

State of Arizona
House of Representatives
Fifty-second Legislature
First Regular Session
2015

HOUSE BILL 2318

AN ACT

AMENDING TITLE 37, CHAPTER 5, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 2;
AMENDING SECTION 37-921, ARIZONA REVISED STATUTES, AS ADDED BY SECTION 1 OF
THIS ACT; RELATING TO THE INTERSTATE COMPACT ON THE TRANSFER OF PUBLIC LANDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 37, chapter 5, Arizona Revised Statutes, is amended
3 by adding article 2, to read:

4 ARTICLE 2. INTERSTATE COMPACT ON THE TRANSFER OF PUBLIC LANDS
5 37-921. Adoption and text of interstate compact on the transfer
6 of public lands

7 THE INTERSTATE COMPACT ON THE TRANSFER OF PUBLIC LANDS IS ADOPTED AND
8 ENACTED AS FOLLOWS:

9 INTERSTATE COMPACT ON THE TRANSFER OF PUBLIC LANDS

10 WHEREAS, THE SEPARATION OF POWERS, BOTH BETWEEN THE BRANCHES OF THE
11 FEDERAL GOVERNMENT AND BETWEEN FEDERAL AND STATE AUTHORITY, IS ESSENTIAL TO
12 THE PRESERVATION OF INDIVIDUAL LIBERTY;

13 WHEREAS, THE CONSTITUTION OF THE UNITED STATES CREATES A FEDERAL
14 GOVERNMENT OF LIMITED AND ENUMERATED POWERS AND RESERVES TO THE STATES OR TO
15 THE PEOPLE THOSE POWERS NOT EXPRESSLY GRANTED TO THE FEDERAL GOVERNMENT TO
16 PROTECT THE LIBERTY OF INDIVIDUAL PROPERTY INCIDENTAL TO THE SOVEREIGNTY AND
17 HEALTH, SAFETY AND WELFARE OF ITS CITIZENS;

18 WHEREAS, EACH STATE ADOPTING AND AGREEING TO BE BOUND BY THIS COMPACT
19 FINDS THAT THE COORDINATED, REGULAR, INSTITUTIONAL EXERCISE OF ITS SOVEREIGN
20 POWER UNDER ITS RESPECTIVE CONSTITUTION AND THE CONSTITUTION OF THE UNITED
21 STATES IS AN ESSENTIAL COMPONENT OF THE GOVERNING PARTNERSHIP BETWEEN THE
22 STATES AND THE FEDERAL GOVERNMENT;

23 NOW, THEREFORE, THE STATES HERETO RESOLVE AND, BY THE ADOPTION INTO LAW
24 UNDER THEIR RESPECTIVE STATE CONSTITUTIONS OF THIS INTERSTATE COMPACT ON THE
25 TRANSFER OF PUBLIC LANDS, AGREE, AS FOLLOWS:

26 SECTION 1. DEFINITIONS

27 AS USED IN THIS ARTICLE, UNLESS THE CONTEXT CLEARLY INDICATES
28 OTHERWISE:

29 1. "ASSOCIATE MEMBER STATE" MEANS ANY STATE THAT IS NOT A MEMBER
30 STATE.

31 2. "COMPACT" MEANS THE INTERSTATE COMPACT ON THE TRANSFER OF PUBLIC
32 LANDS.

33 3. "COMPACT ADMINISTRATOR" MEANS THE PERSON WHO IS SELECTED BY THE
34 COMPACT COMMISSION TO STAFF THE COMPACT COMMISSION AND WHOSE DUTIES, POWERS
35 AND TENURE ARE ONLY THOSE APPROVED BY THE COMMISSION.

36 4. "COMPACT COMMISSION" MEANS THE ENTITY COMPOSED OF MEMBER STATE
37 REPRESENTATIVES WHO WILL ADMINISTER THE COMPACT.

38 5. "COMPACT NOTICE RECIPIENT" MEANS THE ARCHIVIST OF THE UNITED
39 STATES, THE PRESIDENT OF THE UNITED STATES, THE OFFICE OF THE SECRETARY OF
40 THE UNITED STATES SENATE, THE MAJORITY LEADER OF THE UNITED STATES SENATE,
41 THE SPEAKER OF THE UNITED STATES HOUSE OF REPRESENTATIVES, THE OFFICE OF THE
42 CLERK OF THE UNITED STATES HOUSE OF REPRESENTATIVES, THE CHIEF EXECUTIVE OF
43 EACH STATE AND THE PRESIDING OFFICER OF EACH CHAMBER OF THE LEGISLATURE OF
44 EACH STATE.

1 6. "MEMBER STATE" MEANS ANY OF THE FOLLOWING STATES THAT ARE A
2 SIGNATORY TO THE COMPACT AND THAT HAVE ADOPTED IT UNDER THE LAWS OF THAT
3 STATE: ALASKA, ARIZONA, CALIFORNIA, COLORADO, IDAHO, MONTANA, NEVADA, NEW
4 MEXICO, OREGON, UTAH, WASHINGTON AND WYOMING.

5 SECTION 2. PURPOSE OF THE COMPACT AND COMMISSION

6 THE PURPOSE OF THE COMPACT AND THE COMMISSION IS TO STUDY, COLLECT DATA
7 AND DEVELOP POLITICAL AND LEGAL MECHANISMS FOR SECURING THE TRANSFER TO THE
8 RESPECTIVE MEMBER STATES OF CERTAIN SPECIALLY IDENTIFIED FEDERALLY CONTROLLED
9 PUBLIC LANDS WITHIN THE RESPECTIVE MEMBER STATE BOUNDARIES.

10 SECTION 3. COMPACT COMMISSION AND COMPACT ADMINISTRATOR

11 A. THE COMPACT COMMISSION IS HEREBY ESTABLISHED AND HAS THE POWERS AND
12 DUTIES AS FOLLOWS:

13 1. ELECT, BY MAJORITY VOTE, A CHAIR AND COCHAIR FROM AMONG THE
14 COMPACT'S MEMBERS, WHO SHALL SERVE A TERM OF OFFICE OF TWO YEARS AND MAY
15 SERVE NO MORE THAN TWO TERMS AS CHAIR OR COCHAIR.

16 2. APPOINT A COMPACT ADMINISTRATOR WHO SHALL REPORT TO THE CHAIR AND
17 THE COCHAIR.

18 3. REQUEST AND DISBURSE FUNDS FOR THE OPERATION OF THE COMPACT
19 COMMISSION.

20 4. ALLOW THE COMPACT COMMISSION TO SEEK STAFF AND RESEARCH ASSISTANCE
21 FROM NONPROFIT ORGANIZATIONS.

22 5. ADOPT PARLIAMENTARY PROCEDURES AND PUBLIC BYLAWS CONSISTENT WITH
23 MEMBER STATES.

24 6. RECEIVE, EVALUATE AND RESPOND TO INPUT FROM COMPACT COMMISSION
25 MEMBERS REGARDING ACTIONS TAKEN BY THE FEDERAL GOVERNMENT THAT INTERFERE WITH
26 THE:

27 (a) POWERS RESERVED TO THE STATE.

28 (b) REGULATION OF REAL PROPERTY, INCLUDING LAND TITLES, USES AND
29 TRANSFERS.

30 (c) REGULATION OF AGRICULTURE AND NONAGRICULTURE BUSINESSES THAT DO
31 NOT ENGAGE IN INTERSTATE COMMERCE.

32 (d) JURISDICTION FOR THE HEALTH, SAFETY AND WELFARE OF THE STATE'S
33 RESIDENTS.

34 7. KEEP AND PUBLISH MINUTES OF COMPACT COMMISSION MEETINGS AND RECORDS
35 OF THE COMPACT ADMINISTRATOR, BOTH OF WHICH SHALL BE CONSIDERED PUBLIC
36 RECORDS AND AVAILABLE ON REQUEST BY THE PUBLIC.

37 8. PREPARE AN ANNUAL REPORT OF THE COMPACT COMMISSION'S ACTIVITIES FOR
38 MEMBER AND ASSOCIATE MEMBER STATES.

39 B. THE COMPACT ADMINISTRATOR SHALL STAFF THE COMPACT COMMISSION,
40 PERFORM DUTIES AND EXERCISE POWERS AS GRANTED BY THE COMMISSION, OR AS
41 DIRECTED BY THE CHAIR OR COCHAIR.

42 C. A MAJORITY OF THE MEMBER STATE REPRESENTATIVES PRESENT AT A COMPACT
43 COMMISSION MEETING CONSTITUTES A QUORUM AND AN ACTION OF THE QUORUM
44 CONSTITUTES AN ACTION OF THE COMPACT COMMISSION. EACH MEMBER STATE SHALL
45 HAVE ONE OFFICIAL REPRESENTATIVE WHO SHALL HAVE ONE VOTE.

1 D. THE COMPACT COMMISSION MAY NOT TAKE ANY ACTION WITHIN A MEMBER OR
2 ASSOCIATE MEMBER STATE THAT CONTRAVENES ANY STATE LAW OF THAT MEMBER OR
3 ASSOCIATE MEMBER STATE.

4 SECTION 4. COMPACT MEMBERSHIP AND WITHDRAWAL

5 A. EACH MEMBER AND ASSOCIATE MEMBER STATE AGREES TO PERFORM AND COMPLY
6 IN ACCORDANCE WITH THE TERMS OF MEMBERSHIP OF THIS COMPACT CONSISTENT WITH
7 THE CONSTITUTION AND LAWS OF THE MEMBER OR ASSOCIATE MEMBER STATE. ACTIONS
8 BY MEMBERS OF THE COMPACT, FOR THE PURPOSE FOR WHICH IT WAS CREATED, ARE
9 BASED ON THE MUTUAL PARTICIPATION, RELIANCE AND RECIPROCAL PERFORMANCE IN
10 AGREEING TO ENACT THIS COMPACT INTO LAW.

11 B. A STATE ENACTING THIS COMPACT INTO LAW SHALL APPOINT ONE OFFICIAL
12 REPRESENTATIVE TO THE COMPACT COMMISSION AND SHALL PROVIDE TO THE COMPACT
13 COMMISSION A LETTER OF THAT REPRESENTATIVE'S APPOINTMENT. A COPY OF THE
14 LETTER OF APPOINTMENT WITH A GOVERNMENT-ISSUED PHOTO IDENTITY CARD SHALL
15 CONSTITUTE PROOF OF MEMBERSHIP ON THE COMPACT COMMISSION.

16 C. FOR VOTING PURPOSES, ONLY A MEMBER STATE REPRESENTATIVE MAY VOTE
17 AND EACH MEMBER STATE MAY HAVE ONLY ONE VOTE.

18 D. A MEMBER OR ASSOCIATE MEMBER STATE MAY WITHDRAW FROM THIS COMPACT
19 BY ENACTING LEGISLATION AND GIVING NOTICE OF THE ENACTED WITHDRAWAL
20 LEGISLATION TO THE COMPACT ADMINISTRATOR. NO SUCH WITHDRAWAL SHALL TAKE
21 EFFECT UNTIL SIX MONTHS FOLLOWING THE ENACTMENT OF WITHDRAWAL LEGISLATION,
22 AND A WITHDRAWING STATE IS LIABLE FOR ANY OBLIGATIONS THAT IT MAY HAVE
23 INCURRED PRIOR TO THE DATE ON WHICH ITS WITHDRAWAL LEGISLATION BECOMES
24 EFFECTIVE.

25 SECTION 5. ADOPTION OF COMPACT

26 ON A STATE ADOPTING THE COMPACT AND NOTIFYING THE COMPACT
27 ADMINISTRATOR, THE ADMINISTRATOR SHALL NOTIFY ALL OTHER MEMBER STATES OF THE
28 ADOPTION BY SENDING AN UPDATED CERTIFIED OF THE COMPACT WITH THE NEW ADOPTEE
29 STATE LISTED.

30 SECTION 6. COMMISSION MEETINGS

31 A. THE INITIAL MEETING OF THE COMPACT COMMISSION SHALL BE WITHIN
32 NINETY DAYS AFTER THE COMPACT IS ENACTED BY TWO OR MORE STATES. THE OFFICIAL
33 REPRESENTATIVES OF THE ENACTING STATES SHALL DETERMINE THE DATE, TIME AND
34 LOCATION OF THE INITIAL MEETING AND PUBLISH THAT INFORMATION IN THEIR
35 RESPECTIVE STATES IN A MANNER CONSISTENT WITH THE LAWS OF THOSE STATES FOR
36 POSTING NOTIFICATIONS AND AGENDAS OF PUBLIC MEETINGS. AT THE INITIAL
37 MEETING, THOSE OFFICIAL REPRESENTATIVES SHALL ELECT A CHAIR AND COCHAIR AS
38 PROVIDED IN SECTION 4 OF THIS COMPACT AND APPOINT A COMPACT ADMINISTRATOR.
39 THE COMPACT ADMINISTRATOR, AS DIRECTED BY THE COMPACT COMMISSION CHAIRS AND
40 AS PROVIDED IN THE COMPACT, SHALL ORGANIZE THE COMPACT COMMISSION'S
41 ACTIVITIES.

42 B. FOLLOWING THE COMPACT COMMISSION'S INITIAL MEETING, THE COMPACT
43 COMMISSION SHALL MEET AT LEAST ONE TIME PER YEAR. NO MEETING SHALL CONTINUE
44 LONGER THAN THREE CONSECUTIVE DAYS.

1 C. SPECIAL MEETINGS MAY BE CALLED IF ONE-HALF OR MORE OF THE MEMBER
2 STATES NOTIFY THE CHAIR OF THE COMPACT COMMISSION IN WRITING OF THE REQUEST
3 FOR A MEETING. ATTENDANCE AT THE MEETING MAY BE IN PERSON OR BY ELECTRONIC
4 MEANS. NO MEETING SHALL CONTINUE LONGER THAN THREE CONSECUTIVE DAYS.

5 D. MEETINGS SHALL BE RECORDED, AND THE RECORDING AND MINUTES OF THE
6 MEETING SHALL BE MADE AVAILABLE TO THE PUBLIC WITHIN THIRTY DAYS AFTER THE
7 MEETING. MEETINGS CLOSED TO THE PUBLIC ARE NOT PERMITTED EXCEPT WHERE
8 PROVIDED BY LAW IN THE STATE IN WHICH THE MEETING IS HELD.

9 SECTION 7. FUNDING

10 THE ACTIVITIES OF THE COMPACT COMMISSION AND COMPACT ADMINISTRATOR
11 SHALL BE FUNDED EXCLUSIVELY BY EACH MEMBER AND ASSOCIATE MEMBER STATE, AS
12 PERMITTED BY THE LAWS OF THOSE STATES, OR BY VOLUNTARY DONATIONS. RECORDS
13 SHALL BE KEPT OF ALL FUNDING AND DISBURSEMENTS, AND THAT INFORMATION SHALL BE
14 AVAILABLE WITHIN THIRTY DAYS ON REQUEST BY A COMPACT COMMISSION MEMBER, OR BY
15 A MEMBER STATE OR ASSOCIATE MEMBER STATE.

16 SECTION 8. COOPERATION

17 THE COMPACT COMMISSION, MEMBER STATES, ASSOCIATE MEMBER STATES AND
18 COMPACT ADMINISTRATOR SHALL COOPERATE AND OFFER MUTUAL ASSISTANCE WITH EACH
19 OTHER IN ENFORCING THE TERMS OF THE COMPACT FOR SECURING THE TRANSFER OF
20 TITLE TO FEDERALLY CONTROLLED PUBLIC LANDS TO WILLING WESTERN STATES.

21 SECTION 9. DECLARATION OF INTERSTATE COMPACT ON THE TRANSFER OF
22 PUBLIC LANDS GOALS

23 A. MEMBER STATES, IN ORDER TO RESTORE, PROTECT AND PROMOTE STATE
24 SOVEREIGNTY AND THE HEALTH, SAFETY AND WELFARE OF THEIR CITIZENS, SHALL:

25 1. DEVELOP AND DRAFT MODEL UNIFORM LEGISLATION FOR MEMBER STATES TO
26 ADOPT IN SECURING SOVEREIGNTY AND JURISDICTION OVER FEDERAL LANDS WITHIN THE
27 RESPECTIVE MEMBER STATE BOUNDARIES.

28 2. DEVELOP AND DRAFT MODEL UNIFORM LEGISLATION FOR MEMBER STATES TO
29 SEND TO THEIR FEDERAL DELEGATION FOR INTRODUCTION IN CONGRESS FOR THE
30 TRANSFER OF FEDERALLY CONTROLLED PUBLIC LANDS TO THE RESPECTIVE MEMBER STATE
31 GOVERNMENTS.

32 3. DEVELOP LEGAL STRATEGIES FOR SECURING STATE SOVEREIGNTY AND
33 JURISDICTION OVER FEDERALLY CONTROLLED PUBLIC LANDS WITHIN MEMBER STATE
34 BOUNDARIES.

35 B. THE COMPACT GOALS IN SUBSECTION A OF THIS SECTION TAKE EFFECT WHEN:

36 1. TWO STATES HAVE BECOME MEMBER STATES AND ADOPTED THE TERMS IN
37 LEGISLATION.

38 2. CONGRESS VOTES TO CONSENT TO THE TERMS OF THIS COMPACT UNDER UNITED
39 STATES CONSTITUTION ARTICLE I, SECTION 10.

40 Sec. 2. Section 37-921, Arizona Revised Statutes, as added by section
41 1 of this act, is amended to read:

42 37-921. Adoption and text of interstate compact on the transfer
43 of public lands

44 The interstate compact on the transfer of public lands is adopted and
45 enacted as follows:

1 Interstate Compact on the Transfer of Public Lands

2 Whereas, the separation of powers, both between the branches of the
3 federal government and between federal and state authority, is essential to
4 the preservation of individual liberty;

5 Whereas, the Constitution of the United States creates a federal
6 government of limited and enumerated powers and reserves to the states or to
7 the people those powers not expressly granted to the federal government to
8 protect the liberty of individual property incidental to the sovereignty and
9 health, safety and welfare of its citizens;

10 Whereas, each state adopting and agreeing to be bound by this compact
11 finds that the coordinated, regular, institutional exercise of its sovereign
12 power under its respective constitution and the Constitution of the United
13 States is an essential component of the governing partnership between the
14 states and the federal government;

15 Now, therefore, the states hereto resolve and, by the adoption into law
16 under their respective state constitutions of this interstate compact on the
17 transfer of public lands, agree, as follows:

18 Section 1. Definitions

19 As used in this article, unless the context clearly indicates
20 otherwise:

21 1. "Associate member state" means any state that is not a member
22 state.

23 2. "Compact" means the interstate compact on the transfer of public
24 lands.

25 3. "Compact administrator" means the person who is selected by the
26 compact commission to staff the compact commission and whose duties, powers
27 and tenure are only those approved by the commission.

28 4. "Compact commission" means the entity composed of member state
29 representatives who will administer the compact.

30 5. "Compact notice recipient" means the archivist of the United
31 States, the president of the United States, the office of the secretary of
32 the United States senate, the majority leader of the United States senate,
33 the speaker of the United States house of representatives, the office of the
34 clerk of the United States house of representatives, the chief executive of
35 each state and the presiding officer of each chamber of the legislature of
36 each state.

37 6. "Member state" means any of the following states that are a
38 signatory to the compact and that have adopted it under the laws of that
39 state: Alaska, Arizona, California, Colorado, Idaho, Montana, Nevada, New
40 Mexico, Oregon, Utah, Washington and Wyoming.

41 Section 2. Purpose of the Compact and Commission

42 The purpose of the compact and the COMPACT commission is to study,
43 collect data and develop political and legal mechanisms for securing the
44 transfer to the respective member states of certain specially identified

1 federally controlled public lands within the respective member state
2 boundaries.

3 Section 3. Compact Commission and Compact Administrator

4 A. The compact commission is hereby established and has the powers and
5 duties as follows:

6 1. Elect, by majority vote, a chair and cochair from among the
7 compact's members, who shall serve a term of office of two years and may
8 serve no more than two terms as chair or cochair.

9 2. Appoint a compact administrator who shall report to the chair and
10 the cochair.

11 3. Request and disburse funds for the operation of the compact
12 commission.

13 4. Allow the compact commission to seek staff and research assistance
14 from nonprofit organizations.

15 5. Adopt parliamentary procedures and public bylaws consistent with
16 member states.

17 6. Receive, evaluate and respond to input from compact commission
18 members regarding actions taken by the federal government that interfere with
19 the:

20 (a) Powers reserved to the state.

21 (b) Regulation of real property, including land titles, uses and
22 transfers.

23 (c) Regulation of agriculture and nonagriculture businesses that do
24 not engage in interstate commerce.

25 (d) Jurisdiction for the health, safety and welfare of the state's
26 residents.

27 7. Keep and publish minutes of compact commission meetings and records
28 of the compact administrator, both of which shall be considered public
29 records and available on request by the public.

30 8. Prepare an annual report of the compact commission's activities for
31 member and associate member states.

32 B. The compact administrator shall staff the compact commission,
33 perform duties and exercise powers as granted by the commission, or as
34 directed by the chair or cochair.

35 C. A majority of the member state representatives present at a compact
36 commission meeting constitutes a quorum and an action of the quorum
37 constitutes an action of the compact commission. Each member state shall
38 have one official representative who shall have one vote.

39 D. The compact commission may not take any action within a member or
40 associate member state that contravenes any state law of that member or
41 associate member state.

42 Section 4. Compact Membership and Withdrawal

43 A. Each member and associate member state agrees to perform and comply
44 in accordance with the terms of membership of this compact consistent with
45 the constitution and laws of the member or associate member state. Actions

1 by members of the compact, for the purpose for which it was created, are
2 based on the mutual participation, reliance and reciprocal performance in
3 agreeing to enact this compact into law.

4 B. A state enacting this compact into law shall appoint one official
5 representative to the compact commission and shall provide to the compact
6 commission a letter of that representative's appointment. A copy of the
7 letter of appointment with a government-issued photo identity card shall
8 constitute proof of membership on the compact commission.

9 C. For voting purposes, only a member state representative may vote
10 and each member state may have only one vote.

11 D. A member or associate member state may withdraw from this compact
12 by enacting legislation and giving notice of the enacted withdrawal
13 legislation to the compact administrator. No such withdrawal shall take
14 effect until six months following the enactment of withdrawal legislation,
15 and a withdrawing state is liable for any obligations that it may have
16 incurred prior to the date on which its withdrawal legislation becomes
17 effective.

18 Section 5. Adoption of Compact

19 On a state adopting the compact and notifying the compact
20 administrator, the administrator shall notify all other member states of the
21 adoption by sending an updated certified of the compact with the new adoptee
22 state listed.

23 Section 6. Commission Meetings

24 A. The initial meeting of the compact commission shall be within
25 ninety days after the compact is enacted by two or more states. The official
26 representatives of the enacting states shall determine the date, time and
27 location of the initial meeting and publish that information in their
28 respective states in a manner consistent with the laws of those states for
29 posting notifications and agendas of public meetings. At the initial
30 meeting, those official representatives shall elect a chair and cochair as
31 provided in section 4 of this compact and appoint a compact administrator.
32 The compact administrator, as directed by the compact commission chairs and
33 as provided in the compact, shall organize the compact commission's
34 activities.

35 B. Following the compact commission's initial meeting, the compact
36 commission shall meet at least one time per year. No meeting shall continue
37 longer than three consecutive days.

38 C. Special meetings may be called if one-half or more of the member
39 states notify the chair of the compact commission in writing of the request
40 for a meeting. Attendance at the meeting may be in person or by electronic
41 means. ~~No meeting shall continue longer than three consecutive days.~~

42 D. Meetings shall be recorded, and the recording and minutes of the
43 meeting shall be made available to the public within thirty days after the
44 meeting. Meetings closed to the public are not permitted except where
45 provided by law in the state in which the meeting is held.

Section 7. Funding

~~The activities of the compact commission and compact administrator shall be funded exclusively by each member and associate member state, as permitted by the laws of those states, or by voluntary donations. Records shall be kept of all funding and disbursements, and that information shall be available within thirty days on request by a compact commission member, or by a member state or associate member state.~~

A. THE COMPACT COMMISSION SHALL PAY, OR PROVIDE FOR THE PAYMENT OF, THE REASONABLE EXPENSES OF ITS ESTABLISHMENT, ORGANIZATION AND ONGOING ACTIVITIES.

B. THE COMPACT COMMISSION MAY ACCEPT ANY APPROPRIATE REVENUE SOURCES, DONATIONS AND GRANTS OF MONEY, EQUIPMENT, SUPPLIES, MATERIAL AND SERVICES.

C. THE COMPACT COMMISSION, IN ACCORDANCE WITH SUBSECTIONS D AND E OF THIS SECTION, MAY LEVY ON AND COLLECT AN ANNUAL ASSESSMENT FROM EACH MEMBER STATE OR IMPOSE FEES ON OTHER PARTIES TO COVER THE COST OF THE OPERATIONS AND ACTIVITIES OF THE COMPACT COMMISSION AND THE COMPACT COMMISSION'S STAFF THAT MUST BE IN A TOTAL AMOUNT SUFFICIENT TO COVER THE COMPACT COMMISSION'S ANNUAL BUDGET AS APPROVED EACH YEAR FOR WHICH REVENUE IS NOT PROVIDED BY OTHER SOURCES.

D. THE COMPACT COMMISSION MAY NOT LEVY AND COLLECT AN ANNUAL ASSESSMENT AGAINST A MEMBER STATE IF THE MEMBER STATE:

1. VOTES AGAINST THE ANNUAL ASSESSMENT.

2. WAS ABSENT FROM THE COMPACT COMMISSION MEETING DURING WHICH THE COMPACT COMMISSION VOTED TO APPROVE THE ANNUAL ASSESSMENT.

3. WITHIN SIXTY DAYS AFTER THE VOTE TO IMPOSE THE ANNUAL ASSESSMENT, NOTIFIES THE COMPACT COMMISSION IN WRITING THAT THE MEMBER STATE DOES NOT CONSENT TO THE LEVY OF THE ANNUAL ASSESSMENT.

E. THE AGGREGATE ANNUAL ASSESSMENT AMOUNT SHALL BE ALLOCATED BASED ON A FORMULA TO BE DETERMINED BY THE COMPACT COMMISSION, WHICH SHALL ADOPT A RULE THAT IS BINDING ON ALL MEMBER STATES.

F. THE COMPACT COMMISSION SHALL NOT INCUR OBLIGATIONS OF ANY KIND BEFORE SECURING THE FUNDS ADEQUATE TO MEET THE OBLIGATION, NOR SHALL THE COMPACT COMMISSION PLEDGE THE CREDIT OF ANY OF THE MEMBER STATES, EXCEPT BY AND WITH THE AUTHORITY OF THE MEMBER STATE.

G. THE COMPACT COMMISSION SHALL KEEP ACCURATE ACCOUNTS OF ALL RECEIPTS AND DISBURSEMENTS, AND THAT INFORMATION SHALL BE AVAILABLE WITHIN THIRTY DAYS ON REQUEST BY A COMPACT COMMISSION MEMBER OR BY A MEMBER STATE OR ASSOCIATE MEMBER STATE. ALL RECEIPTS AND DISBURSEMENTS OF FUNDS HANDLED BY THE COMPACT COMMISSION SHALL BE AUDITED YEARLY BY A CERTIFIED OR LICENSED PUBLIC ACCOUNTANT, AND THE REPORT OF THE AUDIT SHALL BE INCLUDED IN THE ANNUAL REPORT OF THE COMMISSION.

Section 8. Cooperation

The compact commission, member states, associate member states and compact administrator shall cooperate and offer mutual assistance with each

1 other in enforcing the terms of the compact for securing the transfer of
2 title to federally controlled public lands to willing western states.

3 Section 9. Declaration of Interstate Compact
4 on the Transfer of Public Lands Goals

5 A. Member states, in order to restore, protect and promote state
6 sovereignty and the health, safety and welfare of their citizens, shall:

7 1. Develop and draft model uniform legislation for member states to
8 adopt in securing sovereignty and jurisdiction over federal lands within the
9 respective member state boundaries.

10 2. Develop and draft model uniform legislation for member states to
11 send to their federal delegation for introduction in Congress for the
12 transfer of federally controlled public lands to the respective member state
13 governments.

14 3. Develop legal strategies for securing state sovereignty and
15 jurisdiction over federally controlled public lands within member state
16 boundaries.

17 B. The compact goals in subsection A of this section take effect when:

18 1. Two states have become member states and adopted the terms in
19 legislation.

20 2. Congress votes to consent to the terms of this compact under United
21 States Constitution article I, section 10.

22 Sec. 3. Conditional enactment; notice

23 A. Section 37-921, Arizona Revised Statutes, as amended by section 2
24 of this act, does not become effective unless the state of Utah amends laws
25 of Utah 2014, chapter 324 in a manner that is substantively identical to the
26 amendments to section 37-921, Arizona Revised Statutes, prescribed in
27 section 2 of this act.

28 B. The state land commissioner, in consultation with the attorney
29 general, shall determine whether the condition is met and notify in writing
30 the director of the Arizona legislative council of the date on which the
31 condition is met or if the condition is not met.