1 Strike everything after the enacting clause and insert:

"Section 1. Section 27-106, Arizona Revised Statutes, is amended to read:

27-106. Duties of Arizona geological survey; mining, mineral and natural resources educational museum

A. The Arizona geological survey shall:

1. Map and describe the bedrock and related geologic materials and processes in Arizona, as follows:

   (a) Prepare geologic maps that show the distribution of rock formations and surficial materials at the surface and in the subsurface.

   (b) Describe the character of rock and surficial materials, including their age, origin and physical and chemical properties.

   (c) Map, describe and monitor known and potential geologic hazards and limitations to land and resource management.

   (d) Map and characterize energy and mineral resources and identify areas that may have potential for future discoveries.

2. Provide objective, scientific information about the geologic character of this state as follows:

   (a) Provide timely, courteous responses to requests for information, advice and assistance from the public.

   (b) Maintain a computerized bibliographic database of maps and reports on the geology of this state that is accessible to the public.

   (c) Maintain an internet website that includes information about the Arizona geological survey, products and services available and the geologic character of this state.
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1. (d) Give lectures and talks, conduct workshops, lead field trips and provide information and assistance to public, educational and professional groups.

2. (e) Publish reports and other information, written in nontechnical terms, to inform those WHO ARE not trained in geology about the geologic character of Arizona.

3. Prepare all data files of known areas of earth fissures, produce maps of those areas with overlays showing affected counties, cities, towns, highways and streets and transmit the maps in printed and electronic format to the state real estate department for purposes of providing public access to the earth fissure maps pursuant to this paragraph and section 32-2117. The Arizona geological survey shall provide any map to any member of the public in printed or electronic format on request. The following notice shall be displayed below each map:

   Notice

   The state of Arizona has made a reasonable effort to ensure the accuracy of this map when it was produced, but errors may be present and the state of Arizona does not guarantee its accuracy. The map supplements, and is not a substitute for, a professional inspection of property for defects and conditions.

4. Operate and maintain a central repository and a computerized database for reports, books, maps and other publications regarding the geology, mining and mineral resources and associated technologies. Such repository and database shall be available for the use of the public and may be located at or connected with the university of Arizona or another state university or agency of this state. All databases and other archival materials shall be maintained in a secure and retrievable format and at a location prescribed by the state geologist to protect and preserve information from damage or destruction.

5. Operate and maintain a central repository for rock cores, well cuttings and samples and all associated supplemental data consistent with the laws of this state requiring the deposit of such material and information. Such repository shall be available for the use of the public.
6. Receive and expend any monies arising from grants, contracts, contributions, gratuities or reimbursements payable or distributable to this state from the United States, or from state, county, municipal or other governmental sources. The Arizona geological survey shall also receive and expend any monies arising from grants, contracts, contributions, gratuities or reimbursements donated by private persons or corporations. Monies received pursuant to this paragraph shall be deposited in the geological survey fund and handled pursuant to section 27-107.

7. Contract and be contracted with.

8. Utilize the services and expertise of the universities of the state at the discretion of the state geologist.

9. Cooperate with local, county, state and federal agencies.

10. Provide administrative and staff support for the Arizona oil and gas conservation commission.

11. Provide quality mining data, evaluation and assistance relating to mining and mineral development to the legislature, federal, state and local governmental agencies and the public.

12. Serve as a source of mining information and data necessary or advisable to attain its objectives. The state geologist may establish reasonable fees for publications.

13. Cooperate with the Arizona corporation commission in its investigations and administration of laws, relating to the sale of mining securities.

B. IN COORDINATION WITH THE MINING, MINERAL AND NATURAL RESOURCES EDUCATIONAL MUSEUM ADVISORY COUNCIL ESTABLISHED BY SECTION 27-111, THE ARIZONA GEOLOGICAL SURVEY SHALL OPERATE AND MAINTAIN A MINING, MINERAL AND NATURAL RESOURCES EDUCATIONAL MUSEUM AS THE STATE DEPOSITORY FOR COLLECTING, CATALOGING AND DISPLAYING MINING, MINERAL AND NATURAL RESOURCES ARTIFACTS AND SPECIMENS. IN CONNECTION WITH THE MINING, MINERAL AND NATURAL RESOURCES EDUCATIONAL MUSEUM, THE STATE GEOLOGIST MAY:

1. PROMOTE THE RECOGNITION AND CELEBRATION OF THE HISTORICAL, CULTURAL, ECONOMIC AND SOCIAL CONTRIBUTIONS TO THIS STATE MADE BY THE MINING,
MINERAL AND NATURAL RESOURCES INDUSTRIES IN THIS STATE, INCLUDING THE LIVESTOCK AND AGRICULTURAL INDUSTRIES.

2. APPLY FOR AND ACCEPT GRANTS, DONATIONS, GIFTS, BEQUESTS OF LEGACIES OF REAL OR PERSONAL PROPERTY OR ANY OTHER CONTRIBUTION, FINANCIAL OR OTHERWISE, FOR USE IN ACCORDANCE WITH THE DIRECTION OF THE DONOR, OR, IN THE ABSENCE OF AN EXPRESS DIRECTION, TO BE DISPOSED OF AS PRESCRIBED BY THE ARIZONA GEOLOGICAL SURVEY. MONIES RECEIVED PURSUANT TO THIS PARAGRAPH SHALL BE DEPOSITED IN A SEPARATE MINING, MINERAL AND NATURAL RESOURCES EDUCATIONAL MUSEUM ACCOUNT IN THE GEOLOGICAL SURVEY FUND ESTABLISHED BY SECTION 27-107 TO BE USED FOR THE MAINTENANCE AND OPERATIONS OF THE MINING, MINERAL AND NATURAL RESOURCES EDUCATIONAL MUSEUM.

3. ACCEPT FROM THE FEDERAL OR STATE GOVERNMENT, ANY LOCAL GOVERNMENT OR ANY OF THEIR AGENCIES RESTRICTED AND UNRESTRICTED MONIES MADE AVAILABLE TO THIS STATE FOR THE MINING, MINERAL AND NATURAL RESOURCES EDUCATIONAL MUSEUM.

4. ESTABLISH AND COLLECT ENTRANCE FEES TO THE MINING, MINERAL AND NATURAL RESOURCES EDUCATIONAL MUSEUM.

5. OPERATE A RETAIL GIFT SHOP, INCLUDING THE ACQUISITION, PURCHASE AND RESALE OF MINING, MINERAL AND NATURAL RESOURCES SPECIMENS AND RELATED ITEMS.

6. EMPLOY A CURATOR FOR THE MINING, MINERAL AND NATURAL RESOURCES EDUCATIONAL MUSEUM. THE CURATOR SHALL POSSESS KNOWLEDGE OR EXPERIENCE IN NATURAL RESOURCES AND OPERATING A MUSEUM.

7. OPERATE EDUCATIONAL PROGRAMMING FOR THE MINING, MINERAL AND NATURAL RESOURCES EDUCATIONAL MUSEUM.

8. ACCEPT THE SERVICES OF VOLUNTEERS AND PROVIDE OVERSIGHT FOR THEIR ACTIVITIES.

9. PAY THE NECESSARY MAINTENANCE AND OPERATION EXPENSES OF THE MINING, MINERAL AND NATURAL RESOURCES EDUCATIONAL MUSEUM.

C. THE ARIZONA GEOLOGICAL SURVEY SHALL MAINTAIN THE ITEMS, ARTIFACTS AND OTHER INVENTORY RECEIVED FOR DISPLAY OR STORAGE, INCLUDING EQUIPMENT AND OUTDOOR DISPLAYS, AND MAY NOT SELL OR OTHERWISE DISPOSE OF MATERIALS RECEIVED FOR THE MINING, MINERAL AND NATURAL RESOURCES EDUCATIONAL MUSEUM.

Sec. 2. Section 27-107, Arizona Revised Statutes, is amended to read:

27-107. Powers and duties of state geologist; fund
A. The state geologist shall:

1. Establish such administrative functions and offices as necessary to achieve the purposes of this article.

2. Prescribe the number and professional disciplines of the technical staff and their office and laboratory associates.

3. Direct the work of the Arizona geological survey and the formulation of its program and policies.

4. Adopt such rules as are necessary to carry out the purposes of this article.

5. Purchase or lease necessary office and laboratory equipment and acquire facilities from the state or lease necessary office and laboratory space.

6. Apply for and accept gifts, bequests or legacies of real or personal property or any other contribution, financial or otherwise, for use pursuant to the direction of the donor or, in the absence of an express direction, to be disposed of for the best interests of this state. The state geologist shall honor any restriction imposed by the donor on divulging contributed information or tangible personal property.

7. Accept from the federal, state and local governments or their agencies monies made available to this state for the purposes of this article.

8. Enter into cooperative agreements with federal, county or municipal governments or their agencies or with any agency or governmental unit established by the law of this or any other state for the purpose of carrying out the provisions of this article.

9. Contract with persons and organizations, public or private, to provide services for the Arizona geological survey.

10. Appoint a person with a background in oil and gas conservation to act on behalf of the oil and gas conservation commission and administer and enforce the applicable provisions of chapter 4 of this title relating to the oil and gas conservation commission.

B. The state geologist or the geologist's designee, at any time, may enter the property and inspect wells drilled for oil, gas, geothermal
resources, helium or carbon dioxide and shall control property, machinery and
appliances necessary to gauge the wells.

C. A geological survey fund is established for the purposes provided
in this article consisting of appropriations and all monies received pursuant
to this article and section 27-515. Monies shall be separately accounted for
and used as a continuing appropriation by the state geologist for the
purposes provided from each source. Monies in the fund are exempt from the
provisions of section 35-190 relating to lapsing of appropriations. THE FUND
INCLUDES A SEPARATE MINING, MINERAL AND NATURAL RESOURCES EDUCATIONAL MUSEUM
ACCOUNT CONSISTING OF MONIES RECEIVED PURSUANT TO SECTION 27-106, SUBSECTION
B TO BE USED EXCLUSIVELY FOR THE MAINTENANCE AND OPERATIONS OF THE MINING,
MINERAL AND NATURAL RESOURCES EDUCATIONAL MUSEUM.

Sec. 3. Section 41-827.01, Arizona Revised Statutes, is transferred
and renumbered for placement in title 27, chapter 1, article 1, Arizona
Revised Statutes, as section 27-111 and, as so renumbered, is amended to
read:

27-111. Mining, mineral and natural resources educational museum
advisory council; membership; duties; terms; compensation

A. The centennial and mining, and mineral AND NATURAL RESOURCES
EDUCATIONAL museum advisory council is established consisting of the
following members who, except for the members designated pursuant to
paragraphs PARAGRAPH 1 and 2 of this subsection, are appointed by the
governor:

1. The executive director of the Arizona historical society or the
director's designee.

2. The state geologist or the state geologist's designee.

3-2. Two members representing the livestock industry.

4. Two members representing the mining industry.

5. Two members representing the agriculture industry.

6. Two members representing THE tourism and other climate-related
industries INDUSTRY.

7-6. Two members representing the specialty crops industry.
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7. One member who is a natural resources education professional.
8. One member representing a natural resources foundation.
9. Two members representing the public.

B. The advisory council shall:
1. Select a chairperson and vice-chairperson from among its members.
2. Hold regular meetings and additional meetings at the call of the chairperson or a majority of its members.
3. Provide oversight and advice to the director of the Arizona historical society regarding the centennial museum that houses the mining and mineral museum and assist in promoting the mission of the centennial museum. The director shall accept the recommendations of the advisory council if the director finds them to be practicable and in the best interest of the museum.
4. Establish a subcommittee to provide assistance and advice in the areas of educational programming, the hiring and retention of a curator and oversight of mineral collections. The advisory council may establish subcommittees to act in an advisory capacity on other matters relevant to the museum and the advisory council's duties.

C. The initial members appointed pursuant to subsection A, paragraphs 7 through 8 shall assign themselves by lot to three, four and five year terms of office. All subsequent members serve five year terms of office. A member may continue to serve until the member's successor is appointed and assumes office.

D. Members of the advisory council are not eligible to receive compensation but are eligible for reimbursement of expenses pursuant to title 38, chapter 4, article 2. The advisory council is a public body for purposes of title 38, chapter 3, article 3.1.

Sec. 4. Section 28-2448, Arizona Revised Statutes, is amended to read:

28-2448. Arizona centennial special plates; fund
A. The department shall issue Arizona centennial special plates. The department shall use thirty-two thousand dollars from the state highway fund,
established by section 28-6991, to implement this section. The office of
tourism shall design the Arizona centennial special plates. The design and
color of the Arizona centennial special plates are subject to the approval of
the department. The director of the department of transportation may allow a
request for Arizona centennial special plates to be combined with a request
for personalized special plates. If the director of the department of
transportation allows such a combination, the request shall be in a form
prescribed by the director of the department of transportation and is subject
to the fees for the personalized special plates in addition to the fees
required for the Arizona centennial special plates.

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

C. The department shall deposit, pursuant to sections 35-146 and
35-147, all special plate administration fees in the state highway fund
established by section 28-6991 and all donations collected pursuant to this
section in the Arizona centennial special plate fund established by this
section.

D. The Arizona centennial special plate fund is established consisting
of monies deposited pursuant to this section. The director shall administer
the fund. The first thirty-two thousand dollars in the fund shall be
reimbursed to the state highway fund established by section 28-6991. Not
more than ten percent of monies deposited in the fund annually shall
be used for the cost of administering the fund. Monies in the fund are
continuously appropriated.

E. In fiscal year 2011-2012, the director shall quarterly allocate
monies in the fund to the office of tourism to pay costs related to Arizona
centennial projects and events. In fiscal year 2012-2013 and in each fiscal
year thereafter, the director shall annually allocate monies in the fund to
the Arizona historical society GEOLOGICAL SURVEY to pay costs related to the
maintenance and operations of the centennial museum that houses the mining,
and natural AND NATURAL RESOURCES EDUCATIONAL museum.
F. On notice from the director, 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.

Sec. 5. Section 32-2117, Arizona Revised Statutes, is amended to read:

32-2117. Earth fissure maps; posting; immunity

A. On receipt of maps from the Arizona geological survey, the state real estate department shall provide any earth fissure map to any member of the public in printed or electronic format on request and provide access on its website to the earth fissure maps prepared by the Arizona geological survey pursuant to section 27-106, SUBSECTION A, paragraph 3. The following notice shall be displayed below each map:

Notice

The state of Arizona has made a reasonable effort to ensure the accuracy of this map when it was produced, but errors may be present and the state of Arizona does not guarantee its accuracy. The map supplements, and is not a substitute for, a professional inspection of property for defects and conditions.

B. Nothing in This section shall be construed as denying a person rights guaranteed by the Arizona Constitution, and notwithstanding any other law, a subdivider, owner or licensee is not liable to any person or governmental entity for any act or failure to act in connection with:

1. The disclosure of real estate subject to earth fissures if the subdivider, owner or licensee provides a written disclosure or includes notice in a public report, issued pursuant to section 32-2183 or 32-2195.03, with respect to real estate subject to earth fissures, of the map and website described in subsection A of this section. The written disclosure or notice in a public report, issued pursuant to section 32-2183 or 32-2195.03, of the map and website does not create an independent cause of action.

2. Any disclosure that occurred before the date the map described in subsection A of this section is posted on the website if the subdivider, owner or licensee had no actual knowledge that the land was subject to earth fissures before the map was posted.
Sec. 6. Section 33-423, Arizona Revised Statutes, is amended to read:

33-423. Disclosure; reports; indemnity; applicability; violation; classification

A. A disclosure report pursuant to this section may be provided to the buyer or seller of real property by a third party as authorized by the buyer or seller and shall be based on officially adopted and electronically posted or otherwise readily available governmental maps or information that discloses whether the real property is subject to one or more of the following:

1. Special flood hazard areas designated by the federal emergency management agency pursuant to 42 United States Code chapter 50.
2. Military airports and ancillary military facilities as defined in section 28-8461 or as disclosed pursuant to section 28-8484 or 32-2113.
3. Military training routes as shown in the map produced pursuant to section 37-102 and military restricted airspace as shown in the map produced pursuant to section 37-102.
4. Public and private airports that are approved by the federal aviation administration.
5. Expansive soils as shown on maps issued by the natural resource conservation service or on other officially adopted and readily available governmental maps.
6. Fissures as shown on earth fissure maps issued by the Arizona geological survey pursuant to section 27-106, SUBSECTION A, paragraph 3.
7. Special tax assessment areas or taxing authority and amount of special assessments in addition to ad valorem taxes as shown in the current tax records of the applicable county assessor.
8. Radon gas potential zones as shown on current maps issued by the United States environmental protection agency.
9. Environmental hazard superfund sites including the sites listed in the Arizona superfund program list and the water quality assurance revolving fund registry, or listed by the United States environmental protection agency including the national priorities list, the comprehensive environmental response compensation and liability information system database or on maps.
issued by the department of environmental quality or equivalent databases of those sites.

10. Any other condition that affects the real property that the buyer or seller authorizes and the third-party provider agrees to provide in a third party provider disclosure report.

B. For any third-party provider of information as prescribed by this section, the following apply:

1. A seller or buyer shall not be required to provide the written disclosure provided by this section to an insurance company, a lender or a governmental agency.

2. The third-party provider shall carry errors and omissions insurance coverage with limits of at least one million dollars per occurrence and in an aggregate of at least ten million dollars. A person who violates this paragraph is guilty of a class 1 misdemeanor.

C. If an action is brought as a result of an error, inaccuracy or omission in the disclosure made only by a third-party provider who provides information pursuant to subsection A of this section, the third-party provider shall provide a defense against the action, shall indemnify the buyer or seller who authorized the disclosure report and persons licensed pursuant to title 32, chapter 20 who represent the buyer or seller for any judgment rendered and shall reimburse reasonable attorney fees and costs incurred in defending the action, unless the buyer, seller or agent for the buyer or seller had knowledge of the error, inaccuracy or omission or the buyer, seller or agent for the buyer or seller modified the disclosure and the modification resulted in the error, inaccuracy or omission. Nothing in this section shall be construed to DOES NOT prohibit a third-party provider of information from agreeing by contract that the third-party provider shall indemnify a person to a greater extent than is required by this section.

D. If information that is disclosed pursuant to this section is subsequently rendered inaccurate as a result of any governmental action, map revision, changed information or other act or occurrence after the delivery of the disclosure, no person is liable for the information that was disclosed unless the person had knowledge of the error, inaccuracy or omission.
E. This section shall not be construed to create a cause of action for the use of maps or other information pursuant to this section. This section does not apply to the sale of real property by any person pursuant to section 32-2183 or section 32-2195.03, or any affiliate of that person.

F. This section does not obligate any person to provide or purchase a disclosure report that is the subject of this section.

G. The listing of a condition in subsection A of this section or in a third-party provider disclosure report does not by itself make that condition material or immaterial to a particular real estate transaction. The materiality of any disclosure is governed as otherwise provided by law.

Sec. 7. Section 41-821, Arizona Revised Statutes, is amended to read:

41-821. Arizona historical society; powers; officers; duties of board of directors

A. An Arizona historical society is established.

B. Subject to limitations imposed by law, the society may purchase, receive, hold, lease and sell property, real and personal, for the benefit of this state and use of the society. The society may solicit private monetary donations for program activities.

C. The society shall have a president, a treasurer, a board of directors and other officers who shall be elected by the members of the society at times and by methods the bylaws of the society prescribe. The board of directors may designate from among its members an executive committee with authority to act in place of the board of directors and in accordance with directions the board of directors may give when the board of directors is not in session.

D. The president shall preside at meetings of the society and of the board of directors.

E. The treasurer shall have custody of the monies of the society, other than legislative appropriations. The treasurer shall hold the monies of the society deposited in trust for the society’s use and for the benefit of this state and shall disburse them only as prescribed by law and the bylaws of the society.
F. The board of directors shall hold in trust for this state and administer for the benefit of this state and use of the society all property acquired by the society.

G. All expenditures of legislative appropriations to the society shall be made on claims THAT ARE duly itemized, verified and approved by the executive director. The executive director shall present and file claims for payment with the director of the department of administration. The director of the department of administration shall draw the warrant on the state treasurer. The society may expend nonappropriated private funds related to program activities.

H. The board of directors shall annually designate one or more historical organizations within each county of this state that are incorporated as nonprofit organizations and that are deemed to have a functioning program of historical value based on criteria established by the board of directors. The board of directors may organize chapters made up of groups of its members who have a common interest in a geographical area of this state or a common interest in a field of history, may provide for the governance of these chapters and may grant to any chapter the power to exercise authority of the society as the board of directors may determine.

I. The board of directors, subject to legislative appropriation, may contract with certified historical organizations for services to be performed for the benefit of this state. The contracts shall be prepared by the Arizona historical society. The board of directors shall annually review the contracts to ensure fulfillment of their provisions.

J. Subject to chapter 4, article 4 of this title, the board of directors may employ an executive director and may employ or authorize the employment of other employees it considers appropriate to carry out the functions of the society. The executive director and all other employees shall have duties and exercise authority as may be prescribed by the board of directors or by the executive director acting under the direction of the board of directors.
K. The board may operate a program for the establishment and maintenance of historical markers at various locations in this state.

L. In cooperation with the advisory council established by section 41-827.01, the board shall operate and maintain the centennial museum that houses the mining and mineral museum and may engage in other activities related to the museum as determined by the board or the executive director. Monies received pursuant to this subsection shall be credited to an account to be used for the maintenance and operations of the centennial museum that houses the mining and mineral museum.

Sec. 8. Repeal
Section 41-827, Arizona Revised Statutes, is repealed.

Sec. 9. Transfer and succession
A. As provided by this act, the Arizona geological survey succeeds to the authority, power and duties of the Arizona historical society with respect to the former mining and mineral museum.

B. This act does not alter the effect of any actions that were taken or impair the valid obligations of the Arizona historical society with respect to the former mining and mineral museum in existence before the effective date of this act and now assumed by the Arizona geological society.

C. The Arizona historical society shall provide a list of all mining and mineral museum inventory, including the location of the inventory, and assist in the transfer of all mining and mineral museum inventory to the Arizona geological survey.

Sec. 10. Report on mining, mineral and natural resources educational museum
The state geologist shall submit a report of the operations of the mining, mineral and natural resources educational museum prescribed in section 27-106, Arizona Revised Statutes, including if general fund monies are required for the continued maintenance and operations of the mining, mineral and natural resources educational museum to the governor, the president of the senate and the speaker of the house of representatives on or before December 31, 2018 and provide a copy of this report to the secretary of state.
Sec. 11. **Terms of mining, mineral and natural resources educational museum advisory council**

Notwithstanding section 27-111, Arizona Revised Statutes, a person who is serving as a member of the mining, mineral and natural resources educational museum advisory council on the effective date of this act is eligible to continue to serve until expiration of the member's current term of office. All subsequent appointed members shall serve a four-year term of office.

Sec. 12. **Transfer of monies**

A. All unexpended and unencumbered monies remaining in the Arizona centennial special plate fund established by section 28-2448, Arizona Revised Statutes, are transferred to the mining, mineral and natural resources educational museum account in the geological survey fund established by section 27-107, Arizona Revised Statutes.

B. The sum of $428,300 and one FTE position is transferred from the Arizona historical society in fiscal year 2015-2016 to the geological survey fund established by section 27-107, Arizona Revised States, for use in operating the mining, mineral and natural resources education museum.”

Amend title to conform