

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

# HOUSE BILL 2639

AN ACT

AMENDING SECTION 27-152.01, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 20, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-2117; AMENDING SECTION 37-173, ARIZONA REVISED STATUTES; MAKING APPROPRIATIONS; RELATING TO EARTH FISSURE MAPS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Section 27-152.01, Arizona Revised Statutes, is amended to  
3 read:  
4 27-152.01. Duties of Arizona geological survey  
5 The Arizona geological survey shall:  
6 1. Map and describe the bedrock and related geologic materials and  
7 processes in Arizona, as follows:  
8 (a) Prepare geologic maps that show the distribution of rock  
9 formations and surficial materials at the surface and in the subsurface.  
10 (b) Describe the character of rock and surficial materials, including  
11 their age, origin and physical and chemical properties.  
12 (c) Map, describe and monitor known and potential geologic hazards and  
13 limitations to land and resource management.  
14 (d) Map and characterize energy and mineral resources and identify  
15 areas that may have potential for future discoveries.  
16 2. Provide objective, scientific information about the geologic  
17 character of this state as follows:  
18 (a) Provide timely, courteous ~~response~~ RESPONSES to requests for  
19 information, advice and assistance from the public.  
20 (b) Maintain a computerized bibliographic database of maps and reports  
21 on the geology of this state that is accessible to the public.  
22 (c) Maintain an internet web site that includes information about the  
23 Arizona geological survey, products and services available and the geologic  
24 character of this state.  
25 (d) Give lectures and talks, conduct workshops, lead field trips and  
26 provide information and assistance to public, educational and professional  
27 groups.  
28 (e) Publish reports and other information, written in nontechnical  
29 terms, to inform those not trained in geology about the geologic character of  
30 Arizona.  
31 3. BEGINNING ON OR BEFORE JANUARY 1, 2007 AND EVERY FIVE YEARS  
32 THEREAFTER, SUBMIT TO THE STATE LAND DEPARTMENT COPIES OF ALL DATA FILES OF  
33 KNOWN AREAS OF EARTH FISSURES FOR THE PURPOSES OF SECTION 37-173,  
34 PARAGRAPH 11. ON RECEIPT OF THE EARTH FISSURE MAPS FROM THE STATE LAND  
35 DEPARTMENT THAT ARE BASED ON DATA FILES SUBMITTED, THE ARIZONA GEOLOGICAL  
36 SURVEY SHALL PROVIDE ANY MAP TO ANY MEMBER OF THE PUBLIC IN PRINTED OR  
37 ELECTRONIC FORMAT ON REQUEST. THE FOLLOWING NOTICE SHALL BE DISPLAYED BELOW  
38 EACH MAP:  
39 NOTICE  
40 THE STATE OF ARIZONA HAS MADE A REASONABLE EFFORT TO ENSURE THE  
41 ACCURACY OF THIS MAP WHEN IT WAS PRODUCED, BUT ERRORS MAY BE  
42 PRESENT AND THE STATE OF ARIZONA DOES NOT GUARANTEE ITS  
43 ACCURACY. THE MAP SUPPLEMENTS, AND IS NOT A SUBSTITUTE FOR, A  
44 PROFESSIONAL INSPECTION OF PROPERTY FOR DEFECTS AND CONDITIONS.



1           1. THE DISCLOSURE OF REAL ESTATE SUBJECT TO EARTH FISSURES IF THE  
2 SUBDIVIDER, OWNER OR LICENSEE PROVIDES A WRITTEN DISCLOSURE OR INCLUDES  
3 NOTICE IN A PUBLIC REPORT, ISSUED PURSUANT TO SECTION 32-2183 OR 32-2195.03,  
4 WITH RESPECT TO REAL ESTATE SUBJECT TO EARTH FISSURES, OF THE MAP AND WEB  
5 SITE DESCRIBED IN SUBSECTION A OF THIS SECTION. THE WRITTEN DISCLOSURE OR  
6 NOTICE IN A PUBLIC REPORT, ISSUED PURSUANT TO SECTION 32-2183 OR 32-2195.03,  
7 OF THE MAP AND WEB SITE DOES NOT CREATE AN INDEPENDENT CAUSE OF ACTION.

8           2. ANY DISCLOSURE THAT OCCURRED BEFORE THE DATE THE MAP DESCRIBED IN  
9 SUBSECTION A OF THIS SECTION IS POSTED ON THE WEB SITE IF THE SUBDIVIDER,  
10 OWNER OR LICENSEE HAD NO ACTUAL KNOWLEDGE THAT THE LAND WAS SUBJECT TO EARTH  
11 FISSURES BEFORE THE MAP WAS POSTED.

12           Sec. 3. Section 37-173, Arizona Revised Statutes, is amended to read:  
13           37-173. Duties

14           The division shall:

15           1. Establish a clearinghouse of information and a central repository  
16 for map and imagery products and digital cartographic data.

17           2. Provide a geographic information system for the state land  
18 department and other public agencies in this state. The system shall be  
19 capable of input, processing, display, compositing, analysis, synthesis and  
20 manipulation of data from maps, aerial photos, orthophotos, remote sensing  
21 devices and other spatial data sources. The division shall provide training  
22 and consultation in the use of the system, related technical assistance and  
23 limited production services to system users.

24           3. Provide current land resource information and monitor changes over  
25 time by remote sensing techniques.

26           4. Prepare standards and specifications for developing and producing  
27 cartographic and aerial photographic products and geographic information  
28 systems.

29           5. Produce maps and inventories at standard scales for various areas  
30 to include combinations of data elements.

31           6. Provide maps, aerial photographs and other remote sensing data to  
32 help analyze the following natural resources:

33           (a) Producing mines, improvements to such mines and mills and smelters  
34 operated in conjunction with such mines.

35           (b) Producing oil, gas and geothermal resources.

36           (c) Rights-of-way on state trust lands.

37           (d) Urban trust lands.

38           (e) Forestry management lands and standing timber.

39           (f) Rangeland resources.

40           (g) Cropland resources.

41           (h) Water ditches constructed for mining, manufacturing or irrigation  
42 purposes on state trust lands.

43           (i) Other data relating to land and water resources in this state such  
44 as subsidence locations, irrigation districts and groundwater active  
45 management areas.

1           7. Function as the Arizona affiliate office for the national  
2 cartographic information center, with support from the United States  
3 geological survey and the Arizona state library, archives and public records,  
4 to access archived maps and imagery data sources to assist the mapping,  
5 inventorying and data handling segments of the division and outside users.

6           8. Establish a liaison relationship with the Arizona geological  
7 survey, the United States geological survey, regional federal mapping  
8 organizations and other state and local government organizations in order to  
9 coordinate activities in this state relating to collecting, compiling,  
10 producing and processing cartographic materials, satellite imagery and land  
11 resource information.

12           9. Identify local digital cartographic data to include in the national  
13 digital cartographic data base.

14           10. Coordinate the development of a public land survey system monument  
15 data base.

16           11. WITHIN NINETY DAYS AFTER RECEIVING DATA FILES OF KNOWN AREAS OF  
17 EARTH FISSURES FROM THE ARIZONA GEOLOGICAL SURVEY PURSUANT TO SECTION  
18 27-152.01, PARAGRAPH 3, PRODUCE MAPS OF THOSE AREAS WITH OVERLAYS SHOWING  
19 AFFECTED COUNTIES, CITIES, TOWNS, HIGHWAYS AND STREETS. THE DIVISION SHALL  
20 TRANSMIT THE MAPS IN PRINTED AND ELECTRONIC FORMAT TO THE ARIZONA GEOLOGICAL  
21 SURVEY AND THE STATE REAL ESTATE DEPARTMENT FOR PURPOSES OF PROVIDING PUBLIC  
22 ACCESS TO THE EARTH FISSURE MAPS PURSUANT TO SECTIONS 27-152.01 AND 32-2117.

23           Sec. 4. Appropriation; Arizona geological survey

24           A. The sum of \$232,600, of which \$27,000 is one-time, is appropriated  
25 from the state general fund in fiscal year 2006-2007 to the Arizona  
26 geological survey for the purposes of this act.

27           B. Monies appropriated pursuant to this section are exempt from the  
28 provisions of section 35-190, Arizona Revised Statutes, relating to lapsing  
29 of appropriations.

30           Sec. 5. Appropriation; state land department

31           A. The sum of \$80,600, of which \$40,500 is one-time, is appropriated  
32 from the state general fund in fiscal year 2006-2007 to the state land  
33 department for the purposes of this act.

34           B. Monies appropriated pursuant to this section are exempt from the  
35 provisions of section 35-190, Arizona Revised Statutes, relating to lapsing  
36 of appropriation.