

1 Sec. 33. Repeal
2 Section 41-1361, Arizona Revised Statutes, is repealed.
3 Sec. 34. Section 41-1362, Arizona Revised Statutes, is amended to
4 read:
5 41-1362. Department of administration; powers and duties;
6 governmental mall description; duty of city of
7 Phoenix; general plan application
8 A. The ~~commission~~ DEPARTMENT OF ADMINISTRATION may:
9 1. Accept gifts or grants of monies or other property from any
10 person, including the United States or any agencies, departments or
11 officers of the state.
12 ~~2. Appoint and employ officers and employees as it deems necessary.~~
13 ~~3.~~ 2. Prescribe rules as necessary to carry out ~~the provisions of~~
14 this article.
15 B. The ~~commission~~ DEPARTMENT OF ADMINISTRATION shall:
16 ~~1. Elect a chairman from among its members.~~
17 ~~2.~~ 1. Develop and maintain and amend as necessary a comprehensive
18 long-range general plan for the development of the governmental mall
19 ~~comprised~~ COMPOSED of the area described in subsection C of this section.
20 ~~3.~~ 2. Encourage public agencies as defined in section 11-951 to
21 enter into intergovernmental agreements or contracts pursuant to title 11,
22 chapter 7, article 3 as necessary to implement the general plan for the
23 development of the governmental mall.
24 ~~4.~~ 3. Review and approve or disapprove in writing requests for
25 permission to develop structures or sites or award construction contracts
26 for new buildings or improvements within the governmental mall. The
27 ~~commission~~ DEPARTMENT shall review requests submitted by ~~the~~ THIS state or
28 a political subdivision of this state in which ~~the~~ THIS state or political
29 subdivision has a contractual interest to ensure consistency with the
30 approved general plan.
31 ~~5.~~ 4. Review all planning activities within governmental mall
32 boundaries.
33 ~~6.~~ 5. Publish an annual report on the issues brought before the
34 ~~commission~~ DEPARTMENT and its recommendations.
35 C. The governmental mall is ~~comprised~~ COMPOSED of the area with a
36 western boundary of nineteenth avenue, a northern boundary of all lots
37 abutting Van Buren street, an eastern boundary of seventh avenue and a
38 southern boundary of the Harrison street alignment.
39 D. The city of Phoenix annually shall inform the ~~commission~~
40 DEPARTMENT OF ADMINISTRATION of new major development projects and new
41 major infrastructure improvements, including ~~but not limited to~~ parks,
42 streets and street-scaping within the downtown area redevelopment plan as
43 defined ~~pursuant to~~ IN section 36-1471.
44 E. If the general plan of the city, county or state agency for land
45 development does not conform with the general plan developed by the

1 ~~commission~~ DEPARTMENT OF ADMINISTRATION for the development of the
2 governmental mall, the general plan developed by the ~~commission~~ DEPARTMENT
3 for the development of the governmental mall applies and shall be
4 enforced.

5 Sec. 35. Section 41-1363, Arizona Revised Statutes, is amended to
6 read:

7 41-1363. Monuments and memorials within governmental mall;
8 legislative authorization; approval; procedure

9 A. Notwithstanding section 34-225 or any other law, a monument or
10 memorial ~~in recognition of~~ RECOGNIZING or honoring a person, group, entity
11 or event shall be located in the governmental mall only if a prior
12 legislative act authorizes the monument or memorial.

13 B. After legislative authorization, a monument or memorial may be
14 established by the following procedures:

15 1. The proponents shall submit a concept to the department of
16 administration for the design, dimensions and location of the monument or
17 memorial.

18 2. The department of administration shall review the concept and
19 determine the most appropriate location that highlights the monument or
20 memorial and preserves the integrity of the governmental mall.

21 ~~3. The department of administration shall submit its review and~~
22 ~~recommendations to the legislative governmental mall commission including~~
23 ~~recommendations regarding its ability to maintain the monument or~~
24 ~~memorial.~~

25 ~~4.~~ 3. After recommendations from the historical advisory
26 commission regarding the historical integrity of the monument or memorial
27 and after any necessary negotiations with the proponents, ~~the legislative~~
28 ~~governmental mall commission, in consultation with~~ the department of
29 administration, shall approve the final design, dimensions, location and
30 maintenance requirements of the monument or memorial, the minimum dollar
31 amount required for deposit in the state monument and memorial repair fund
32 established by section 41-1365 and any statement, declaration, writing or
33 inscription that will be imprinted or stamped on the monument or memorial.

34 ~~5.~~ 4. Before the beginning of construction of the monument or
35 memorial, the proponents shall enter into a contract with the department
36 of administration specifying the conditions of the design, dimensions and
37 location of the monument or memorial, a list of the artists, contractors
38 and subcontractors that will be employed, the minimum dollar amount
39 required for deposit in the state monument and memorial repair fund
40 established by section 41-1365 and a verification that all employees for
41 the project are insured and that this state is indemnified against any
42 liability in regard to the construction.

43 ~~6.~~ 5. An approved monument or memorial shall be completed and
44 dedicated to this state within two years after the effective date of the
45 legislative act authorizing the monument or memorial.

1 C. Except as otherwise provided in this section or section 41-1365,
2 all fund-raising, ~~AND THE~~ establishment and administration of a fund for
3 deposit of monies and contracts for artistic design and construction of
4 the monument or memorial are the sole responsibility of the proponents.

5 D. If the completed monument or memorial deviates from the final
6 design or dimension that was approved by the ~~legislative governmental mall~~
7 ~~commission~~ DEPARTMENT OF ADMINISTRATION or any statement, declaration,
8 writing or inscription that is imprinted or stamped on the monument or
9 memorial deviates from that which was approved by the ~~legislative~~
10 ~~governmental mall commission~~ DEPARTMENT, the proponents are responsible
11 for any costs incurred to conform the monument or memorial to the approved
12 form.

13 E. The proponents shall collect an amount equal to at least ten ~~per~~
14 ~~cent~~ PERCENT of the artistic design and construction costs of the monument
15 or memorial or the amount approved by the ~~legislative governmental mall~~
16 ~~commission~~ DEPARTMENT OF ADMINISTRATION as provided in subsection B of
17 this section. The department ~~of administration~~ shall deposit these monies
18 in the state monument and memorial repair fund established by section
19 41-1365 for the maintenance, repair, reconditioning or relocation of that
20 monument or memorial. The monies must be deposited in the fund before the
21 beginning of construction of the monument or memorial.

22 F. ~~On review and approval by the legislative governmental mall~~
23 ~~commission;~~ The department of administration may relocate monuments or
24 memorials that are located in the governmental mall.

25 G. This section does not apply to monuments or memorials in which a
26 political subdivision has a contractual interest ~~and~~ that are located in
27 the governmental mall but that are outside Wesley Bolin plaza.

28 Sec. 36. Section 41-1364, Arizona Revised Statutes, is amended to
29 read:

30 41-1364. Alteration or modification to monuments and
31 memorials within governmental mall; procedures;
32 approval

33 A. Any alteration or modification to an existing monument or
34 memorial that was completed pursuant to section 41-1363 must abide by the
35 following procedures:

36 1. The proponents of the monument or memorial that submitted the
37 concept pursuant to section 41-1363 shall submit the proposed alteration
38 or modification to the ~~legislative governmental mall commission~~ DEPARTMENT
39 OF ADMINISTRATION.

40 2. After recommendations from the historical advisory commission
41 regarding what impact the proposed alteration or modification would have
42 on the historical integrity of the existing monument or memorial and after
43 any necessary negotiations with the proponents, the ~~legislative~~
44 ~~governmental mall commission~~ DEPARTMENT OF ADMINISTRATION shall approve or
45 reject the proposed alteration or modification.

1 3. If the proposed alteration or modification is approved and
2 before the beginning of construction involved in implementing the
3 alteration or modification to the monument or memorial, the proponents
4 shall enter into a contract with the department of administration
5 specifying the scope of the alteration or modification to the monument or
6 memorial, a list of the artists, contractors and subcontractors that will
7 be employed and a verification that all employees for the project are
8 insured and that this state is indemnified against any liability in regard
9 to the construction involved in implementing the alteration or
10 modification to the monument or memorial.

11 4. The alteration or modification to an existing monument or
12 memorial shall be completed and dedicated to this state within two years
13 after the effective date of the approval of the alteration or modification
14 by the ~~legislative governmental mall commission~~ DEPARTMENT OF
15 ADMINISTRATION.

16 B. All fund-raising, ~~AND THE~~ establishment and administration of a
17 fund for deposit of monies and contracts for artistic design and
18 construction of the alteration or modification to the existing monument or
19 memorial are the sole responsibility of the proponents.

20 Sec. 37. Section 41-1365, Arizona Revised Statutes, is amended to
21 read:

22 41-1365. State monument and memorial repair fund; purpose;
23 report; exemption

24 A. The state monument and memorial repair fund is established
25 consisting of:

- 26 1. Donations.
- 27 2. Monies ~~derived~~ from fund-raising activities.
- 28 3. Monies that are collected by the proponents of a monument or
29 memorial and that are deposited pursuant to section 41-1363.
- 30 4. Grants received for monuments or memorials, except for otherwise
31 specifically dedicated grants.
- 32 5. Legislative appropriations.

33 B. The department of administration shall administer the fund.
34 All monies in the fund are subject to legislative appropriation. Subject
35 to this section, the department shall use monies appropriated from the
36 fund for the maintenance, repair, reconditioning or relocation of
37 monuments or memorials and for supporting mechanical equipment in the
38 governmental mall.

39 C. The department shall separately account for monies to a specific
40 monument or memorial that is dedicated to this state for maintenance,
41 repair, reconditioning or relocation of that monument or memorial as
42 follows:

- 43 1. Monies that are donated for the benefit of the specific monument
44 or memorial.

1 2. Monies that are derived from fund-raising activities and that
2 are collected for the benefit of a specific monument or memorial.

3 3. Monies that are collected and deposited pursuant to subsection
4 A, paragraph 3 of this section.

5 D. On or before November 1 of each year, the department of
6 administration shall submit to the ~~legislative governmental mall~~
7 ~~commission~~ JOINT LEGISLATIVE BUDGET COMMITTEE a report that accounts for
8 all monies deposited in the fund. The report shall include the sources of
9 the monies received for deposit, by category, and the purposes for which
10 the monies were used during the preceding fiscal year.

11 E. The department of administration shall hold the monies in the
12 fund in trust for the citizens of this state until spent on an authorized
13 monument or memorial, and monies in the fund shall not be spent or
14 appropriated for any other purpose.

15 F. Monies in the fund are exempt from the provisions of section
16 35-190 relating to lapsing of appropriations.

17 Sec. 38. Unrestricted federal monies; essential government
18 services

19 Any unrestricted federal monies received by this state beginning
20 July 1, 2018 through June 30, 2019 shall be deposited in the state general
21 fund. The monies shall be used to pay essential governmental services.

22 Sec. 39. Rental rates; state-owned buildings; fiscal year
23 2018-2019

24 Notwithstanding section 41-792.01, subsection D, Arizona Revised
25 Statutes, the capital outlay stabilization fund rental rates for
26 state-owned buildings in fiscal year 2018-2019 are \$16.08 per square foot
27 for office space and \$5.79 per square foot for storage space.

28 Sec. 40. Data processing acquisition fund; records services
29 fund; use

30 Notwithstanding sections 18-441 and 41-151.12, Arizona Revised
31 Statutes, the secretary of state may use the amounts appropriated to the
32 office of the secretary of state in fiscal year 2018-2019 from the data
33 processing acquisition fund established by section 18-441, Arizona Revised
34 Statutes, and the records services fund established by section 41-151.12,
35 Arizona Revised Statutes, for election services.

36 Sec. 41. Assessment fund for voluntary plans; use

37 Notwithstanding section 20-2201, Arizona Revised Statutes, the
38 department of insurance may use monies in the assessment fund for
39 voluntary plans established by section 20-2201, Arizona Revised Statutes,
40 in fiscal years 2018-2019 and 2019-2020 to pay for the cost of
41 administering the out-of-network claim dispute resolution process
42 prescribed by title 20, chapter 20, article 2, Arizona Revised Statutes.

43 Sec. 42. Liability setoff program revolving fund; use

44 Notwithstanding section 42-1122, Arizona Revised Statutes, the
45 department of revenue may use the amount appropriated to the department in