

State of Arizona
Senate
Forty-eighth Legislature
Second Regular Session
2008

SENATE BILL 1387

AN ACT

AMENDING TITLE 9, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 9-500.28; AMENDING TITLE 11, CHAPTER 6, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 11-812; AMENDING TITLE 32, CHAPTER 20, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-2114.01; AMENDING SECTIONS 32-2115, 32-2183, 32-2183.05, 33-422, 37-102 AND 41-603, ARIZONA REVISED STATUTES; RELATING TO REAL PROPERTY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 9, chapter 4, article 8, Arizona Revised Statutes, is
3 amended by adding section 9-500.28, to read:

4 9-500.28. Disclosure of filings: military electronics range:
5 definition

6 A. A CITY OR TOWN THAT CONTAINS ANY PORTION OF A MILITARY ELECTRONICS
7 RANGE AS DELINEATED IN THE MILITARY ELECTRONICS RANGE MAP PREPARED BY THE
8 STATE LAND DEPARTMENT PURSUANT TO SECTION 37-102 SHALL NOTIFY THE OFFICE OF
9 THE INSTALLATION COMMANDER WHEN AN APPLICATION IS DEEMED COMPLETE BY THE CITY
10 OR TOWN TO DO ANY OF THE FOLLOWING WITHIN ANY PORTION OF THE MILITARY
11 ELECTRONICS RANGE:

12 1. REZONE THE PROPERTY.

13 2. ISSUE A BUILDING OR OTHER DEVELOPMENT PERMIT, INCLUDING AN
14 APPLICATION FOR CONSTRUCTION OR INSTALLATION OF A PUBLICLY OR PRIVATELY
15 OPERATED UTILITY, FOR THE PROPERTY.

16 3. SUBDIVIDE THE PROPERTY OR OTHERWISE DIVIDE THE PROPERTY, INCLUDING
17 ANY LAND DIVISION INTO FIVE OR FEWER LOTS, WHETHER FOR RESIDENTIAL,
18 INDUSTRIAL, COMMERCIAL OR ANY OTHER USE.

19 B. IF THE INSTALLATION CHOOSES TO MAKE OFFICIAL COMMENTS ON THE
20 PROPOSED LAND USE CHANGE, THOSE COMMENTS SHALL BE MADE IN WRITING AND
21 RECEIVED BY THE CITY OR TOWN SEVEN DAYS BEFORE THE FIRST PUBLIC HEARING ON
22 THE PROPOSED LAND USE CHANGE. IF THE PROPOSED LAND USE CHANGE DESCRIBED IN
23 SUBSECTION A OF THIS SECTION DOES NOT REQUIRE A PUBLIC HEARING, THIS
24 SUBSECTION SHALL NOT BE CONSTRUED TO ALLOW OR REQUIRE A PUBLIC HEARING BY THE
25 CITY OR TOWN ON WRITTEN COMMENTS BY THE INSTALLATION. IF THE INSTALLATION
26 CHOOSES NOT TO SUBMIT OFFICIAL COMMENTS, AND IF THERE IS A HEARING, THE CITY
27 OR TOWN SHALL NOTE AT THE PUBLIC HEARING ON THE PROPOSED LAND USE CHANGE THAT
28 THE INSTALLATION HAS NOT INDICATED AN OBJECTION TO THE PROPOSED LAND USE
29 CHANGE.

30 C. THE CITY OR TOWN SHALL PROVIDE NOTICE TO THE OFFICE OF THE
31 INSTALLATION COMMANDER PURSUANT TO THIS SECTION BY PROVIDING A COPY OF THE
32 APPLICATION AND THE RELEVANT DOCUMENTATION THAT IS NECESSARY TO ADEQUATELY
33 DESCRIBE THE PROPOSED LAND USE CHANGE AS IT RELATES TO THE MILITARY
34 OPERATIONS AT THE INSTALLATION. THIS DOCUMENTATION SHALL INCLUDE A BASIC
35 OUTLINE OF THE PROCEDURES THE CITY OR TOWN USES WHEN PROCESSING LAND USE
36 CHANGE APPLICATIONS AND DEADLINES FOR SUBMITTING OFFICIAL COMMENTS.

37 D. THIS SECTION SHALL NOT BE CONSTRUED TO ALLOW OR REQUIRE A CITY OR
38 TOWN TO DENY ANY USE OR OCCUPANCY PERMIT, BUILDING PERMIT, ZONING APPROVAL OR
39 ANY OTHER PERMIT, APPROVAL OR OTHER AUTHORIZATION BASED ON THE EXISTENCE OF
40 THE MILITARY ELECTRONICS RANGE OR ITS PROXIMITY TO A PARCEL OF REAL ESTATE.

41 E. THIS SECTION SHALL NOT BE CONSTRUED TO REQUIRE A CITY OR TOWN TO
42 MEET THE NOTIFICATION REQUIREMENTS OF THIS SECTION IF THE STATE LAND
43 DEPARTMENT HAS NOT PREPARED A MAP OF THE MILITARY ELECTRONICS RANGE.

1 F. FOR THE PURPOSES OF THIS SECTION, "MILITARY ELECTRONICS RANGE"
2 MEANS THE GEOGRAPHICALLY DEFINED AREA IN WHICH ELECTRONIC COMMUNICATION,
3 MONITORING OR OTHER DEVICES ARE ROUTINELY TESTED AS A PART OF THE MILITARY
4 MISSION OF A MILITARY INSTALLATION.

5 Sec. 2. Title 11, chapter 6, article 1, Arizona Revised Statutes, is
6 amended by adding section 11-812, to read:

7 11-812. Disclosure of filings; military electronics range;
8 definition

9 A. A COUNTY THAT CONTAINS ANY PORTION OF A MILITARY ELECTRONICS RANGE
10 AS DELINEATED IN THE MILITARY ELECTRONICS RANGE MAP PREPARED BY THE STATE
11 LAND DEPARTMENT PURSUANT TO SECTION 37-102 SHALL NOTIFY THE OFFICE OF THE
12 INSTALLATION COMMANDER WHEN AN APPLICATION IS DEEMED COMPLETE BY THE COUNTY
13 TO DO ANY OF THE FOLLOWING WITHIN ANY PORTION OF THE MILITARY ELECTRONICS
14 RANGE:

15 1. REZONE THE PROPERTY.

16 2. ISSUE A BUILDING OR OTHER DEVELOPMENT PERMIT, INCLUDING AN
17 APPLICATION FOR CONSTRUCTION OR INSTALLATION OF A PUBLICLY OR PRIVATELY
18 OPERATED UTILITY, FOR THE PROPERTY.

19 3. SUBDIVIDE THE PROPERTY OR OTHERWISE DIVIDE THE PROPERTY, INCLUDING
20 ANY LAND DIVISION INTO FIVE OR FEWER LOTS, WHETHER FOR RESIDENTIAL,
21 INDUSTRIAL, COMMERCIAL OR ANY OTHER USE.

22 B. IF THE PROPOSED LAND USE CHANGE DESCRIBED IN SUBSECTION A DOES NOT
23 REQUIRE A PUBLIC HEARING, THIS SUBSECTION SHALL NOT BE CONSTRUED TO ALLOW OR
24 REQUIRE A PUBLIC HEARING BY THE COUNTY ON WRITTEN COMMENTS BY THE
25 INSTALLATION. IF THE INSTALLATION CHOOSES TO MAKE OFFICIAL COMMENTS ON THE
26 PROPOSED LAND USE CHANGE, THOSE COMMENTS SHALL BE MADE IN WRITING AND
27 RECEIVED BY THE COUNTY SEVEN DAYS BEFORE THE FIRST PUBLIC HEARING ON THE
28 PROPOSED LAND USE CHANGE. IF THE INSTALLATION CHOOSES NOT TO SUBMIT OFFICIAL
29 COMMENTS, AND IF THERE IS A HEARING, THE COUNTY SHALL NOTE AT THE PUBLIC
30 HEARING ON THE PROPOSED LAND USE CHANGE THAT THE INSTALLATION HAS NOT
31 INDICATED AN OBJECTION TO THE PROPOSED LAND USE CHANGE.

32 C. THE COUNTY SHALL PROVIDE NOTICE TO THE OFFICE OF THE INSTALLATION
33 COMMANDER PURSUANT TO THIS SECTION BY PROVIDING A COPY OF THE APPLICATION AND
34 THE RELEVANT DOCUMENTATION THAT IS NECESSARY TO ADEQUATELY DESCRIBE THE
35 PROPOSED LAND USE CHANGE AS IT RELATES TO THE MILITARY OPERATIONS AT THE
36 INSTALLATION. THIS DOCUMENTATION SHALL INCLUDE A BASIC OUTLINE OF THE
37 PROCEDURES THE COUNTY USES WHEN PROCESSING LAND USE CHANGE APPLICATIONS AND
38 DEADLINES FOR SUBMITTING OFFICIAL COMMENTS.

39 D. THIS SECTION SHALL NOT BE CONSTRUED TO ALLOW OR REQUIRE A COUNTY TO
40 DENY ANY USE OR OCCUPANCY PERMIT, BUILDING PERMIT, ZONING APPROVAL OR ANY
41 OTHER PERMIT, APPROVAL OR OTHER AUTHORIZATION BASED ON THE EXISTENCE OF THE
42 MILITARY ELECTRONICS RANGE OR ITS PROXIMITY TO A PARCEL OF REAL ESTATE.

43 E. THIS SECTION SHALL NOT BE CONSTRUED TO REQUIRE A COUNTY TO MEET THE
44 NOTIFICATION REQUIREMENTS OF THIS SECTION IF THE STATE LAND DEPARTMENT HAS
45 NOT PREPARED A MAP OF THE MILITARY ELECTRONICS RANGE.

1 F. FOR THE PURPOSES OF THIS SECTION, "MILITARY ELECTRONICS RANGE"
2 MEANS THE GEOGRAPHICALLY DEFINED AREA IN WHICH ELECTRONIC COMMUNICATION,
3 MONITORING OR OTHER DEVICES ARE ROUTINELY TESTED AS A PART OF THE MILITARY
4 MISSION OF A MILITARY INSTALLATION.

5 Sec. 3. Title 32, chapter 20, article 1, Arizona Revised Statutes, is
6 amended by adding section 32-2114.01, to read:

7 32-2114.01. Military electronics range

8 A. THE COMMISSIONER SHALL EXECUTE AND RECORD IN THE OFFICE OF THE
9 COUNTY RECORDER IN EACH COUNTY IN THIS STATE THAT INCLUDES A MILITARY
10 ELECTRONICS RANGE AS DELINEATED IN THE MILITARY ELECTRONICS RANGE MAP
11 PREPARED BY THE STATE LAND DEPARTMENT PURSUANT TO SECTION 37-102 A DOCUMENT
12 THAT APPLIES TO LAND CONTAINED IN A MILITARY ELECTRONICS RANGE AND THAT
13 DISCLOSES THAT THE LAND IS CONTAINED IN A MILITARY ELECTRONICS RANGE.

14 B. IF A MILITARY ELECTRONICS RANGE CHANGES AND PERSONS WHO WERE
15 NOTIFIED PURSUANT TO SUBSECTION A OF THIS SECTION NO LONGER HAVE PROPERTY
16 CONTAINED IN A MILITARY ELECTRONICS RANGE AS DELINEATED IN THE MILITARY
17 ELECTRONICS RANGE MAP, THE COMMISSIONER SHALL EXECUTE AND RECORD IN THE
18 OFFICE OF THE COUNTY RECORDER IN THE COUNTY IN WHICH THE PROPERTY IS LOCATED
19 A DOCUMENT DISCLOSING THAT THE LAND IS NOT CONTAINED IN A MILITARY
20 ELECTRONICS RANGE.

21 C. THE ATTORNEY GENERAL SHALL PREPARE IN RECORDABLE FORM THE DOCUMENTS
22 THAT ARE EXECUTED AND RECORDED BY THE COMMISSIONER PURSUANT TO THIS SECTION.

23 D. THE DOCUMENTS THAT ARE EXECUTED AND RECORDED BY THE COMMISSIONER
24 PURSUANT TO THIS SECTION SHALL INCLUDE A GEOSPATIAL DESCRIPTION OF THE
25 MILITARY ELECTRONICS RANGE AS DELINEATED IN THE MILITARY ELECTRONICS RANGE
26 MAP.

27 Sec. 4. Section 32-2115, Arizona Revised Statutes, is amended to read:

28 32-2115. Department's website; military training route map;
29 restricted air space map; military electronics range
30 map

31 The department shall post on its ~~web site~~ WEBSITE THE FOLLOWING MAPS
32 PREPARED BY THE STATE LAND DEPARTMENT AS PRESCRIBED BY LAW:

33 1. The military training route map. ~~and~~

34 2. The restricted air space map ~~prepared by the state land department~~
35 ~~pursuant to section 37-102.~~

36 3. THE MILITARY ELECTRONICS RANGE OF A MILITARY INSTALLATION.

37 Sec. 5. Section 32-2183, Arizona Revised Statutes, is amended to read:

38 32-2183. Subdivision public reports; denial of issuance;
39 unlawful sales; voidable sale or lease; order
40 prohibiting sale or lease; investigations; hearings;
41 summary orders

42 A. Upon examination of a subdivision, the commissioner, unless there
43 are grounds for denial, shall issue to the subdivider a public report
44 authorizing the sale or lease in this state of the lots, parcels or
45 fractional interests within the subdivision. The report shall contain the

1 data obtained in accordance with section 32-2181 and any other information
2 which the commissioner determines is necessary to implement the purposes of
3 this article. If any of the lots, parcels or fractional interests within the
4 subdivision are located within territory in the vicinity of a military
5 airport or ancillary military facility as defined in section 28-8461, under a
6 military training route as delineated in the military training route map
7 prepared pursuant to section 37-102, ~~or~~ under restricted air space as
8 delineated in the restricted air space map prepared pursuant to section
9 37-102 **OR CONTAINED IN THE MILITARY ELECTRONICS RANGE AS DELINEATED IN THE**
10 **MILITARY ELECTRONICS RANGE MAP PREPARED PURSUANT TO SECTION 37-102**, the
11 report shall include, in bold twelve point font block letters on the first
12 page of the report, the statements required pursuant to section 28-8484,
13 subsection A, section 32-2183.05 or section 32-2183.06 and, if the department
14 has been provided a map prepared pursuant to section 28-8484, subsection B or
15 section 37-102, the report shall include a copy of the map. The military
16 airport report requirements do not require the amendment or reissuance of any
17 public report issued on or before December 31, 2001 or on or before December
18 31 of the year in which the lots, parcels or fractional interests within a
19 subdivision become territory in the vicinity of a military airport or
20 ancillary military facility. The military training route report requirements
21 do not require the amendment or reissuance of any public report issued on or
22 before December 31, 2004. The restricted air space report requirements do
23 not require the amendment or reissuance of any public report issued on or
24 before December 31, 2006. **THE MILITARY ELECTRONICS RANGE REPORT REQUIREMENTS**
25 **DO NOT REQUIRE THE AMENDMENT OR REISSUANCE OF ANY PUBLIC REPORT ISSUED ON OR**
26 **BEFORE DECEMBER 31, 2008.** The commissioner shall require the subdivider to
27 reproduce the report, make the report available to each prospective customer
28 and furnish each buyer or lessee with a copy before the buyer or lessee signs
29 any offer to purchase or lease, taking a receipt therefor.

30 **B. THIS SECTION SHALL NOT BE CONSTRUED TO REQUIRE A PUBLIC REPORT**
31 **ISSUED SIXTY OR FEWER DAYS PRIOR TO THE FILING OF THE MILITARY ELECTRONICS**
32 **RANGE MAP PREPARED PURSUANT TO SECTION 37-102 TO MEET THE MILITARY**
33 **ELECTRONICS RANGE NOTIFICATION REQUIREMENTS OF THIS SECTION.**

34 **C. A PUBLIC REPORT ISSUED SIXTY-ONE OR MORE DAYS AFTER THE FILING OF**
35 **THE MILITARY ELECTRONICS RANGE MAP PREPARED PURSUANT TO SECTION 37-102 SHALL**
36 **MEET ALL OF THE REQUIREMENTS OF SUBSECTION A OF THIS SECTION.**

37 ~~B.~~ **D.** Notwithstanding subsection A of this section, a subdivider may
38 elect to prepare a final public report for use in the sale of improved lots
39 as defined in section 32-2101, as follows:

40 1. The subdivider shall prepare the public report and provide a copy
41 of the report to the commissioner with the submission of the notification
42 required by sections 32-2181 and 32-2184 and shall comply with all other
43 requirements of this article.

1 2. An initial filing fee of five hundred dollars or an amended filing
2 fee of two hundred fifty dollars shall accompany the notification required by
3 paragraph 1 of this subsection.

4 3. The department shall assign a registration number to each
5 notification and public report submitted pursuant to this subsection and
6 shall maintain a database of all of these submissions. The subdivider shall
7 place the number on each public report.

8 4. The department shall determine within fifteen business days after
9 the receipt of the notification and public report whether the notification
10 and public report are administratively complete. The commissioner either may
11 issue a certification that the notification and public report are
12 administratively complete or may deny issuance of the certification if it
13 appears that the application or project is not in compliance with all legal
14 requirements, that the applicant has a background of violations of state or
15 federal law or that the applicant or project presents an unnecessary risk of
16 harm to the public.

17 5. A subdivider may commence sales or leasing activities as permitted
18 under this article after obtaining a certificate of administrative
19 completeness from the commissioner.

20 6. Before or after the commissioner issues a certificate of
21 administrative completeness, the department may examine any public report,
22 subdivision or applicant that has applied for or received the certificate.
23 If the commissioner determines that the subdivider or subdivision is not in
24 compliance with any requirement of state law or that grounds exist under this
25 chapter to suspend, deny or revoke a public report, the commissioner may
26 commence an administrative action under section 32-2154 or 32-2157. If the
27 subdivider immediately corrects the deficiency and comes into full compliance
28 with state law, the commissioner shall vacate any action that the
29 commissioner may have commenced pursuant to section 32-2154 or 32-2157.

30 7. The department shall provide forms and guidelines for the
31 submission of the notification and public report pursuant to this section.

32 ~~C.~~ E. The commissioner may suspend, revoke or deny issuance of a
33 public report on any of the following grounds:

34 1. Failure to comply with this article or the rules of the
35 commissioner pertaining to this article.

36 2. The sale or lease would constitute misrepresentation to or deceit
37 or fraud of the purchasers or lessees.

38 3. Inability to deliver title or other interest contracted for.

39 4. Inability to demonstrate that adequate financial or other
40 arrangements acceptable to the commissioner have been made for completion of
41 all streets, sewers, electric, gas and water utilities, drainage and flood
42 control facilities, community and recreational facilities and other
43 improvements included in the offering.

44 5. Failure to make a showing that the lots, parcels or fractional
45 interests can be used for the purpose for which they are offered.

1 6. The owner, agent, subdivider, officer, director or partner,
2 subdivider trust beneficiary holding ten per cent or more direct or indirect
3 beneficial interest or, if a corporation, any stockholder owning ten per cent
4 or more of the stock in the corporation has:

5 (a) Been convicted of a felony or misdemeanor involving fraud or
6 dishonesty or involving conduct of any business or a transaction in real
7 estate, cemetery property, time-share intervals or membership camping
8 campgrounds or contracts.

9 (b) Been permanently or temporarily enjoined by order, judgment or
10 decree from engaging in or continuing any conduct or practice in connection
11 with the sale or purchase of real estate or cemetery property, time-share
12 intervals, membership camping contracts or campgrounds, or securities or
13 involving consumer fraud or the racketeering laws of this state.

14 (c) Had an administrative order entered against him by a real estate
15 regulatory agency or security regulatory agency.

16 (d) Had an adverse decision or judgment entered against him involving
17 fraud or dishonesty or involving the conduct of any business or transaction
18 in real estate, cemetery property, time-share intervals or membership camping
19 campgrounds or contracts.

20 (e) Disregarded or violated this chapter or the rules of the
21 commissioner pertaining to this chapter.

22 (f) Controlled an entity to which subdivision (b), (c), (d) or (e)
23 applies.

24 7. Procurement or an attempt to procure a public report by fraud,
25 misrepresentation or deceit or by filing an application for a public report
26 that is materially false or misleading.

27 8. Failure of the declaration for a condominium created pursuant to
28 title 33, chapter 9, article 2 to comply with the requirements of section
29 33-1215 or failure of the plat for the condominium to comply with the
30 requirements of section 33-1219. The commissioner may require an applicant
31 for a public report to submit a notarized statement signed by the subdivider
32 or an engineer or attorney licensed to practice in this state certifying that
33 the condominium plat and declaration of condominium are in compliance with
34 the requirements of sections 33-1215 and 33-1219. If the notarized statement
35 is provided, the commissioner is entitled to rely on this statement.

36 9. Failure of any blanket encumbrance or valid supplementary agreement
37 executed by the holder of the blanket encumbrance to contain provisions that
38 enable the purchaser to acquire title to a lot or parcel free of the lien of
39 the blanket encumbrance, on completion of all payments and performance of all
40 of the terms and provisions required to be made or performed by the purchaser
41 under the real estate sales contract by which the purchaser has acquired the
42 lot or parcel. The subdivider shall file copies of documents acceptable to
43 the commissioner containing these provisions with the commissioner before the
44 sale of any subdivision lot or parcel subject to a blanket encumbrance.

1 10. Failure to demonstrate permanent access to the subdivision lots or
2 parcels.

3 11. The use of the lots presents an unreasonable health risk.

4 ~~D.~~ F. It is unlawful for a subdivider to sell any lot in a
5 subdivision unless one of the following occurs:

6 1. All proposed or promised subdivision improvements are completed.

7 2. The completion of all proposed or promised subdivision improvements
8 is assured by financial arrangements acceptable to the commissioner. The
9 financial arrangements may be made in phases for common community and
10 recreation facilities required by a municipality or county as a stipulation
11 for approval of a plan for a master planned community.

12 3. The municipal or county government agrees to prohibit occupancy and
13 the subdivider agrees not to close escrow for lots in the subdivision until
14 all proposed or promised subdivision improvements are completed.

15 4. The municipal or county government enters into an assurance
16 agreement with any trustee not to convey lots until improvements are
17 completed within the portion of the subdivision containing these lots, if the
18 improvements can be used and maintained separately from the improvements
19 required for the entire subdivision plat. The agreement shall be recorded in
20 the county in which the subdivision is located.

21 ~~E.~~ G. If the subdivision is within an active management area, as
22 defined in section 45-402, the commissioner shall deny issuance of a public
23 report or the use of any exemption pursuant to section 32-2181.02, subsection
24 B unless the subdivider has been issued a certificate of assured water supply
25 by the director of water resources and has paid all applicable fees pursuant
26 to sections 48-3772 and 48-3774.01, or unless the subdivider has obtained a
27 written commitment of water service for the subdivision from a city, town or
28 private water company designated as having an assured water supply by the
29 director of water resources pursuant to section 45-576 or is exempt from the
30 requirement pursuant to section 45-576.

31 ~~F.~~ H. In areas outside of active management areas, if the subdivision
32 is located in a county that has adopted the provision authorized by section
33 11-806.01, subsection F or in a city or town that has enacted an ordinance
34 pursuant to section 9-463.01, subsection 0, the commissioner shall deny
35 issuance of a public report or the use of any exemption pursuant to section
36 32-2181.02, subsection B unless one of the following applies:

37 1. The director of water resources has reported pursuant to section
38 45-108 that the subdivision has an adequate water supply.

39 2. The subdivider has obtained a written commitment of water service
40 for the subdivision from a city, town or private water company designated as
41 having an adequate water supply by the director of water resources pursuant
42 to section 45-108.

1 3. The plat was approved pursuant to an exemption authorized by
2 section 9-463.01, subsection K, pursuant to an exemption authorized by
3 section 11-806.01, subsection G, paragraph 1, pursuant to an exemption
4 granted by the director of water resources under section 45-108.02 and the
5 exemption has not expired or pursuant to an exemption granted by the director
6 of water resources under section 45-108.03.

7 4. The subdivision received final plat approval from the city, town or
8 county before the requirement for an adequate water supply became effective
9 in the city, town or county, and there have been no material changes to the
10 plat since the final plat approval. If changes were made to the plat after
11 the final plat approval, the director of water resources shall determine
12 whether the changes are material pursuant to the rules adopted by the
13 director to implement section 45-108.

14 ~~G.~~ I. A subdivider shall not sell or lease or offer for sale or lease
15 in this state any lots, parcels or fractional interests in a subdivision
16 without first obtaining a public report from the commissioner except as
17 provided in section 32-2181.01 or 32-2181.02. Unless exempt, the sale or
18 lease of subdivided lands prior to issuance of the public report or failure
19 to deliver the public report to the purchaser or lessee shall render the sale
20 or lease rescindable by the purchaser or lessee. An action by the purchaser
21 or lessee to rescind the transaction shall be brought within three years of
22 the date of execution of the purchase or lease agreement by the purchaser or
23 lessee. In any rescission action, the prevailing party is entitled to
24 reasonable attorney fees as determined by the court.

25 ~~H.~~ J. Any applicant objecting to the denial of a public report,
26 within thirty days after receipt of the order of denial, may file a written
27 request for a hearing. The commissioner shall hold the hearing within twenty
28 days after receipt of the request for a hearing unless the party requesting
29 the hearing has requested a postponement. If the hearing is not held within
30 twenty days after a request for a hearing is received, plus the period of any
31 postponement, or if a proposed decision is not rendered within forty-five
32 days after submission, the order of denial shall be rescinded and a public
33 report issued.

34 ~~I.~~ K. On the commissioner's own motion, or when the commissioner has
35 received a complaint and has satisfactory evidence that the subdivider or the
36 subdivider's agent is violating this article or the rules of the commissioner
37 or has engaged in any unlawful practice as defined in section 44-1522 with
38 respect to the sale of subdivided lands or deviated from the provisions of
39 the public report, the commissioner may investigate the subdivision project
40 and examine the books and records of the subdivider. For the purpose of
41 examination, the subdivider shall keep and maintain records of all sales
42 transactions and funds received by the subdivider pursuant to the sales
43 transactions and shall make them accessible to the commissioner upon
44 reasonable notice and demand.

1 ~~J.~~ L. On the commissioner's own motion, or when the commissioner has
2 received a complaint and has satisfactory evidence that any person has
3 violated this article or the rules of the commissioner or has engaged in any
4 unlawful practice as defined in section 44-1522 with respect to the sale of
5 subdivided lands or deviated from the provisions of the public report or
6 special order of exemption, or has been indicted for fraud or against whom an
7 information for fraud has been filed or has been convicted of a felony,
8 before or after the commissioner issues the public report as provided in
9 subsection A of this section, the commissioner may conduct an investigation
10 of the matter, issue a summary order as provided in section 32-2157, or hold
11 a public hearing and, after the hearing, may issue the order or orders the
12 commissioner deems necessary to protect the public interest and ensure
13 compliance with the law, rules or public report or the commissioner may bring
14 action in any court of competent jurisdiction against the person to enjoin
15 the person from continuing the violation or engaging in or doing any act or
16 acts in furtherance of the violation. The court may make orders or
17 judgments, including the appointment of a receiver, necessary to prevent the
18 use or employment by a person of any unlawful practices, or which may be
19 necessary to restore to any person in interest any monies or property, real
20 or personal, that may have been acquired by means of any practice in this
21 article declared to be unlawful.

22 ~~K.~~ M. When it appears to the commissioner that a person has engaged
23 in or is engaging in a practice declared to be unlawful by this article and
24 that the person is concealing assets or self or has made arrangements to
25 conceal assets or is about to leave the state, the commissioner may apply to
26 the superior court, ex parte, for an order appointing a receiver of the
27 assets of the person or for a writ of ne exeat, or both.

28 ~~L.~~ N. The court, on receipt of an application for the appointment of
29 a receiver or for a writ of ne exeat, or both, shall examine the verified
30 application of the commissioner and other evidence that the commissioner may
31 present the court. If satisfied that the interests of the public require the
32 appointment of a receiver or the issuance of a writ of ne exeat without
33 notice, the court shall issue an order appointing the receiver or issue the
34 writ, or both. If the court determines that the interests of the public will
35 not be harmed by the giving of notice, the court shall set a time for a
36 hearing and require notice be given as the court deems satisfactory.

37 ~~M.~~ O. If the court appoints a receiver without notice, the court
38 shall further direct that a copy of the order appointing a receiver be served
39 on the person engaged in or engaging in a practice declared to be unlawful
40 under this article by delivering the order to the last address of the person
41 that is on file with the state real estate department. The order shall
42 inform the person that the person has the right to request a hearing within
43 ten days of the date of the order and, if requested, the hearing shall be
44 held within thirty days from the date of the order.

1 Sec. 6. Section 32-2183.05, Arizona Revised Statutes, is amended to
2 read:

3 32-2183.05. Military training route disclosure; military
4 electronics range disclosure; residential
5 property

6 A. Any public report that is issued after December 31, 2004 pursuant
7 to section 32-2183 or 32-2195.03 and that is applicable to property located
8 under a military training route, as delineated in the military training route
9 map prepared by the state land department pursuant to section 37-102, **AND ANY**
10 **PUBLIC REPORT THAT IS ISSUED AFTER DECEMBER 31, 2008 AND THAT IS APPLICABLE**
11 **TO PROPERTY LOCATED IN A MILITARY ELECTRONICS RANGE AS DELINEATED IN THE**
12 **MILITARY ELECTRONICS RANGE MAP PREPARED BY THE STATE LAND DEPARTMENT PURSUANT**
13 **TO SECTION 37-102**, shall include the following statements:

14 1. The property is located under a military training route **OR IN A**
15 **MILITARY ELECTRONICS RANGE**.

16 2. The state land department and the state real estate department
17 maintain military training route maps **AND MILITARY ELECTRONICS RANGE MAPS**
18 available to the public.

19 3. The military training route map ~~is~~ **AND MILITARY ELECTRONICS RANGE**
20 **MAP ARE** posted on the state real estate department's ~~web-site~~ **WEBSITE**.

21 B. The public report prescribed by subsection A of this section may
22 contain a disclaimer that the subdivider has no control over the military
23 training routes as delineated in the military training route map or the
24 timing or frequency of flights and associated levels of noise **AND HAS NO**
25 **CONTROL OVER THE MILITARY ELECTRONICS RANGE AND ITS TESTING AND TRAINING**
26 **OPERATIONS**.

27 C. For any lot reservation or conditional sale that occurs before the
28 issuance of a public report, the disclosure statements listed in subsection A
29 of this section shall be included within the reservation document or
30 conditional sales contract.

31 D. This section does not require the amendment or reissuance of any
32 public report issued on or before December 31, 2004 **THAT IS APPLICABLE TO**
33 **PROPERTY LOCATED UNDER A MILITARY TRAINING ROUTE, AS DELINEATED IN THE**
34 **MILITARY TRAINING ROUTE MAP PREPARED BY THE STATE LAND DEPARTMENT PURSUANT TO**
35 **SECTION 37-102 OR ON OR BEFORE DECEMBER 31, 2008 THAT IS APPLICABLE TO**
36 **PROPERTY LOCATED IN A MILITARY ELECTRONICS RANGE, AS DELINEATED IN THE**
37 **MILITARY ELECTRONICS RANGE MAP PREPARED BY THE STATE LAND DEPARTMENT PURSUANT**
38 **TO SECTION 37-102** or the amendment or reissuance of any reservation document
39 or conditional sales contract accepted on or before December 31, 2004 **OR ON**
40 **OR BEFORE DECEMBER 31, 2008**.

41 E. Notwithstanding any other law, if the public report complies with
42 subsection A of this section, a subdivider is not liable to any person or
43 governmental entity for any act or failure to act in connection with the
44 disclosure of a military training route as delineated in the military

1 training route map OR A MILITARY ELECTRONICS RANGE AS DELINEATED IN THE
2 MILITARY ELECTRONICS RANGE MAP.

3 F. THIS SECTION SHALL NOT BE CONSTRUED TO REQUIRE A PUBLIC REPORT
4 ISSUED SIXTY OR FEWER DAYS PRIOR TO THE FILING OF THE MILITARY ELECTRONICS
5 RANGE MAP PREPARED PURSUANT TO SECTION 37-102 TO MEET THE MILITARY
6 ELECTRONICS RANGE NOTIFICATION REQUIREMENTS OF THIS SECTION.

7 G. A PUBLIC REPORT ISSUED SIXTY-ONE OR MORE DAYS AFTER THE FILING OF
8 THE MILITARY ELECTRONICS RANGE MAP PREPARED PURSUANT TO SECTION 37-102 SHALL
9 MEET ALL OF THE REQUIREMENTS OF SUBSECTION A OF THIS SECTION.

10 Sec. 7. Section 33-422, Arizona Revised Statutes, is amended to read:

11 33-422. Land divisions; recording; disclosure affidavit

12 A. A seller of five or fewer parcels of land, other than subdivided
13 land, in an unincorporated area of a county and any subsequent seller of such
14 a parcel shall furnish a written affidavit of disclosure to the buyer, at
15 least seven days before the transfer of the property, and the buyer shall
16 acknowledge receipt of the affidavit.

17 B. The affidavit must be written in twelve point type.

18 C. No release or waiver of a seller's liability arising out of any
19 omission or misrepresentation contained in an affidavit of disclosure is
20 valid or binding on the buyer.

21 D. The buyer has the right to rescind the sales transaction for a
22 period of five days after the affidavit of disclosure is furnished to the
23 buyer.

24 E. The seller shall record the executed affidavit of disclosure at the
25 same time that the deed is recorded. The county recorder is not required to
26 verify the accuracy of any statement in the affidavit of disclosure. A
27 subsequently recorded affidavit supersedes any previous affidavit.

28 F. The affidavit of disclosure shall meet the requirements of section
29 11-480 and follow substantially the following form:

30 When recorded mail to:

31 _____
32 _____
33 _____
34 _____

35 Affidavit of Disclosure
36 Pursuant to A.R.S. §33-422

37 I, _____ (seller(s))
38 being duly sworn, hereby make this affidavit of disclosure
39 relating to the real property situated in the unincorporated
40 area of:

41 _____, County, State of Arizona, located at:

42 _____
43 and legally described as:

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(Legal description attached hereto as exhibit "A")
(property).

1. There is is not legal access to the property, as defined in A.R.S. § 11-809 unknown

Explain: _____

2. There is is not physical access to the property. unknown

Explain: _____

3. There is is not a statement from a licensed surveyor or engineer available stating whether the property has physical access that is traversable by a two-wheel drive passenger motor vehicle.

4. The legal and physical access to the property is is not the same.... unknown not applicable.

Explain: _____

If access to the parcel is not traversable by emergency vehicles, the county and emergency service providers may not be held liable for any damages resulting from the inability to traverse the access to provide needed services.

5. The road(s) is/are publicly maintained privately maintained not maintained not applicable. If applicable, there is is not a recorded road maintenance agreement.

If the roads are not publicly maintained, it is the responsibility of the property owner(s) to maintain the roads and roads that are not improved to county standards and accepted for maintenance are not the county's responsibility.

6. A portion or all of the property is is not located in a FEMA designated regulatory floodplain. If the property is in a floodplain, it may be subject to floodplain regulation.

7. The property is is not subject to fissures or expansive soils. unknown

Explain: _____

8. The following services are currently provided to the property:
 water sewer electric natural gas single party telephone cable television services.

- 1 9. The property is is not . . . served by a water supply
2 that requires the transportation of water to the property.
- 3 10. The property is served by a private water company a
4 municipal water provider a private well a shared well
5 no well. If served by a shared well, the shared well is
6 is not . . . a public water system, as defined by the safe
7 drinking water act (42 United States Code § 300f).
- 8 *Notice to buyer: If the property is served by a well, A private*
9 *water company or a municipal water provider the Arizona*
10 *department of water resources may not have made a water supply*
11 *determination. For more information about water supply, contact*
12 *the water provider.*
- 13 11. The property does have does not have . . . an on-site
14 wastewater treatment facility (i.e., standard septic or
15 alternative system to treat and dispose of wastewater).
16 unknown. If applicable: a) The property will will not
17 . . . require installation of an on-site wastewater treatment
18 facility; b) The on-site wastewater treatment facility has
19 has not been inspected.
- 20 12. The property has been has not been . . . subject to a
21 percolation test. unknown.
- 22 13. The property does does not . . . meet the minimum
23 applicable county zoning requirements of the applicable zoning
24 designation.
- 25 14. The sale of the property does does not . . . meet the
26 requirements of A.R.S. § 11-809 regarding land divisions. If those
27 requirements are not met, the property owner may not be able to
28 obtain a building permit. The seller or property owner shall
29 disclose each of the deficiencies to the buyer.
- 30 Explain: _____
31 _____
32 _____
- 33 15. The property is is not located in the clear zone of a
34 military airport or ancillary military facility, as defined in
35 A.R.S. § 28-8461. (Maps are available at the state real estate
36 department's ~~web-site~~ WEBSITE.)
- 37 16. The property is is not located in the high noise or
38 accident potential zone of a military airport or ancillary military
39 facility, as defined in A.R.S. § 28-8461. (Maps are available at
40 the state real estate department's ~~web-site~~ WEBSITE.)
- 41 17. Notice: If the property is located within the territory in the
42 vicinity of a military airport or ancillary military facility, the
43 property is required to comply with sound attenuation standards as
44 prescribed by A.R.S. § 28-8482. (Maps are available at the state
45 real estate department's ~~web-site~~ WEBSITE.)

1 18. The property is is not located under military restricted
2 airspace. unknown. (Maps are available at the state real
3 estate department's ~~web-site~~ WEBSITE.)

4 19. THE PROPERTY IS IS NOT LOCATED IN A MILITARY ELECTRONICS
5 RANGE AS DEFINED IN A.R.S. SECTIONS 9-500.28 AND 11-812.
6 UNKNOWN. (MAPS ARE AVAILABLE AT THE STATE REAL ESTATE DEPARTMENT'S
7 WEBSITE.)

8 This affidavit of disclosure supersedes any previously recorded
9 affidavit of disclosure.

10 I certify under penalty of perjury that the information
11 contained in this affidavit is true, complete and correct
12 according to my best belief and knowledge.

13 Dated this ____ (date) ____ day of ____ (year) ____ by:
14 Seller's name (print): _____ Signature: _____
15 Seller's name (print): _____ Signature: _____
16 State of Arizona)
17) ss.
18 County of _____)

19 Subscribed and sworn before me this ____ (date) ____ day of
20 ____ (year) ____, by _____.

21 _____
22 Notary public

23 My commission expires:
24 _____ (date)

25 Buyer(s) hereby acknowledges receipt of a copy of this affidavit
26 of disclosure this ____ (date) ____ day of ____ (year) ____

27 Buyer's name (print): _____ Signature: _____
28 Buyer's name (print): _____ Signature: _____

29 G. For the purposes of this section, seller and subsequent seller do
30 not include a trustee of a deed of trust who is selling property by a
31 trustee's sale pursuant to title 33, chapter 6.1 or any officer who is
32 selling property by execution sale pursuant to title 12, chapter 9 and
33 title 33, chapter 6. If the seller is a trustee of a subdivision trust as
34 defined in section 6-801, the disclosure affidavit required by this section
35 shall be provided by the beneficiary of the subdivision trust.

36 Sec. 8. Section 37-102, Arizona Revised Statutes, is amended to read:
37 37-102. State land department; powers and duties

38 A. The state land department shall administer all laws relating to
39 lands owned by, belonging to and under the control of the state.

40 B. The department shall have charge and control of all lands owned by
41 the state, and timber, stone, gravel and other products of such lands, except
42 lands under the specific use and control of state institutions and the
43 products of such lands.

44 C. The department, in the name of the state, may commence, prosecute
45 and defend all actions and proceedings to protect the interest of the state

1 in lands within the state or the proceeds thereof. Actions shall be
2 commenced and prosecuted at the request of the department by the attorney
3 general, a county attorney or a special counsel under the direction of the
4 attorney general.

5 D. The department shall be the official representative of the state in
6 any communication between the state and the United States government in all
7 matters respecting state lands or any interest of the state in or to the
8 public lands within the state.

9 E. The summons in any action against the state respecting any lands of
10 the state or the products of such lands and all notices concerning such lands
11 or products shall be served upon the commissioner. Summonses, warrants or
12 legal notices served on behalf of the department may be served by the
13 commissioner or the commissioner's deputy, or by the sheriff or a constable
14 of any county of the state.

15 F. The department shall maintain as a public record in each of its
16 offices a public docket and index of all matters before the department which
17 may be subject to appeal to the board of appeals or to the courts and all
18 sale, exchange and lease transactions subject to bidding by the public. The
19 department shall list a matter on the public docket immediately after an
20 application or other request for department action is received by the
21 department. The department shall include in the public docket every formal
22 action and decision affecting each matter in question. The department shall
23 establish by rule a means by which any person may obtain a copy of the public
24 docket at the current copying cost.

25 G. The department shall reappraise or update its original appraisal of
26 property to be leased, exchanged or sold if the board of appeals' approval of
27 the lease or sale occurred more than one hundred eighty days before the
28 auction.

29 H. The state land department shall:

30 1. Prepare maps of the ancillary military facilities described in
31 section 28-8461, paragraph 7, subdivisions (b) and (c).

32 2. Make a map of the ancillary military facility described in section
33 28-8461, paragraph 7, subdivision (a) available to the public in printed or
34 electronic format and provide the map in printed or electronic format to the
35 state real estate department.

36 3. WITHIN NINETY DAYS AFTER THE EFFECTIVE DATE OF THIS AMENDMENT TO
37 THIS SECTION AND ON RECEIPT OF PROPER INFORMATION FROM THE MILITARY
38 INSTALLATION COMMANDER WITH RESPONSIBILITY FOR THE MILITARY ELECTRONICS
39 RANGE, PREPARE A MAP OF THE MILITARY ELECTRONICS RANGE AS DEFINED IN SECTION
40 9-500.28 AND MAKE THAT MAP AVAILABLE TO THE PUBLIC IN PRINTED OR ELECTRONIC
41 FORMAT AND PROVIDE THE MAP IN PRINTED OR ELECTRONIC FORMAT TO THE STATE REAL
42 ESTATE DEPARTMENT. WITHIN NINETY DAYS OF RECEIPT OF NOTICE OF ANY CHANGE IN
43 THE BOUNDARIES OF THE MILITARY ELECTRONICS RANGE FROM THE MILITARY
44 INSTALLATION COMMANDER, THE STATE LAND DEPARTMENT SHALL REVISE ITS MAP AND
45 PROVIDE THE MAP TO THE PUBLIC AND TO THE STATE REAL ESTATE DEPARTMENT.

1 I. The state land department shall provide each map and the legal
2 description of the boundaries of each ancillary military facility described
3 in section 28-8461, paragraph 7 in electronic format to the state real estate
4 department. Each map prepared by the state land department pursuant to this
5 section shall:

6 1. Describe the ancillary military facility, the territory in the
7 vicinity of the ancillary military facility and the high noise and accident
8 potential zone, accident potential zone one and accident potential zone two
9 associated with the ancillary military facility.

10 2. Be submitted to the county in which the ancillary military facility
11 is located.

12 3. Be made available in printed or electronic format to the public at
13 the state land department and at the state real estate department.

14 J. The state land department shall prepare a military training route
15 map. The map shall contain military training route numbers in this state
16 that are used by various United States armed forces. The map shall be dated.

17 K. When preparing the military training route map, the state land
18 department shall use information contained in the most current department of
19 defense publication that is entitled area planning military training routes
20 for North and South America.

21 L. The military training route map shall be made available in printed
22 or electronic format to the public at the state land department and at the
23 state real estate department.

24 M. Within ninety days after the department is notified of a change of
25 a military training route in this state, the department shall prepare a
26 revised military training route map. The map shall be dated and contain a
27 statement that the map supersedes all previously dated maps. The state land
28 department shall send the revised map to the state real estate department
29 electronically and shall also send an accompanying letter specifying the
30 military training route changes. The state land department shall send the
31 revised map and an accompanying letter specifying the military training route
32 changes to the municipalities affected by the changes and to all counties.

33 N. The department shall submit the military training route map
34 prepared pursuant to this section to the counties in either an electronic or
35 a printed format. The format shall be determined by the receiving county.

36 O. The state land department shall provide the legal description of
37 the boundaries of the military training routes as delineated in the military
38 training route map to the state real estate department in electronic format.

39 ~~P. Within ninety days after the effective date of this amendment to~~
40 ~~this section,~~ The state land department shall prepare a military restricted
41 airspace map. The map shall contain military restricted airspace in this
42 state that is used by various United States armed forces. The map shall be
43 dated.

1 Q. When preparing the military restricted airspace map, the state land
2 department shall use information contained in the most current department of
3 transportation publication that is entitled aeronautical chart.

4 R. The military restricted airspace map shall be made available in
5 printed or electronic format to the public at the state land department and
6 at the state real estate department.

7 S. Within ninety days after the department is notified of a change of
8 military restricted airspace in this state, the department shall prepare a
9 revised military restricted airspace map. The map shall be dated and contain
10 a statement that the map supersedes all previously dated maps. The state
11 land department shall send the revised map to the state real estate
12 department electronically and shall also send an accompanying letter
13 specifying the military restricted airspace changes. The state land
14 department shall send the revised map and an accompanying letter specifying
15 the military restricted airspace changes to the municipalities affected by
16 the changes and to all counties.

17 T. The department shall submit the military restricted airspace map
18 prepared pursuant to this section to the counties in either an electronic or
19 a printed format. The format shall be determined by the receiving county.

20 U. The state land department shall provide the legal description of
21 the boundaries of the military restricted airspace as delineated in the
22 military restricted airspace map to the state real estate department in
23 electronic format.

24 V. THE DEPARTMENT MAY ACCEPT TITLE TO AND MANAGE REAL ESTATE, PROPERTY
25 RIGHTS AND RELATED INFRASTRUCTURE ACQUIRED PURSUANT TO SECTION 41-603,
26 SUBSECTION C, PARAGRAPH 3 FOR PRESERVING OR ENHANCING MILITARY INSTALLATIONS
27 IN THIS STATE.

28 Sec. 9. Section 41-603, Arizona Revised Statutes, is amended to read:
29 41-603. Powers and duties

30 A. The department may act as guardian of an incapacitated veteran, the
31 incapacitated spouse of a veteran or minor children of a veteran, or as
32 conservator of the estate of a protected veteran or of the veteran's
33 incapacitated or surviving spouse or of the minor children of a veteran. The
34 department may act in all fiduciary matters, including as power of attorney,
35 trustee, custodian or representative payee of a veteran, spouse of a veteran
36 or minor child of a veteran. The department may act as the personal
37 representative of the estate of a deceased veteran, deceased spouse of a
38 veteran or deceased child of a veteran.

39 B. The department shall:

40 1. Assist veterans and their families and dependents in presenting,
41 providing and establishing claims, privileges, rights and benefits they may
42 have under federal, state or local law.

43 2. Inform veterans and their families and dependents and military and
44 civilian authorities about federal, state and local laws enacted to benefit
45 veterans and their families and dependents and members of the armed forces.

- 1 3. Collect information relating to services and facilities available
2 to veterans.
- 3 4. Cooperate with all government and private agencies receiving
4 services for or benefits to veterans and their families and dependents.
- 5 5. Conduct administrative reviews and, if possible, correct abuses or
6 prevent exploitation of veterans and their families or dependents and
7 recommend corrective legislation.
- 8 6. Adopt rules deemed necessary to administer this article.
- 9 7. Enter into agreements with veterans' organizations in this state
10 holding a charter granted by the Congress of the United States for the
11 beneficial interest of veterans.
- 12 8. Verify and provide written confirmation to the person of
13 eligibility for special license plates issued pursuant to section 28-2455 by
14 determining that all of the following are true:
 - 15 (a) The person was a member of the United States armed forces on
16 December 7, 1941.
 - 17 (b) The person received an honorable discharge from the United States
18 armed forces.
 - 19 (c) The person was on station on December 7, 1941, during the hours of
20 7:55 a.m. to 9:45 a.m., Hawaii time at Pearl Harbor, the Island of Oahu or
21 offshore, at a distance not exceeding three miles.
- 22 9. Evaluate, supervise, approve and disapprove programs offered by
23 educational institutions and training establishments pursuant to United
24 States Code titles 10 and 38 and state rules, so that veterans and their
25 dependents may draw the educational allowance provided by federal law while
26 pursuing approved programs.
- 27 10. Approve or disapprove veterans' organizations seeking to solicit
28 money or other support in this state in the name of American veterans.
- 29 C. The department may:
 - 30 1. Acquire property for and construct and operate a veterans' home
31 facility in southern Arizona.
 - 32 2. Acquire property for and establish and operate cemeteries for
33 veterans in this state.
 - 34 3. Acquire real estate, property rights and related infrastructure
35 pursuant to section 41-1512.01, subsection G. **THE DEPARTMENT OF VETERANS'**
36 **SERVICES SHALL TRANSFER ANY REAL ESTATE, PROPERTY RIGHTS AND RELATED**
37 **INFRASTRUCTURE TO THE STATE LAND DEPARTMENT** for **THE PURPOSES OF** preserving or
38 enhancing military installations in this state.
 - 39 4. Establish a training center to provide training to current or
40 potential employees and the veteran community. The department may establish
41 a fee for this training.