

REFERENCE TITLE: trust land; agricultural classification; algaculture

State of Arizona
House of Representatives
Fiftieth Legislature
Second Regular Session
2012

HB 2225

Introduced by
Representatives Heinz, Jones

AN ACT

AMENDING SECTION 37-101, ARIZONA REVISED STATUTES; RELATING TO STATE TRUST
LAND CLASSIFICATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 37-101, Arizona Revised Statutes, is amended to
3 read:

4 37-101. Definitions

5 In this title, unless the context otherwise requires:

6 1. "Agricultural lands" means lands which are used or can be used
7 principally for:

8 (a) Raising crops, fruits, grains and similar farm products.

9 (b) ALGACULTURE FOR RESEARCH, DEVELOPMENT AND COMMERCIAL PRODUCTION OF
10 BIOFUEL OR HYDROGEN.

11 2. "Amortized value" means the value for improvements established
12 pursuant to section 37-281.02, subsection G.

13 3. "Commercial lands" means lands which can be used principally for
14 business, institutional, religious, charitable, governmental or recreational
15 purposes, or any general purpose other than agricultural, grazing, mining,
16 oil, homesite or rights-of-way.

17 4. "Commissioner" means the state land commissioner.

18 5. "Community identity package" means a design theme including such
19 elements as architecture, landscape, lighting, street furniture, walls and
20 signage.

21 6. "Department" means the state land department.

22 7. "Grazing lands" means lands which can be used only for the ranging
23 of livestock.

24 8. "Holding lease" means a commercial lease issued solely to grant a
25 limited use leasehold interest in state land in anticipation of future
26 development.

27 9. "Homesite lands" means lands which are suitable for residential
28 purposes.

29 10. "Improvements" means anything permanent in character which is the
30 result of labor or capital expended by the lessee or his predecessors in
31 interest on state land in its reclamation or development, and the
32 appropriation of water thereon, and which has enhanced the value of the land.

33 11. "Infrastructure" means facilities or amenities, such as streets,
34 utilities, landscaping and open space, which are constructed or located on
35 state lands and which are intended to benefit more than the land on which
36 they are immediately located by enhancing the development potential and value
37 of the state lands impacted by the facility or amenities.

38 12. "Leapfrog development" means the development of lands in a manner
39 requiring the extension of public facilities and services from their existing
40 terminal point through intervening undeveloped areas that are scheduled for
41 development at a later time, according to the plans of the local governing
42 body having jurisdiction for the area and which is responsible for the
43 provision of these facilities and services.

1 13. "Leased school or university land" means school or university land
2 for which a lease has been issued by the state, or the territory of Arizona,
3 under which the lessee retains rights.

4 14. "Master developer" means a person who assumes, as a condition of a
5 land disposition, the responsibilities prescribed by the department for
6 infrastructure or community identity package amenities, or both, or for
7 implementing a development plan containing a master plan area.

8 15. "Participation contract" means a contract arising out of a sale
9 together with other rights and obligations in trust lands whereby the
10 department receives a share of the revenues generated by subsequent sales or
11 leases.

12 16. "Section of land" means an area of land consisting of six hundred
13 forty acres.

14 17. "State lands" means any land owned or held in trust, or otherwise,
15 by the state, including leased school or university land.

16 18. "Sublease" means an agreement in which the lessee relinquishes
17 control of the leased land to another party for the purposes authorized in
18 the lease.

19 19. "Urban lands" means any state lands which are adjoining existing
20 commercially or homesite developed lands and which are either:

21 (a) Within the corporate boundaries of a city or town.

22 (b) Adjacent to the corporate boundaries of a city or town.

23 (c) Lands for which the designation as urban lands is requested
24 pursuant to section 37-331.01.

25 20. "Urban sprawl" means the development of lands in a manner requiring
26 the extension of public facilities and services on the periphery of an
27 existing urbanized area where such extension is not provided for in the
28 existing plans of the local governing body having the responsibility for the
29 provision of these facilities and services to the lands in question.