

COMMITTEE ON NATURAL RESOURCES, INFRASTRUCTURE AND PUBLIC DEBT
SENATE AMENDMENTS TO S.C.R. 1030
(Reference to printed resolution)

1 Page 1, before line 1, insert:

2 "Whereas, the Arizona Enabling Act and Constitution of Arizona have
3 been interpreted to pose barriers to the use and conveyance of state trust
4 lands for the conservation of natural, cultural and historical assets of the
5 land, for the preservation of open space and for long-range planning of
6 rights-of-way; and

7 Whereas, this proposition will resolve those issues by providing
8 opportunities for the protection or preservation of over 589,700 acres of
9 suitable state trust lands for conservation and for the thoughtful conveyance
10 of rights-of-way on state trust lands, while safeguarding the original
11 mission of the state land trust.

12 Therefore"

13 Strike lines 3 through 15, insert:

14 "1. Article X, sections 1, 3, 4 and 7, Constitution of Arizona, are
15 proposed to be amended as follows if approved by the voters and on
16 proclamation of the Governor:

17 1. Acceptance and holding of lands by state in trust

18 Section 1. A. All lands expressly transferred and
19 confirmed to the state by the provisions of the Enabling Act
20 approved June 20, 1910, including all lands granted to the state
21 and all lands heretofore granted to the Territory of Arizona, and
22 all lands otherwise acquired by the state, shall be by the state
23 accepted and held in trust to be disposed of in whole or in part,
24 only in manner as in the said Enabling Act and in this
25 Constitution provided, and for the several objects specified in
26 the respective granting and confirmatory provisions. The natural
27 products and money proceeds of any of said lands shall be subject
28 to the same trusts as the lands producing the same.

1 B. THE LEGISLATURE MAY PROVIDE BY LAW FOR THE
2 REDESIGNATION OF THE LANDS GRANTED AMONG THE BENEFICIARY
3 POSTSECONDARY SCHOOLS, COLLEGES AND UNIVERSITIES SO LONG AS THE
4 TRUE VALUE OF THE LANDS ALLOCATED TO THE RESPECTIVE BENEFICIARIES
5 REMAINS UNCHANGED. AN EXCLUSIVE LIST OF THE REDESIGNATED LANDS
6 MUST BE ENACTED BY LAW IN THE FORTY-NINTH LEGISLATURE, FIRST
7 REGULAR SESSION.

8 3. Mortgage or other encumbrance of trust lands
9 prohibited; sale or lease at public auction;
10 exceptions

11 Section 3. A. No mortgage or other encumbrance of the
12 said lands, or any part thereof, shall be valid in favor of any
13 person or for any purpose or under any circumstances whatsoever.

14 B. Said lands shall not be sold or leased, in whole or in
15 part, except to the highest and best bidder at a public auction
16 to be held ~~at the county seat of~~ IN the county wherein the lands
17 to be affected, or the major portion thereof, shall lie. ~~;~~ THE
18 notice of ~~which public~~ THE auction ~~shall first have been duly~~
19 ~~given by advertisement, which~~ shall set forth the nature, time
20 and place of the transaction to be had, with a full description
21 of the lands to be offered, and be published once each week for
22 not less than ten successive weeks in a newspaper of general
23 circulation published regularly at the state capital, ~~;~~ and in
24 ~~that~~ A newspaper of ~~like~~ GENERAL circulation ~~which shall then be~~
25 regularly published nearest to the location of the lands so
26 offered. ~~;~~ ~~nor shall any~~

27 C. EXCEPT AS OTHERWISE PROVIDED BY THIS SECTION, NO sale
28 or contract for the sale of any timber or other natural product
29 of such lands MAY be made, save at the place, in the manner, and
30 after the notice by publication provided for sales and leases of
31 the lands themselves.

1 D. Nothing ~~herein~~ IN THIS SECTION, or elsewhere in THIS
2 article ~~X—contained~~, shall prevent:

3 1. The leasing of any of the lands referred to in this
4 article in such manner as the legislature may prescribe, for
5 grazing, agricultural, commercial and homesite purposes, for a
6 term of ten years or less, without advertisement OR AUCTION. ~~;-~~

7 2. The leasing of any of said lands, in such manner as the
8 legislature may prescribe, whether or not also leased for grazing
9 and agricultural purposes, for mineral purposes, other than for
10 the exploration, development, and production of oil, gas and
11 other hydrocarbon substances, for a term of twenty years or less,
12 without advertisement. ~~, -or,~~

13 3. The leasing of any of said lands, whether or not also
14 leased for other purposes, for the exploration, development, and
15 production of oil, gas and other hydrocarbon substances on, in or
16 under said lands for an initial term of twenty ~~(20)~~ years or less
17 and as long thereafter as oil, gas or other hydrocarbon substance
18 may be procured therefrom in paying quantities, the leases to be
19 made in any manner, with or without advertisement, bidding, or
20 appraisalment, and under such terms and provisions, as the
21 legislature may prescribe, the terms and provisions to include a
22 reservation of a royalty to the state of not less than twelve and
23 one-half per cent of production.

24 4. THE DISPOSITION, WITHOUT ADVERTISEMENT OR AUCTION, OF
25 LANDS THAT ARE DESIGNATED PURSUANT TO THIS PARAGRAPH AS SUITABLE
26 FOR CONSERVATION PURPOSES AS PRESCRIBED BY LAW. THE LANDS THAT
27 ARE DESIGNATED FOR DISPOSITION PURSUANT TO THIS PARAGRAPH ARE
28 SUBJECT TO THE FOLLOWING REQUIREMENTS:

29 (a) AN EXCLUSIVE LIST OF THE DESIGNATED LANDS, TOGETHER
30 WITH TERMS OF THE CONVEYANCE, MUST BE ENACTED BY LAW IN THE
31 FORTY-NINTH LEGISLATURE, FIRST REGULAR SESSION.

1 (b) THE LANDS ARE SUBJECT TO CONVEYANCE ONLY TO AN AGENCY
2 OF THIS STATE, TO A COUNTY, CITY OR TOWN OR TO A NONPROFIT
3 ORGANIZATION THAT IS EXEMPT FROM FEDERAL INCOME TAX PURSUANT TO
4 FEDERAL LAW.

5 (c) CERTAIN DESIGNATED LANDS SHALL BE PERMANENTLY
6 RESTRICTED AGAINST DEVELOPMENT AS PRESCRIBED BY LAW, AND, ON
7 CONVEYANCE, SHALL INCLUDE APPROPRIATE CONDITIONS, COVENANTS AND
8 RESTRICTIONS OR PROVIDE FOR REVERSIONS TO ENSURE THE USE OF THE
9 LAND IN A MANNER CONSISTENT WITH CONSERVATION. THE DISPOSITION
10 SHALL BE WITHOUT COMPENSATION. IF ANY OF THESE LANDS ARE NOT
11 CONVEYED, THE STATE SHALL CONTINUE TO MANAGE THE LANDS IN A
12 MANNER THAT IS CONSISTENT WITH CONSERVATION. ANY DISPOSITION OF
13 THESE LANDS UNDER THIS SUBDIVISION IS SUBJECT TO THE CONTINUATION
14 OR RENEWAL OF ANY LEASE, RIGHT-OF-WAY OR USE OF THE LANDS THAT
15 WAS IN EXISTENCE BEFORE THE LAND WAS DESIGNATED AS SUITABLE FOR
16 CONSERVATION PURPOSES. DURING THE TERM OF PREEXISTING LEASES OF
17 LANDS THAT ARE CONVEYED, THIS STATE RESERVES THE RIGHT TO:

18 (i) CONTINUE TO ADMINISTER THE PREEXISTING LEASES AND
19 RENEW ANY PREEXISTING LEASE FOR TERMS OF UP TO TWENTY-FIVE YEARS.

20 (ii) ISSUE EASEMENTS AND RIGHTS-OF-WAY ON, OVER AND ACROSS
21 THE LAND AS PROVIDED BY PARAGRAPH 9 OF THIS SUBSECTION.

22 (iii) COLLECT ANY RENT, ROYALTY OR OTHER PAYMENTS UNDER
23 LEASES, PERMITS, EASEMENTS AND RIGHTS-OF-WAY FOR THE BENEFIT OF
24 THE INSTITUTION, DEPARTMENT OR PURPOSE FOR WHICH THE LAND WAS
25 CONVEYED OR CONFIRMED BY THE ENABLING ACT.

26 (d) THE REMAINING DESIGNATED LANDS SHALL BE OFFERED FOR
27 SALE AS PRESCRIBED BY LAW AT THEIR TRUE VALUE DETERMINED BY
28 APPRAISAL PURSUANT TO SECTION 4 OF THIS ARTICLE. THE TERMS OF
29 PAYMENT MUST BE ESTABLISHED IN A WRITTEN PURCHASE AGREEMENT AND
30 PROVIDE FOR PAYMENT IN FULL BY DECEMBER 31, 2039. LANDS THAT ARE
31 SOLD UNDER THIS SUBDIVISION SHALL BE PERMANENTLY RESTRICTED
32 AGAINST DEVELOPMENT AS PRESCRIBED BY LAW, AND SHALL INCLUDE IN

1 THE CONVEYANCE APPROPRIATE CONDITIONS, COVENANTS AND RESTRICTIONS
2 OR PROVIDE FOR REVERSIONS TO ENSURE THE USE OF THE LAND IN A
3 MANNER CONSISTENT WITH CONSERVATION. THE SALE OF LAND UNDER THIS
4 SUBDIVISION IS SUBJECT TO THE CONTINUATION OF ANY EXISTING LEASE
5 UNTIL THE ISSUANCE OF A PATENT TO THE PURCHASER. IF ANY OF THESE
6 LANDS ARE NOT SOLD PURSUANT TO THIS PARAGRAPH, THEIR STATUS AND
7 DESIGNATION UNDER THIS PARAGRAPH TERMINATES AND THE UNSOLD LANDS
8 SHALL BE CLASSIFIED FOR USE AS PROVIDED BY LAW.

9 (e) THE TERMS OF ANY DISPOSITION UNDER THIS PARAGRAPH
10 SHALL REQUIRE THAT THE LANDS ARE SUBJECT TO:

11 (i) LEASE, RIGHTS-OF-WAY AND OTHER USES THAT ARE
12 CONSISTENT WITH CONSERVATION.

13 (ii) THE RESERVATION TO THIS STATE OF MINERALS, GASES AND
14 HYDROCARBON SUBSTANCES LOCATED UNDER THE LAND SURFACE.

15 (iii) REASONABLE PUBLIC ACCESS.

16 5. THE DISPOSITION OF LANDS WITHOUT ADVERTISEMENT OR
17 AUCTION BY SALE, OR BY LEASE FOR A TERM UP TO NINETY-NINE YEARS,
18 FOR ENVIRONMENTAL MITIGATION PURPOSES REQUIRED BY FEDERAL OR
19 LOCAL LAW. THE COMPENSATION FOR THE LANDS SHALL BE THEIR TRUE
20 VALUE DETERMINED BY APPRAISAL PURSUANT TO SECTION 4 OF THIS
21 ARTICLE.

22 6. THE SALE WITHOUT ADVERTISEMENT OR AUCTION OF LANDS THAT
23 ARE IDENTIFIED FOR CONSERVATION PURPOSES IN A LAND USE PLAN THAT
24 IDENTIFIES THE HIGHEST AND BEST USES OF OTHER LANDS INCLUDED IN
25 THE PLAN AND PREPARED IN CONSULTATION WITH A CITY OR TOWN IN A
26 MANNER PRESCRIBED BY LAW. THE LANDS MUST BE LOCATED IN THE
27 CORPORATE BOUNDARIES OF THE CITY OR TOWN, OR OUTSIDE THE
28 CORPORATE BOUNDARIES BUT IN THE CITY'S OR TOWN'S URBAN PLANNING
29 AREA. THE CONSIDERATION FOR THE LANDS SHALL BE THEIR TRUE VALUE
30 DETERMINED BY APPRAISAL PURSUANT TO SECTION 4 OF THIS ARTICLE AND
31 MAY INCLUDE MONETARY AND NONMONETARY FORMS OF CONSIDERATION. THE
32 TERMS OF PAYMENT MUST BE ESTABLISHED IN A WRITTEN PURCHASE

1 AGREEMENT AND INCLUDE A PAYMENT TERM OF NOT MORE THAN TWENTY-FIVE
2 YEARS.

3 7. THE DISPOSITION WITHOUT ADVERTISEMENT OR AUCTION OF
4 LANDS THAT WERE CLASSIFIED PURSUANT TO LAW BEFORE JANUARY 1, 2005
5 AS SUITABLE FOR CONSERVATION PURPOSES TO A COUNTY, CITY OR TOWN
6 AS PRESCRIBED BY LAW. THE CONSIDERATION FOR THE LANDS SHALL BE
7 BASED ON THEIR TRUE VALUE DETERMINED BY APPRAISAL PURSUANT TO
8 SECTION 4 OF THIS ARTICLE AND MAY INCLUDE MONETARY AND
9 NONMONETARY FORMS OF CONSIDERATION. THE TERMS OF PAYMENT MUST BE
10 ESTABLISHED IN A WRITTEN PURCHASE AGREEMENT AND PROVIDE FOR
11 PAYMENT IN FULL BY DECEMBER 31, 2039. THE TERMS OF THE SALE
12 SHALL REQUIRE THAT THE LANDS BE USED IN A MANNER THAT IS
13 CONSISTENT WITH CONSERVATION AND BE SUBJECT TO REASONABLE PUBLIC
14 ACCESS. IF ANY OF THESE LANDS ARE NOT SOLD OR CONVEYED PURSUANT
15 TO THIS PARAGRAPH, THEIR STATUS AND DESIGNATION UNDER THIS
16 PARAGRAPH TERMINATES AND THE UNSOLD LANDS SHALL BE CLASSIFIED FOR
17 USE AS PROVIDED BY LAW.

18 8. THE SALE OF LANDS TO AN AGENCY OF THE UNITED STATES IF
19 THE NATURE OF THE TRANSACTION OR THE LOCATION OF THE LANDS
20 ENSURES THAT THE LANDS WILL BE PROTECTED AGAINST
21 DEVELOPMENT. THE CONSIDERATION FOR THE LANDS SHALL BE BASED ON
22 THEIR TRUE VALUE DETERMINED BY APPRAISAL PURSUANT TO SECTION 4 OF
23 THIS ARTICLE AND MAY INCLUDE MONETARY CONSIDERATION OR FEDERAL
24 LAND OF EQUAL VALUE IN LIEU OF MONETARY CONSIDERATION.

25 9. THE DISPOSITION WITHOUT ADVERTISEMENT OR AUCTION OF
26 RIGHTS-OF-WAY ON, OVER AND ACROSS LANDS HELD IN TRUST UNDER THIS
27 ARTICLE AS PRESCRIBED BY LAW. THE CONSIDERATION FOR THE
28 DISPOSITION SHALL BE BASED ON TRUE VALUE DETERMINED BY APPRAISAL
29 PURSUANT TO SECTION 4 OF THIS ARTICLE AND MAY INCLUDE MONETARY
30 AND NONMONETARY FORMS OF CONSIDERATION.

31 10. THE RESTRICTION WITHOUT ADVERTISEMENT, AUCTION OR
32 CONSIDERATION OF INTERESTS OR RIGHTS IN LANDS HELD IN TRUST UNDER

1 THIS ARTICLE THAT ARE ADJACENT TO ACTIVE UNITED STATES OR STATE
2 MILITARY INSTALLATIONS TO:

3 (a) PREVENT OR REDUCE ELECTRONIC INTERFERENCE WITH
4 MILITARY COMMUNICATION SIGNALS.

5 (b) PREVENT ENCROACHMENT ON THE BOUNDARIES OF THE
6 INSTALLATION.

7 (c) ALLOW TRAINING OPERATIONS TO OCCUR.

8 11. SELLING WITHOUT ADVERTISEMENT OR AUCTION NATURAL
9 PRODUCTS FOUND IN OR ON LANDS HELD IN TRUST IN SMALL QUANTITIES
10 FOR NONCOMMERCIAL OR INCIDENTAL PURPOSES.

11 E. FOR THE PURPOSES OF SUBSECTION D OF THIS SECTION,
12 UNLESS THE CONTEXT OTHERWISE REQUIRES:

13 1. "CONSERVATION" MEANS RESTRICTING THE USE OF LAND
14 AGAINST DEVELOPMENT.

15 2. "DEVELOPMENT" MEANS BUILDINGS AND OTHER STRUCTURES FOR
16 RESIDENTIAL, AGRICULTURAL, COMMERCIAL OR PUBLIC USE BUT DOES NOT
17 INCLUDE BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS EXISTING
18 BEFORE NOVEMBER 2, 2010 OR FENCES, PATHS, TRAILS, TRAILHEADS,
19 ROADWAYS, UTILITY LINES AND ASSOCIATED FACILITIES, CANALS,
20 DRAINAGE IMPROVEMENTS, WELLS, SIGNAGE, RANGE IMPROVEMENTS,
21 COMMUNICATIONS FACILITIES, RESEARCH OR MONITORING STATIONS AND
22 ASSOCIATED EQUIPMENT OR, IN ORDER TO FACILITATE REASONABLE PUBLIC
23 ACCESS, PICNIC, CAMPING, HUNTING, FISHING, PARKING, SECURITY,
24 COMFORT, MAINTENANCE AND SIMILAR FACILITIES.

25 3. "NONMONETARY" MEANS FORMS OF CONSIDERATION HAVING
26 TANGIBLE VALUE TO THE TRUST THAT CAN BE DEMONSTRATED BY APPRAISAL
27 AS PRESCRIBED BY LAW, BUT NOT INCLUDING ANY LIKE-KIND EXCHANGE OF
28 LAND.

29 4. Sale or other disposal of trust lands; appraisal;
30 minimum price; credit; passing of title

31 Section 4. A. All lands, ~~lease-holds~~ LEASEHOLDS, timber,
32 and other products of land, before being offered, shall be

1 appraised at their true value. ~~, and~~ EXCEPT AS PROVIDED IN
2 SECTION 3 OF THIS ARTICLE, no sale or other disposal thereof
3 shall be made for a consideration less than the value so
4 ascertained, nor in any case less than the minimum price
5 hereinafter fixed, nor upon credit unless accompanied by ample
6 security, and the legal title shall not be deemed to have passed
7 until the consideration shall have been paid.

8 B. SUBSECTION A OF THIS SECTION OR ANY OTHER PROVISION OF
9 THIS ARTICLE SHALL NOT PREVENT THE GRANTING OF RIGHTS-OF-WAY TO
10 FEDERAL OR STATE GOVERNMENTAL ENTITIES OR TO COUNTIES, CITIES OR
11 TOWNS FOR PUBLIC ROADWAYS AND USES ASSOCIATED WITH PUBLIC
12 ROADWAYS THAT WERE USED BEFORE FEBRUARY 14, 1912, OR THAT WERE
13 ISSUED OVER THE LANDS BEFORE JANUARY 1, 1968, AND THEREAFTER USED
14 OR MAINTAINED, WITHOUT FURTHER CONSIDERATION AS PRESCRIBED BY
15 LAW.

16 7. Establishment of permanent funds: segregation.
17 investment and distribution of monies

18 Section 7. A. A separate permanent fund shall be
19 established for each of the several objects for which the said
20 grants are made and confirmed by the enabling act to the state,
21 and whenever any monies shall be in any manner derived from any
22 of said lands, AND GIFTS, GRANTS, DONATIONS, BEQUESTS AND
23 APPROPRIATIONS, the same shall be deposited by the state
24 treasurer in the permanent fund corresponding to the grant under
25 which the particular land producing such monies was, by the
26 enabling act, conveyed or confirmed.

27 B. MONIES DERIVED FROM RENTALS, INTEREST ON INSTALLMENT
28 SALES AND DISTRIBUTIONS FROM PERMANENT FUNDS MAY BE USED AS
29 PROVIDED BY LAW FOR THE ADMINISTRATION, PLANNING AND DISPOSITION
30 OF THE SAID LANDS. OTHERWISE, no monies shall ever be taken:

1 1. From one permanent fund for deposit in any other. ~~or~~

2 2. For any object other than that for which the land
3 producing the same was granted or confirmed.

4 C. All such monies shall be invested in safe
5 interest-bearing securities and prudent equity securities
6 consistent with the requirements of this section.

7 D. The legislature shall establish a board of investment
8 to serve as trustees of the permanent funds. The board shall
9 provide for the management of the assets of the funds consistent
10 with the following conditions:

11 1. Not more than sixty per cent of a fund at cost may be
12 invested in equities at any time.

13 2. Equities that are eligible for purchase are restricted
14 to stocks listed on any national stock exchange or eligible for
15 trading through the United States national association of
16 securities dealers automated quotation system, or successor
17 institutions, except as may be prohibited by general criteria or
18 by a restriction on investment in a specific security adopted
19 pursuant to this subsection.

20 3. Not more than five per cent of all of the funds
21 combined at cost may be invested in equity securities issued by
22 the same institution, agency or corporation, other than
23 securities issued as direct obligations of and fully guaranteed
24 by the United States government.

25 4. TO PROVIDE FURTHER DIVERSIFICATION OF THE PERMANENT
26 FUNDS AND PURSUANT TO THE PRUDENT INVESTOR RULE, THE BOARD OF
27 INVESTMENT MAY ESTABLISH IN ITS INVESTMENT POLICY ADDITIONAL
28 ASSET CLASSES FOR INVESTMENT. EACH CLASS SHALL NOT EXCEED TWENTY
29 PER CENT OF THE MARKET VALUE OF THE PORTFOLIO. NOT MORE THAN
30 FIVE PER CENT OF THE INVESTMENTS IN EACH ASSET CLASS AT COST MAY
31 BE INVESTED IN THE SAME INSTITUTION, AGENCY OR CORPORATION, OTHER

1 THAN SECURITIES ISSUED AS DIRECT OBLIGATIONS OF AN INSTITUTION
2 FULLY GUARANTEED BY THE UNITED STATES GOVERNMENT.

3 E. In making investments under this section the state
4 treasurer and trustees shall exercise the judgment and care under
5 the prevailing circumstances that an institutional investor of
6 ordinary prudence, discretion and intelligence exercises in
7 managing large investments entrusted to it, not in regard to
8 speculation, but in regard to the permanent disposition of
9 monies, considering the probable safety of capital as well as the
10 probable total rate of return over extended periods of time.

11 F. The earnings, interest, dividends and realized capital
12 gains and losses from investment of a permanent fund, ~~LESS THE~~
13 ~~COST TO MANAGE THE FUND AS PRESCRIBED BY LAW~~, shall be credited
14 to that fund.

15 G. The board of investment shall determine the amount of
16 the annual distributions required by this section and allocate
17 distributions pursuant to law. ~~Beginning July 1, 2000 and~~ Except
18 as otherwise provided in this section, the amount of the annual
19 distribution from a permanent fund established pursuant to this
20 section is the ~~GREATER OF TWO PER CENT OF THE AVERAGE MARKET~~
21 ~~VALUE FOR THE FIVE PRECEDING CALENDAR YEARS OR AN~~ amount
22 determined by multiplying the following factors:

23 1. The average of the annual total rate of return for the
24 immediately preceding five complete ~~fiscal~~ CALENDAR years less
25 the average of the annual percentage change in the GDP price
26 deflator, or a successor index, for the immediately preceding
27 five complete ~~fiscal~~ CALENDAR years. For purposes of this
28 paragraph:

1 (a) "Annual total rate of return" means the quotient
2 obtained by dividing the amount credited to a fund pursuant to
3 subsection F for a complete ~~fiscal~~ CALENDAR year, plus unrealized
4 capital gains and losses, by the average monthly market value of
5 the fund for that year.

6 (b) "GDP price deflator" means the gross domestic price
7 deflator reported by the United States department of commerce,
8 bureau of economic analysis, or its successor agency.

9 2. The average of the monthly market values of the fund
10 for the immediately preceding five complete ~~fiscal~~ CALENDAR
11 years.

12 ~~H. Notwithstanding any other provision of this section,~~
13 ~~the annual distribution from the permanent funds for fiscal years~~
14 ~~1999-2000 through 2002-2003 shall be as follows:~~

15 ~~1. For fiscal year 1999-2000, the greater of five per cent~~
16 ~~of the average of the monthly market values of the funds for~~
17 ~~fiscal years 1994-1995 through 1998-1999 or the average of actual~~
18 ~~annual distributions for fiscal years 1994-1995 through 1998-~~
19 ~~1999.~~

20 ~~2. For fiscal years 2000-2001 through 2002-2003, the~~
21 ~~greater of the average of the actual annual distributions for the~~
22 ~~immediately preceding five complete fiscal years or the amount of~~
23 ~~the distribution required by subsection G.~~

24 2. Submission to voters; conditional enactment; notice

25 A. The Secretary of State shall submit section 1 of this resolution as
26 a single proposition to the voters at the next general election as provided
27 by article XXI, Constitution of Arizona.

28 B. This proposition is not effective unless both of the following
29 occur:

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

3 2. On or before December 31, 2014, the Arizona-New Mexico Enabling Act
4 (Act of June 20, 1910; 36 Stat. 557) is amended by Congress and signed into
5 law to authorize the amendment of the Constitution of Arizona as proposed by
6 section 1 of this resolution. On or before December 31, 2014, the state land
7 commissioner shall notify the director of the legislative council in writing
8 whether or not this condition occurred and the date the enabling act was
9 amended."

10 Amend title to conform

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C: dmt