

REFERENCE TITLE: trust lands; universities; beneficiary exchanges

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

HCR 2027

Introduced by
Representatives Robson: McComish, Nelson, Nichols, Pearce, Stump, Weiers
J, Yarbrough

A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE X, SECTION 1, CONSTITUTION OF ARIZONA; AMENDING ARTICLE X, CONSTITUTION OF ARIZONA, BY ADDING SECTION 12; RELATING TO STATE TRUST LANDS; PROVIDING FOR CONDITIONAL ENACTMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the House of Representatives of the State of Arizona, the
2 Senate concurring:

3 1. Article X, section 1, Constitution of Arizona, is proposed to be
4 amended as follows if approved by the voters and on proclamation of the
5 Governor:

6 1. Acceptance and holding of lands by state in trust
7 Section 1. A. All lands expressly transferred and
8 confirmed to the state by the provisions of the Enabling Act
9 approved June 20, 1910, including all lands granted to the state
10 and all lands heretofore granted to the Territory of Arizona,
11 and all lands otherwise acquired by the state, shall be by the
12 state accepted and held in trust to be disposed of in whole or
13 in part, only in manner as in the said Enabling Act and in this
14 Constitution provided, and for the several objects specified in
15 the respective granting and confirmatory provisions. The
16 natural products and money proceeds of any of said lands shall
17 be subject to the same trusts as the lands producing the same.

18 B. NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE,
19 THE LEGISLATURE SHALL PROVIDE BY LAW FOR THE CONVEYANCE, WITHOUT
20 ADVERTISEMENT, AUCTION OR PAYMENT OF CONSIDERATION, FROM THE
21 LANDS GRANTED TO THE STATE FOR THE BENEFIT OF THE STATE
22 UNIVERSITIES OF:

23 1. UP TO FIFTY THOUSAND ACRES TO THE UNIVERSITY OF
24 ARIZONA TO BE MANAGED AS THE SANTA RITA EXPERIMENTAL RANGE.

25 2. UP TO FIFTY THOUSAND ACRES TO NORTHERN ARIZONA
26 UNIVERSITY TO BE MANAGED AS THE CENTENNIAL FOREST.

27 3. UP TO FIFTY THOUSAND ACRES TO ARIZONA STATE
28 UNIVERSITY.

29 2. Article X, Constitution of Arizona, is proposed to be amended by
30 adding section 12 as follows if approved by the voters and on proclamation of
31 the Governor:

32 12. Exchange of lands between trust land beneficiaries
33 SECTION 12. THE LEGISLATURE MAY PROVIDE BY LAW FOR THE
34 EXCHANGE OF LANDS BETWEEN TRUST LAND BENEFICIARIES. THE
35 EXCHANGED LANDS MUST BE OF SUBSTANTIALLY EQUAL VALUE.

36 3. Submission to voters; conditional enactment

37 A. The Secretary of State shall submit this proposition to the voters
38 at the next general election as provided by article XXI, Constitution of
39 Arizona.

40 B. This proposition is not effective unless both of the following
41 occur:

42 1. This proposition is approved and ratified by the voters pursuant to
43 subsection A of this section.

1 2. On or before December 31, _____, the Arizona - New Mexico Enabling
2 Act (Act of June 20, 1910; 36 Stat. 557) is amended by Congress and signed
3 into law to authorize the amendment of the Constitution of Arizona as
4 proposed by sections 1 and 2 of this resolution. On or before December 31,
5 _____, the state land commissioner shall notify the director of the Arizona
6 legislative council in writing whether or not this condition occurred and the
7 date the enabling act was amended.