING SECTIONS 28-6501, 28-6991 AND 28-6993, ARIZONA REVISED STATUTES; AMENDING TITLE 36, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 36-120 AND 36-121; RELATING TO SPECIAL LICENSE PLATES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-719, Arizona Revised Statutes, is amended to
3 read:

4 15-719. Character education program instruction; fund

5 A. Each common, high and unified school district and charter school
6 may provide instruction to kindergarten programs through the twelfth grade on
7 character development.

8 B. Each district may develop its own course of study for each grade.
9 At a minimum, the character education program must include:

10 1. Instruction in the definition and application of at least six of
11 the following character traits: truthfulness, responsibility, compassion,
12 diligence, sincerity, trustworthiness, respect, attentiveness, obedience,
13 orderliness, forgiveness, virtue, fairness, caring, citizenship and
14 integrity.

15 2. The use of activities, discussions and visual media and literacy
16 presentations to illustrate and reinforce the application of the character
17 traits.

18 3. Presentations by teachers or mentors who demonstrate the character
19 traits.

20 C. At the request of the school district or charter school, the
21 department of education may certify that the school district or charter
22 school has a character development instruction program that meets all of the
23 requirements in subsection B of this section.

24 D. Parents may elect for their child not to participate in the
25 program.

26 E. The school district or charter school may accept donations or
27 charge fees for the program if the program is not offered during regular
28 school hours.

29 F. A character education special plate fund is established consisting
30 of monies received pursuant to section 28-2421. The department of education
31 shall administer the fund. **NOT MORE THAN TEN PER CENT OF MONIES DEPOSITED IN**
32 **THE FUND ANNUALLY SHALL BE USED FOR THE COST OF ADMINISTERING THE FUND.**
33 Monies in the fund are continuously appropriated. Monies from the fund shall
34 be annually distributed by the department by July 1.

35 G. The character education and development division at the department
36 of education shall allocate monies through at least two but no more than four
37 private character education foundations that are incorporated nonprofit
38 corporations in this state and that are qualified under section 501(c)(3) of
39 the United States internal revenue code for federal income tax purposes. The
40 director of the character education and development division at the
41 department of education shall select private character education foundations
42 that provide character education programs that demonstrate proven and
43 effective research based curriculum and training to receive monies from the
44 character education special plate fund.

1 H. On notice from the department of education, the state treasurer
2 shall invest and divest monies in the fund as provided by section 35-313, and
3 monies earned from investment shall be credited to the fund.

4 I. Monies in the fund are exempt from the provisions of section 35-190
5 relating to lapsing of appropriations.

6 Sec. 2. Section 28-2351, Arizona Revised Statutes, is amended to read:
7 28-2351. License plate provided; design

8 A. The department shall provide to every owner one license plate for
9 each vehicle registered. At the request of the owner and on payment of any
10 required fee, the department shall provide either one or two license plates
11 for a vehicle for which a special plate is requested pursuant to this
12 chapter, except that the department shall provide one license plate if the
13 special plate is issued pursuant to section 28-2416 or 28-2416.01.

14 B. The license plate shall display the number assigned to the vehicle
15 and to the owner of the vehicle and the name of this state, which may be
16 abbreviated. The director shall coat the license plate with a reflective
17 material that is consistent with the determination of the department
18 regarding the color and design of license plates and special plates. The
19 director shall design the license plate and the letters and numerals on the
20 license plate to be of sufficient size to be plainly readable during daylight
21 from a distance of one hundred feet. In addition to the standard license
22 plate issued for a trailer before August 12, 2005, the director shall issue a
23 license plate for trailers that has a design that is similar to the standard
24 size license plate for trailers but that is the same size as the license
25 plate for motorcycles. The trailer owner shall notify the department which
26 size license plate the owner wants for the trailer.

27 C. Notwithstanding any other law, the department shall not contract
28 with a nongovernmental entity to purchase or secure reflective material for
29 the plates issued by the department unless the department has made a
30 reasonable effort to secure qualified bids or proposals from as many
31 individual responsible respondents as possible.

32 D. The department shall determine the color and design of the license
33 plate. All other plates issued by the department, except the plates issued
34 pursuant to sections 28-2404, 28-2412, 28-2413, 28-2414, 28-2416, 28-2416.01,
35 28-2417 through ~~28-2436~~ 28-2445, 28-2452, 28-2453, 28-2454 and 28-2455 and
36 article 14 of this chapter, shall be the same color as and similar in design
37 to the license plate as determined by the department.

38 E. A passenger motor vehicle rented without a driver shall receive the
39 same type of license plate as issued for a private passenger motor vehicle.

40 Sec. 3. Section 28-2403, Arizona Revised Statutes, is amended to read:
41 28-2403. Special plates; transfers; violation; classification

42 A. Except as otherwise provided in this article, the department shall
43 issue or renew special plates in lieu of the regular license plates pursuant
44 to the following conditions and procedures and only if the requirements
45 prescribed by this article for the requested special plates are met:

1 1. Except as provided in sections 28-2416 and 28-2416.01, a person who
2 is the registered owner of a vehicle registered with the department or who
3 applies for an original or renewal registration of a vehicle may submit to
4 the department a completed application form as prescribed by the department
5 with the fee prescribed by section 28-2402 for special plates in addition to
6 the registration fee prescribed by section 28-2003.

7 2. Except for plates issued pursuant to sections 28-2404, 28-2412,
8 28-2413, 28-2414, 28-2416, 28-2416.01, 28-2417 through ~~28-2436~~ 28-2445,
9 28-2452, 28-2453, 28-2454 and 28-2455 and article 14 of this chapter, the
10 special plates shall be the same color as and similar to the design of the
11 regular license plates that is determined by the department.

12 3. Except as provided in section 28-2416, the department shall issue
13 special plates only to the owner or lessee of a vehicle that is currently
14 registered, including any vehicle that has a declared gross weight, as
15 defined in section 28-5431, of twenty-six thousand pounds or less.

16 4. Except as provided in sections 28-2416 and 28-2416.01, the
17 department shall charge the fee prescribed by section 28-2402 for each annual
18 renewal of special plates in addition to the registration fee prescribed by
19 section 28-2003.

20 B. Except as provided in sections 28-2416 and 28-2416.01, on
21 notification to the department and on payment of the transfer fee prescribed
22 by section 28-2402, a person who is issued special plates may transfer the
23 special plates to another vehicle the person owns or leases. Persons who are
24 issued special plates for hearing impaired persons pursuant to section
25 28-2408 and international symbol of access special plates pursuant to section
26 28-2409 are exempt from the transfer fee. If a person who is issued special
27 plates sells, trades or otherwise releases ownership of the vehicle on which
28 the plates have been displayed, the person shall immediately report the
29 transfer of the plates to the department or the person shall surrender the
30 plates to the department as prescribed by the director. It is unlawful for a
31 person to whom the plates have been issued to knowingly permit them to be
32 displayed on a vehicle except the vehicle authorized by the department.

33 C. The special plates shall be affixed to the vehicle for which
34 registration is sought in lieu of the regular license plates.

35 D. A person is guilty of a class 3 misdemeanor who:

36 1. Violates subsection B of this section.

37 2. Fraudulently gives false or fictitious information in the
38 application for or renewal of special plates or placards issued pursuant to
39 this article.

40 3. Conceals a material fact or otherwise commits fraud in the
41 application for or renewal of special plates or placards issued pursuant to
42 this article.

1 Sec. 4. Section 28-2430, Arizona Revised Statutes, is amended to read:
2 28-2430. In God we trust special plates

3 A. If ~~an entity receives thirty two thousand dollars through donations~~
4 ~~for the issuance of the in God we trust special plate and~~ A NONPROFIT
5 CORPORATION THAT IS INCORPORATED IN THIS STATE gives the department ~~the~~
6 thirty-two thousand dollars, the department shall issue the in God we trust
7 special plates. The entity that provides the thirty-two thousand dollars
8 shall design the in God we trust special plates. The design and color of the
9 in God we trust special plates are subject to the approval of the department.
10 The director may allow a request for in God we trust special plates to be
11 combined with a request for personalized special plates. If the director
12 allows such a combination, the request shall be in a form prescribed by the
13 director and is subject to the fees for the personalized special plates in
14 addition to the fees required for the in God we trust special plates.

15 B. Of the twenty-five dollar fee required by section 28-2402 for the
16 original special plates and for renewal of special plates, eight dollars is a
17 special plate administration fee and seventeen dollars is an annual donation.

18 C. The department shall deposit, pursuant to sections 35-146 and
19 35-147, all special plate administration fees ~~and all donations collected~~
20 ~~pursuant to this section~~ in the state highway fund established by section
21 28-6991 AND SHALL DISTRIBUTE ALL DONATIONS COLLECTED PURSUANT TO THIS SECTION
22 AS AUTHORIZED IN A WRITTEN RESOLUTION OF THE INCORPORATED NONPROFIT
23 CORPORATION THAT PROVIDED THE THIRTY-TWO THOUSAND DOLLARS FOR IMPLEMENTATION
24 OF THIS SECTION. THE INCORPORATED NONPROFIT CORPORATION SHALL FILE A COPY OF
25 THIS RESOLUTION WITH THE DEPARTMENT. THE INCORPORATED NONPROFIT CORPORATION
26 MUST USE THE DONATIONS TO PROMOTE THE NATIONAL MOTTO "IN GOD WE TRUST", FIRST
27 AMENDMENT RIGHTS AND THE HERITAGE OF THIS STATE AND NATION.

28 Sec. 5. Title 28, chapter 7, article 12, Arizona Revised Statutes, is
29 amended by adding sections 28-2437, 28-2438, 28-2439, 28-2440, 28-2441,
30 28-2442, 28-2443, 28-2444 and 28-2445, to read:

31 28-2437. Law enforcement special plates; fund

32 A. IF, BY DECEMBER 31, 2011, AN ENTITY DESCRIBED IN SUBSECTION E OF
33 THIS SECTION PAYS THIRTY-TWO THOUSAND DOLLARS TO THE DEPARTMENT FOR
34 IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL ISSUE LAW ENFORCEMENT
35 SPECIAL PLATES. THE ENTITY THAT PROVIDES THE THIRTY-TWO THOUSAND DOLLARS
36 SHALL DESIGN THE LAW ENFORCEMENT SPECIAL PLATES. THE DESIGN AND COLOR OF THE
37 LAW ENFORCEMENT SPECIAL PLATES ARE SUBJECT TO THE APPROVAL OF THE DEPARTMENT.
38 THE DIRECTOR MAY ALLOW A REQUEST FOR LAW ENFORCEMENT SPECIAL PLATES TO BE
39 COMBINED WITH A REQUEST FOR PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR
40 ALLOWS SUCH A COMBINATION, THE REQUEST SHALL BE IN A FORM PRESCRIBED BY THE
41 DIRECTOR AND IS SUBJECT TO THE FEES FOR THE PERSONALIZED SPECIAL PLATES IN
42 ADDITION TO THE FEES REQUIRED FOR THE LAW ENFORCEMENT SPECIAL PLATES.

43 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE
44 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A
45 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

1 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
2 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
3 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
4 SECTION IN THE LAW ENFORCEMENT SPECIAL PLATE FUND ESTABLISHED BY THIS
5 SECTION.

6 D. THE LAW ENFORCEMENT SPECIAL PLATE FUND IS ESTABLISHED CONSISTING OF
7 MONIES DEPOSITED PURSUANT TO THIS SECTION. THE DIRECTOR SHALL ADMINISTER THE
8 FUND. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED.

9 E. THE DIRECTOR SHALL ANNUALLY ALLOCATE MONIES FROM THE FUND TO THE
10 ENTITY IN THIS STATE THAT PAID THE IMPLEMENTATION FEE TO THE DEPARTMENT
11 PURSUANT TO SUBSECTION A OF THIS SECTION. THE ENTITY MUST BE AN INCORPORATED
12 NONPROFIT CORPORATION THAT IS QUALIFIED UNDER SECTION 501(c)(5) OF THE UNITED
13 STATES INTERNAL REVENUE CODE FOR FEDERAL INCOME TAX PURPOSES AND MUST BE A
14 PROFESSIONAL ASSOCIATION THAT IS COMPOSED OF SINGULAR INDEPENDENT POLICE,
15 CORRECTIONS AND DETENTION LABOR ASSOCIATIONS IN THIS STATE AND THAT HAS A
16 PRIMARY MISSION OF REPRESENTING THOSE ASSOCIATIONS BEFORE THE STATE
17 LEGISLATURE AND LOCAL GOVERNMENTS ON ISSUES THAT AFFECT THE WORKING LAW
18 ENFORCEMENT OFFICER, INCLUDING ISSUES RELATING TO MEMBER BENEFITS, MEMBER
19 RIGHTS, MEMBER PAY, EQUIPMENT, LEGISLATION AND FAIR TREATMENT.

20 F. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND
21 DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED
22 FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

23 28-2438. Youth development organization special plates; fund

24 A. IF, BY DECEMBER 31, 2011, AN ENTITY DESCRIBED IN SUBSECTION E OF
25 THIS SECTION PAYS THIRTY-TWO THOUSAND DOLLARS TO THE DEPARTMENT FOR
26 IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL ISSUE YOUTH DEVELOPMENT
27 ORGANIZATION SPECIAL PLATES. THE ENTITY THAT PROVIDES THE THIRTY-TWO
28 THOUSAND DOLLARS SHALL DESIGN THE YOUTH DEVELOPMENT ORGANIZATION SPECIAL
29 PLATES. THE DESIGN AND COLOR OF THE YOUTH DEVELOPMENT ORGANIZATION SPECIAL
30 PLATES ARE SUBJECT TO THE APPROVAL OF THE DEPARTMENT. THE DIRECTOR MAY ALLOW
31 A REQUEST FOR YOUTH DEVELOPMENT ORGANIZATION SPECIAL PLATES TO BE COMBINED
32 WITH A REQUEST FOR PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH
33 A COMBINATION, THE REQUEST SHALL BE IN A FORM PRESCRIBED BY THE DIRECTOR AND
34 IS SUBJECT TO THE FEES FOR THE PERSONALIZED SPECIAL PLATES IN ADDITION TO THE
35 FEES REQUIRED FOR THE YOUTH DEVELOPMENT ORGANIZATION SPECIAL PLATES.

36 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE
37 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A
38 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

39 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
40 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
41 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
42 SECTION IN THE YOUTH DEVELOPMENT ORGANIZATION SPECIAL PLATE FUND ESTABLISHED
43 BY THIS SECTION.

44 D. THE YOUTH DEVELOPMENT ORGANIZATION SPECIAL PLATE FUND IS
45 ESTABLISHED CONSISTING OF MONIES DEPOSITED PURSUANT TO THIS SECTION. THE

1 DIRECTOR SHALL ADMINISTER THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY
2 APPROPRIATED.

3 E. THE DIRECTOR SHALL ANNUALLY ALLOCATE MONIES FROM THE FUND TO THE
4 ENTITY IN THIS STATE THAT PAID THE IMPLEMENTATION FEE TO THE DEPARTMENT
5 PURSUANT TO SUBSECTION A OF THIS SECTION. THE ENTITY MUST BE AN INCORPORATED
6 NONPROFIT CORPORATION THAT IS QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED
7 STATES INTERNAL REVENUE CODE FOR FEDERAL INCOME TAX PURPOSES AND MUST BE ONE
8 OF THE NATION'S LARGEST AND MOST PROMINENT VALUES-BASED YOUTH DEVELOPMENT
9 ORGANIZATIONS THAT PROVIDES A PROGRAM FOR YOUNG PEOPLE THAT BUILDS CHARACTER,
10 THAT TRAINS THEM IN THE RESPONSIBILITIES OF PARTICIPATING CITIZENSHIP AND
11 THAT DEVELOPS PERSONAL FITNESS. THE INCORPORATED NONPROFIT CORPORATION MUST
12 HAVE BEEN IN EXISTENCE FOR AT LEAST ONE CENTURY AND MUST HELP BUILD THE
13 FUTURE LEADERS OF THIS COUNTRY BY COMBINING EDUCATIONAL ACTIVITIES AND
14 LIFELONG VALUES WITH FUN.

15 F. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND
16 DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED
17 FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

18 28-2439. Multiple sclerosis awareness special plates

19 A. IF, BY DECEMBER 31, 2011, THIRTY-TWO THOUSAND DOLLARS IS PAID TO
20 THE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL
21 ISSUE MULTIPLE SCLEROSIS AWARENESS SPECIAL PLATES. THE DIRECTOR OF THE
22 DEPARTMENT, OR THE DIRECTOR'S DESIGNEE, SHALL DESIGN THE MULTIPLE SCLEROSIS
23 AWARENESS SPECIAL PLATES. THE DIRECTOR MAY ALLOW A REQUEST FOR MULTIPLE
24 SCLEROSIS AWARENESS SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR
25 PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE
26 REQUEST SHALL BE IN A FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE
27 FEES FOR THE PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR
28 MULTIPLE SCLEROSIS AWARENESS SPECIAL PLATES.

29 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE
30 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A
31 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

32 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
33 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
34 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
35 SECTION IN THE MULTIPLE SCLEROSIS AWARENESS FUND ESTABLISHED BY SECTION
36 36-120.

37 28-2440. Hunger relief special plates; fund

38 A. IF, BY JUNE 30, 2012, AN ENTITY PAYS THIRTY-TWO THOUSAND DOLLARS TO
39 THE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL
40 ISSUE HUNGER RELIEF SPECIAL PLATES. THE ENTITY THAT PROVIDES THE THIRTY-TWO
41 THOUSAND DOLLARS SHALL DESIGN THE HUNGER RELIEF SPECIAL PLATES. THE DESIGN
42 AND COLOR OF THE HUNGER RELIEF SPECIAL PLATES ARE SUBJECT TO THE APPROVAL OF
43 THE DEPARTMENT. THE DIRECTOR MAY ALLOW A REQUEST FOR HUNGER RELIEF SPECIAL
44 PLATES TO BE COMBINED WITH A REQUEST FOR PERSONALIZED SPECIAL PLATES. IF THE
45 DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST SHALL BE IN A FORM PRESCRIBED

1 BY THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE PERSONALIZED SPECIAL
2 PLATES IN ADDITION TO THE FEES REQUIRED FOR THE HUNGER RELIEF SPECIAL PLATES.

3 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE
4 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A
5 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

6 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
7 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
8 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
9 SECTION IN THE HUNGER RELIEF SPECIAL PLATE FUND ESTABLISHED BY SUBSECTION D
10 OF THIS SECTION.

11 D. THE HUNGER RELIEF SPECIAL PLATE FUND IS ESTABLISHED CONSISTING OF
12 MONIES RECEIVED PURSUANT TO THIS SECTION. THE DIRECTOR SHALL ADMINISTER THE
13 FUND. THE FIRST THIRTY-TWO THOUSAND DOLLARS RECEIVED SHALL BE REIMBURSED TO
14 THE ENTITY THAT PAID THE IMPLEMENTATION FEE TO THE DEPARTMENT PURSUANT TO
15 SUBSECTION A OF THIS SECTION. MONIES IN THE FUND ARE CONTINUOUSLY
16 APPROPRIATED. THE DIRECTOR SHALL ANNUALLY ALLOCATE ALL MONIES FROM THE FUND
17 TO AN ORGANIZATION THAT OPERATES STATEWIDE TO COORDINATE FOOD BANK SERVICES
18 AND THAT IS QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED STATES INTERNAL
19 REVENUE CODE FOR FEDERAL INCOME TAX PURPOSES. THE ORGANIZATION SHALL
20 ESTABLISH A PROCESS TO DISTRIBUTE THE MONIES ANNUALLY TO ORGANIZATIONS THAT
21 PROVIDE FOOD DISTRIBUTION TO HUNGRY PEOPLE IN THIS STATE AND THAT ARE
22 QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED STATES INTERNAL REVENUE CODE
23 FOR FEDERAL INCOME TAX PURPOSES. TO THE EXTENT POSSIBLE, THE DISTRIBUTING
24 ORGANIZATION SHALL DISTRIBUTE MONIES COLLECTED IN A GEOGRAPHIC REGION TO
25 ORGANIZATIONS SERVING INDIVIDUALS IN THAT REGION. THE DIRECTOR SHALL FORWARD
26 ALL MONIES DEPOSITED IN THE HUNGER RELIEF SPECIAL PLATE FUND TO THE
27 ORGANIZATION ON AN ANNUAL BASIS. THE ORGANIZATION MAY RETAIN NOT MORE THAN
28 TEN PER CENT OF THE MONIES FOR DOCUMENTED EXPENSES RELATED TO AN APPLICATION
29 AND AWARD PROCESS.

30 E. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND
31 DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED
32 FROM INVESTMENT SHALL BE CREDITED TO THE FUND. MONIES IN THE FUND ARE EXEMPT
33 FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS.

34 28-2441. Childhood cancer research special plates

35 A. IF, BY DECEMBER 31, 2012, THIRTY-TWO THOUSAND DOLLARS IS PAID TO
36 THE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL
37 ISSUE CHILDHOOD CANCER RESEARCH SPECIAL PLATES. THE PERSON OR ENTITY THAT
38 PROVIDES THE THIRTY-TWO THOUSAND DOLLARS FOR IMPLEMENTATION OF THIS SECTION
39 SHALL DESIGN THE CHILDHOOD CANCER RESEARCH SPECIAL PLATES. THE DESIGN AND
40 COLOR OF THE CHILDHOOD CANCER RESEARCH SPECIAL PLATES ARE SUBJECT TO THE
41 APPROVAL OF THE DEPARTMENT. THE DIRECTOR MAY ALLOW A REQUEST FOR CHILDHOOD
42 CANCER RESEARCH SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR PERSONALIZED
43 SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST SHALL
44 BE IN A FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE

1 PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR CHILDHOOD
2 CANCER RESEARCH SPECIAL PLATES.

3 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE
4 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A
5 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

6 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
7 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
8 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
9 SECTION IN THE CHILDHOOD CANCER AND RARE CHILDHOOD DISEASE RESEARCH FUND
10 ESTABLISHED BY SECTION 36-121.

11 28-2442. Litter prevention and cleanup special plates; fund

12 A. IF, BY DECEMBER 31, 2011, AN ENTITY PAYS THIRTY-TWO THOUSAND
13 DOLLARS TO THE DEPARTMENT FOR IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT
14 SHALL ISSUE LITTER PREVENTION AND CLEANUP SPECIAL PLATES. THE ENTITY THAT
15 PROVIDES THE THIRTY-TWO THOUSAND DOLLARS SHALL DESIGN THE LITTER PREVENTION
16 AND CLEANUP SPECIAL PLATES. THE DESIGN AND COLOR OF THE LITTER PREVENTION
17 AND CLEANUP SPECIAL PLATES ARE SUBJECT TO THE APPROVAL OF THE DEPARTMENT.
18 THE DIRECTOR MAY ALLOW A REQUEST FOR LITTER PREVENTION AND CLEANUP SPECIAL
19 PLATES TO BE COMBINED WITH A REQUEST FOR PERSONALIZED SPECIAL PLATES. IF THE
20 DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST SHALL BE IN A FORM PRESCRIBED
21 BY THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE PERSONALIZED SPECIAL
22 PLATES IN ADDITION TO THE FEES REQUIRED FOR THE LITTER PREVENTION AND CLEANUP
23 SPECIAL PLATES.

24 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE
25 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A
26 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

27 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
28 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
29 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
30 SECTION IN THE LITTER PREVENTION AND CLEANUP SPECIAL PLATE FUND ESTABLISHED
31 BY THIS SECTION.

32 D. THE LITTER PREVENTION AND CLEANUP SPECIAL PLATE FUND IS ESTABLISHED
33 CONSISTING OF MONIES DEPOSITED PURSUANT TO THIS SECTION. THE DIRECTOR SHALL
34 ADMINISTER THE FUND. THE FIRST THIRTY-TWO THOUSAND DOLLARS IN THE FUND SHALL
35 BE REIMBURSED TO THE ENTITY THAT PAID THE IMPLEMENTATION FEE TO THE
36 DEPARTMENT PURSUANT TO SUBSECTION A OF THIS SECTION. NOT MORE THAN TEN PER
37 CENT OF MONIES DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR THE COST OF
38 ADMINISTERING THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED.

39 E. THE DIRECTOR SHALL ANNUALLY DISTRIBUTE MONIES IN THE FUND TO AN
40 ENTITY THAT IS QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED STATES
41 INTERNAL REVENUE CODE, THAT IS ASSOCIATED WITH THE DEPARTMENT TO ASSIST WITH
42 LITTER PREVENTION AND LITTER CLEANUP AND THAT OPERATES STATEWIDE.

43 F. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND
44 DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED
45 FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

1 APPROVAL OF THE DEPARTMENT. THE DIRECTOR MAY ALLOW A REQUEST FOR ARIZONA
2 PUBLIC BROADCAST TELEVISION SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR
3 PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE
4 REQUEST SHALL BE IN A FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE
5 FEES FOR THE PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR
6 THE ARIZONA PUBLIC BROADCAST TELEVISION SPECIAL PLATES.

7 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE
8 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A
9 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

10 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
11 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
12 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
13 SECTION IN THE ARIZONA PUBLIC BROADCAST TELEVISION SPECIAL PLATE FUND
14 ESTABLISHED BY THIS SECTION.

15 D. THE ARIZONA PUBLIC BROADCAST TELEVISION SPECIAL PLATE FUND IS
16 ESTABLISHED CONSISTING OF MONIES DEPOSITED PURSUANT TO THIS SECTION. THE
17 DIRECTOR SHALL ADMINISTER THE FUND. THE FIRST THIRTY-TWO THOUSAND DOLLARS IN
18 THE FUND SHALL BE REIMBURSED TO THE ENTITY THAT PAID THE IMPLEMENTATION FEE
19 TO THE DEPARTMENT PURSUANT TO SUBSECTION A OF THIS SECTION. NOT MORE THAN
20 TEN PER CENT OF THE MONIES DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR
21 THE COST OF ADMINISTERING THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY
22 APPROPRIATED. THE DIRECTOR SHALL ALLOCATE MONIES FROM THE FUND TO A
23 FOUNDATION OF PUBLIC BROADCAST TELEVISION IN THIS STATE THAT IS LICENSED AS A
24 FULL-POWER NONCOMMERCIAL EDUCATIONAL STATION BY THE FEDERAL COMMUNICATIONS
25 COMMISSION AND THAT PROVIDES A NONCOMMERCIAL AND NONSECTARIAN EDUCATIONAL
26 BROADCAST SERVICE THAT IS AVAILABLE TO TELEVISION VIEWERS LOCATED IN CENTRAL
27 AND NORTHERN ARIZONA. THE FOUNDATION MUST BE A CHARITABLE ORGANIZATION THAT
28 IS QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED STATES INTERNAL REVENUE
29 CODE FOR FEDERAL INCOME TAX PURPOSES. THE DIRECTOR SHALL FORWARD ALL MONIES
30 DEPOSITED INTO THE ARIZONA PUBLIC BROADCAST TELEVISION SPECIAL PLATE FUND,
31 EXCLUDING ADMINISTRATIVE FEES, TO THE FOUNDATION ON AN ANNUAL BASIS.

32 E. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND
33 DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED
34 FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

35 28-2445. Global graduate management school special plates; fund

36 A. IF, BY DECEMBER 31, 2011, THIRTY-TWO THOUSAND DOLLARS IS PAID TO
37 THE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL
38 ISSUE GLOBAL GRADUATE MANAGEMENT SCHOOL SPECIAL PLATES. THE ENTITY THAT
39 PROVIDES THE THIRTY-TWO THOUSAND DOLLARS SHALL DESIGN THE GLOBAL GRADUATE
40 MANAGEMENT SCHOOL SPECIAL PLATES. THE DESIGN AND COLOR OF THE GLOBAL
41 GRADUATE MANAGEMENT SCHOOL SPECIAL PLATES ARE SUBJECT TO THE APPROVAL OF THE
42 DEPARTMENT. THE DIRECTOR MAY ALLOW A REQUEST FOR GLOBAL GRADUATE MANAGEMENT
43 SCHOOL SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR PERSONALIZED SPECIAL
44 PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST SHALL BE IN A
45 FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE

1 PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR THE GLOBAL
2 GRADUATE MANAGEMENT SCHOOL SPECIAL PLATES.

3 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE
4 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A
5 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

6 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
7 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
8 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
9 SECTION IN THE GLOBAL GRADUATE MANAGEMENT SCHOOL SPECIAL PLATE FUND
10 ESTABLISHED BY SUBSECTION D OF THIS SECTION.

11 D. THE GLOBAL GRADUATE MANAGEMENT SCHOOL SPECIAL PLATE FUND IS
12 ESTABLISHED CONSISTING OF MONIES RECEIVED PURSUANT TO THIS SECTION. THE
13 DIRECTOR SHALL ADMINISTER THE FUND. THE FIRST THIRTY-TWO THOUSAND DOLLARS IN
14 THE FUND SHALL BE REIMBURSED TO THE ENTITY THAT PROVIDES THE THIRTY-TWO
15 THOUSAND DOLLARS PURSUANT TO SUBSECTION A OF THIS SECTION. NOT MORE THAN TEN
16 PER CENT OF MONIES DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR THE COST
17 OF ADMINISTERING THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED.
18 THE DIRECTOR SHALL ANNUALLY ALLOCATE MONIES FROM THE FUND, EXCLUDING
19 ADMINISTRATIVE FEES, TO A GRADUATE MANAGEMENT SCHOOL IN THIS STATE THAT IS
20 FOCUSED EXCLUSIVELY ON GLOBAL BUSINESS, THAT IS REGARDED AS THE WORLD'S
21 LEADING INSTITUTION IN THE EDUCATION OF GLOBAL MANAGERS AND THAT HAS
22 OPERATIONS IN THE UNITED STATES AND IN OTHER NATIONS. THE GRADUATE
23 MANAGEMENT SCHOOL SHALL USE THE ALLOCATED MONIES FOR THE GRADUATE MANAGEMENT
24 SCHOOL'S OPERATIONS AND ACTIVITIES, INCLUDING EDUCATING GLOBAL LEADERS WHO
25 CREATE SUSTAINABLE PROSPERITY WORLDWIDE AND FACILITATING THE DEVELOPMENT OF
26 THE GLOBAL MINDSET.

27 E. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND
28 DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED
29 FROM INVESTMENT SHALL BE CREDITED TO THE FUND. MONIES IN THE FUND ARE EXEMPT
30 FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS.

31 Sec. 6. Section 28-6501, Arizona Revised Statutes, is amended to read:
32 28-6501. Definition of highway user revenues

33 In this article, unless the context otherwise requires or except as
34 otherwise provided by statute, "highway user revenues" means all monies
35 received in this state from licenses, taxes, penalties, interest and fees
36 authorized by the following:

37 1. Chapters 2, 7, 8 and 15 of this title, except for:

38 (a) The special plate administration fees prescribed in sections
39 28-2404, 28-2412 through ~~28-2436~~ 28-2445 and 28-2514.

40 (b) The donations prescribed in sections 28-2404, 28-2412 through
41 28-2415, 28-2417 through ~~28-2436~~ 28-2445, 28-2453, 28-2454 and 28-2455.

42 2. Section 28-1177.

43 3. Chapters 10 and 11 of this title.

44 4. Chapter 16, articles 1, 2 and 4 of this title, except as provided
45 in sections 28-5926 and 28-5927.

1 Sec. 7. Section 28-6991, Arizona Revised Statutes, is amended to read:
2 28-6991. State highway fund; sources

3 A state highway fund is established that consists of:

4 1. Monies distributed from the Arizona highway user revenue fund
5 pursuant to chapter 18 of this title.

6 2. Monies appropriated by the legislature.

7 3. Monies received from donations for the construction, improvement or
8 maintenance of state highways or bridges. These monies shall be credited to
9 a special account and shall be spent only for the purpose indicated by the
10 donor.

11 4. Monies received from counties under cooperative agreements,
12 including proceeds from bond issues. The state treasurer shall deposit these
13 monies to the credit of the fund in a special account on delivery to the
14 treasurer of a concise written agreement between the department and the
15 county stating the purposes for which the monies are surrendered by the
16 county, and these monies shall be spent only as stated in the agreement.

17 5. Monies received from the United States under an act of Congress to
18 provide aid for the construction of rural post roads, but monies received on
19 projects for which the monies necessary to be provided by this state are
20 wholly derived from sources mentioned in paragraphs 2 and 3 of this section
21 shall be allotted by the department and deposited by the state treasurer in
22 the special account within the fund established for each project. On
23 completion of the project, on the satisfaction and discharge in full of all
24 obligations of any kind created and on request of the department, the
25 treasurer shall transfer the unexpended balance in the special account for
26 the project into the state highway fund, and the unexpended balance and any
27 further federal aid thereafter received on account of the project may be
28 spent under the general provisions of this title.

29 6. Monies in the custody of an officer or agent of this state from any
30 source that is to be used for the construction, improvement or maintenance of
31 state highways or bridges.

32 7. Monies deposited in the state general fund and arising from the
33 disposal of state personal property belonging to the department.

34 8. Receipts from the sale or disposal of any or all other property
35 held by the department and purchased with state highway monies.

36 9. Monies generated pursuant to section 28-410.

37 10. Monies distributed pursuant to section 28-5808, subsection B,
38 paragraph 2, subdivision (d).

39 11. Monies deposited pursuant to sections 28-1143, 28-2353 and 28-3003.

40 12. Except as provided in section 28-5101, the following monies:

41 (a) Monies deposited pursuant to section 28-2206 and section 28-5808,
42 subsection B, paragraph 2, subdivision (e).

43 (b) One dollar of each registration fee and one dollar of each title
44 fee collected pursuant to section 28-2003.

1 (c) Two dollars of each late registration penalty collected by the
2 director pursuant to section 28-2162.

3 (d) The air quality compliance fee collected pursuant to section
4 49-542.

5 (e) The special plate administration fees collected pursuant to
6 sections 28-2404, 28-2412 through 28-2416, 28-2416.01, 28-2417 through
7 ~~28-2436~~ 28-2445 and 28-2514.

8 (f) Monies collected pursuant to sections 28-372, 28-2155 and 28-2156
9 if the director is the registering officer.

10 13. Monies deposited pursuant to chapter 5, article 5 of this title.

11 14. Donations received pursuant to section 28-2269.

12 15. Dealer and registration monies collected pursuant to section
13 28-4304.

14 16. Abandoned vehicle administration monies deposited pursuant to
15 section 28-4804.

16 17. Monies deposited pursuant to section 28-710, subsection D,
17 paragraph 2.

18 18. Monies deposited pursuant to section 28-2065.

19 ~~19. Donations deposited pursuant to section 28-2430.~~

20 ~~20.~~ 19. Monies deposited pursuant to section 28-7311.

21 ~~21.~~ 20. Monies deposited pursuant to section 28-7059.

22 Sec. 8. Section 28-6993, Arizona Revised Statutes, is amended to read:

23 ~~28-6993.~~ State highway fund; authorized uses

24 A. Except as provided in subsection B of this section and section
25 28-6538, the state highway fund shall be used for any of the following
26 purposes in strict conformity with and subject to the budget as provided by
27 this section and by sections 28-6997 through 28-7003:

28 1. To pay salaries, wages, necessary travel expenses and other
29 expenses of officers and employees of the department and the incidental
30 office expenses, including telegraph, telephone, postal and express charges
31 and printing, stationery and advertising expenses.

32 2. To pay for both:

33 (a) Equipment, supplies, machines, tools, department offices and
34 laboratories established by the department.

35 (b) The construction and repair of buildings or yards of the
36 department.

37 3. To pay the cost of both:

38 (a) Engineering, construction, improvement and maintenance of state
39 highways and parts of highways forming state routes.

40 (b) Highways under cooperative agreements with the United States that
41 are entered into pursuant to this chapter and an act of Congress providing
42 for the construction of rural post roads.

43 4. To pay land damages incurred by reason of establishing, opening,
44 altering, relocating, widening or abandoning portions of a state route or
45 state highway.

1 5. To reimburse the department revolving account.

2 6. To pay premiums on authorized indemnity bonds and on compensation
3 insurance under the workers' compensation act.

4 7. To defray lawful expenses and costs required to administer and
5 carry out the intent, purposes and provisions of this title, including
6 repayment of obligations entered into pursuant to this title, payment of
7 interest on obligations entered into pursuant to this title, repayment of
8 loans and other financial assistance, including repayment of advances and
9 interest on advances made to the department pursuant to section 28-7677, and
10 payment of all other obligations and expenses of the board and department
11 pursuant to chapter 21 of this title.

12 8. To pay lawful bills and charges incurred by the state engineer.

13 9. To acquire, construct or improve entry roads to state parks or
14 roads within state parks.

15 10. To acquire, construct or improve entry roads to state prisons.

16 11. To pay the cost of relocating a utility facility pursuant to
17 section 28-7156.

18 12. For the purposes provided in subsections C, D and E of this section
19 and sections 28-1143, 28-2353 and 28-3003.

20 B. For each fiscal year, the department of transportation shall
21 allocate and transfer monies in the state highway fund to the department of
22 public safety for funding a portion of highway patrol costs in eight
23 installments in each of the first eight months of a fiscal year that do not
24 exceed ten million dollars.

25 C. Subject to legislative appropriation, the department may use the
26 monies in the state highway fund as prescribed in section 28-6991, paragraph
27 12 to carry out the duties imposed by this title for registration or titling
28 of vehicles, to operate joint title, registration and driver licensing
29 offices, to cover the administrative costs of issuing the air quality
30 compliance sticker, modifying the year validating tab and issuing the
31 windshield sticker and to cover expenses and costs in issuing special plates
32 pursuant to sections 28-2404, 28-2412 through ~~28-2436~~ 28-2445 and 28-2514.

33 D. The department shall use monies deposited in the state highway fund
34 pursuant to chapter 5, article 5 of this title only as prescribed by that
35 article.

36 E. Monies deposited in the state highway fund pursuant to section
37 28-2269 shall be used only as prescribed by that section.

38 F. Monies deposited in the state highway fund pursuant to section
39 28-710, subsection D, paragraph 2 shall only be used for state highway work
40 zone traffic control devices.

41 G. The department may exchange monies distributed to the state highway
42 fund pursuant to section 28-6538, subsection A, paragraph 1 for local
43 government surface transportation program federal monies suballocated to
44 councils of government and metropolitan planning organizations if the local
45 government scheduled to receive the federal monies concurs. An exchange of

1 state highway fund monies pursuant to this subsection shall be in an amount
2 that is at least equal to ninety per cent of the federal obligation authority
3 that exists in the project for which the exchange is proposed.

4 Sec. 9. Title 36, chapter 1, article 1, Arizona Revised Statutes, is
5 amended by adding sections 36-120 and 36-121, to read:

6 36-120. Multiple sclerosis awareness fund

7 A. THE MULTIPLE SCLEROSIS AWARENESS FUND IS ESTABLISHED CONSISTING OF
8 MONIES RECEIVED PURSUANT TO SECTION 28-2439. THE DIRECTOR SHALL ADMINISTER
9 THE FUND. NOT MORE THAN TEN PER CENT OF MONIES DEPOSITED IN THE FUND
10 ANNUALLY SHALL BE USED FOR THE COST OF ADMINISTERING THE FUND. MONIES IN THE
11 FUND ARE CONTINUOUSLY APPROPRIATED. THE DIRECTOR SHALL DISTRIBUTE MONIES IN
12 THE FUND BEFORE JULY 1 OF EACH YEAR.

13 B. THE DIRECTOR SHALL ALLOCATE MONIES FROM THE FUND FOR MULTIPLE
14 SCLEROSIS AWARENESS AND OUTREACH SERVICES IN THIS STATE.

15 C. MONIES IN THE FUND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190
16 RELATING TO LAPSING OF APPROPRIATIONS.

17 36-121. Childhood cancer and rare childhood disease research
18 fund

19 A. THE CHILDHOOD CANCER AND RARE CHILDHOOD DISEASE RESEARCH FUND IS
20 ESTABLISHED CONSISTING OF MONIES RECEIVED PURSUANT TO SECTION 28-2441. THE
21 DIRECTOR SHALL ADMINISTER THE FUND. NOT MORE THAN TEN PER CENT OF MONIES
22 DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR THE COST OF ADMINISTERING
23 THE FUND. THE FIRST THIRTY-TWO THOUSAND DOLLARS RECEIVED SHALL BE REIMBURSED
24 TO THE PERSON OR ENTITY THAT PAID THE IMPLEMENTATION FEE. MONIES IN THE FUND
25 ARE CONTINUOUSLY APPROPRIATED. THE DIRECTOR SHALL ANNUALLY DISTRIBUTE MONIES
26 IN THE FUND.

27 B. THE DIRECTOR SHALL ALLOCATE MONIES FROM THE FUND TO HEALTH CARE
28 PROVIDERS AND RESEARCH INSTITUTIONS THAT ARE LOCATED IN THIS STATE, THAT ARE
29 NONPROFIT ORGANIZATIONS AND THAT ARE ENGAGED IN PHASE I CLINICAL TRIALS
30 RELATING TO RESEARCH ON PEDIATRIC CANCER OR OTHER RARE PEDIATRIC DISEASES.
31 THE MONIES MAY BE USED IN A COLLABORATIVE STUDY OR RESEARCH PROGRAM WITH
32 OTHER FACILITIES OUTSIDE OF THIS STATE. NONPROFIT ORGANIZATIONS RECEIVING
33 MONIES FROM THE FUND SHALL USE THE MONIES FOR THE PURPOSES PRESCRIBED IN THIS
34 SUBSECTION EVEN IF THE MONIES ARE AGGREGATED WITH OTHER MONIES.

35 C. MONIES IN THE FUND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190
36 RELATING TO LAPSING OF APPROPRIATIONS.