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| Policy Number: 8-101 | Policy Name: Rules Implementing A.R.S. ' 41-865 Disturbing Human Remains or Funerary Objects on Lands Other than State Lands - Definitions |
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ARIZONA STATE MUSEUM

A. RULES IMPLEMENTING A.R.S. ' 41-865 DISTURBING HUMAN REMAINS OR FUNERARY OBJECTS ON LANDS OTHER THAN STATE LANDS

8-101 Definitions

- A. "Director" is the Director of the Arizona State Museum.
- B. "Coordinator" is the member of the Museum's Archaeology Division who has been identified by the Director as being responsible for coordinating the Museum's response to the provisions of A.R.S. ' 41-865.
- C. "Funerary Objects" means any objects discovered in proximity to Human Remains and thought to have been deposited with the Human Remains at the time of interment.
- D. "Group" is a group with a cultural or religious affinity to the Human Remains or Funerary Objects and includes any Tribe that has submitted a written claim of affinity or any other group that has cultural affinity in light of all the relevant evidence.
- E. "Human Remains" are the physical remains of individuals deceased in excess of 50 years, in contexts indicative of interment or other deposition during funerary processes or in other contexts exhibiting depositional integrity. These include the following cases:
 - 1. More than one substantially intact bone or, alternatively, accumulations of fragmented bones that are likely to be human, in close association with one another;
 - 2. Any other instance of Human Remains in contexts consistent with known prehistoric or historic patterns of disposition of Human Remains after death.
- F. "Landowner" is the individual, partnership, or corporation having legal title to the property on which Human Remains are reported to be present; or a

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lessee, or an agent designated to act on behalf of the landowner or lessee with respect to actions that might disturb Remains as defined here and with respect to compliance with the provisions of A.R.S. ' 41-865 and these rules.

- G. "Notice of Intent to Disturb" is the required report by the Landowner to the Coordinator of the unintentional disturbance of Remains or the intent to disturb Remains. Such report must be in writing and is effective upon receipt by the Coordinator.
- H. "Remains" include Human Remains and associated Funerary Objects.
- I. "Report of Remains" means a written report describing the following:
 - 1. "Removal of Remains": Identification of the names and Group or institutional affiliations of individuals participating in removal; date(s) of activity and the site. Context and identification of Remains including the location from which Remains were removed, specifically identified by county and legal description and including ASM site number if available; cultural identification of the Remains and descriptions of features or materials used in making that determination; map showing geographic location from which Remains were removed; specific context of Remains, type of feature; photograph or, alternatively, detailed drawings showing all Remains identified and removed; inventory of Remains, including number of human bones and bone fragments and inventory of any associated objects, identified as specifically as possible.
 - 2. "Disposition of Remains": Identification of names and Group or institutional affiliations of individuals participating in disposition; date(s) of disposition; and type of disposition (reburial, curation, or other). Identification of Remains including the confirmation that Remains were received as listed in the removal inventory; or a complete list of Remains received for disposition. If the location of disposition is reburial on tribal lands where permanent protection is feasible or if the final disposition is curation in a repository, the reservation or repository should be identified; and if disposition is

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reburial on state or private lands, specific location of the reburial with a legal description and a map showing the reburial location should be provided.

- J. "Respect and Dignity" include the following aspects of treatment:
1. Avoidance of any unnecessary disturbance of Remains and Objects;
 2. Avoidance of alienation of Remains and Objects;
 3. Avoidance of physical modification of Remains and Objects;
 4. Avoidance of any attempt to receive monetary benefit from Remains and Objects;
 5. Consultation and cooperation with Groups with Religious or Cultural Affinity regarding treatment and disposition of Remains and Objects, and return of Remains and Objects to such Groups when requested.
- K. "State Lands" means lands owned or controlled by this state, any agency or institution of this state or any county or municipal corporations within this state.
- L. "Tribe" means any federally recognized tribal government.