

State of Arizona
Senate
Fiftieth Legislature
Second Regular Session
2012

SENATE BILL 1332

AN ACT

AMENDING TITLE 37, CHAPTER 5, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 37-902.01; RELATING TO 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, article 1, Arizona Revised Statutes,
3 is amended by adding section 37-902.01, to read:

4 37-902.01. Disposition and taxation of public lands; definition

5 A. ON OR BEFORE DECEMBER 31, 2014, THE UNITED STATES SHALL EXTINGUISH
6 TITLE TO ALL PUBLIC LANDS IN AND TRANSFER TITLE TO THIS STATE.

7 B. IF THIS STATE SELLS PUBLIC LANDS TO WHICH THE STATE RECEIVED TITLE
8 UNDER SUBSECTION A OF THIS SECTION, THIS STATE SHALL:

9 1. RETAIN FIVE PER CENT OF THE NET PROCEEDS OF THE SALE FOR DEPOSIT IN
10 THE PERMANENT STATE SCHOOL FUND.

11 2. PAY NINETY-FIVE PER CENT OF THE NET PROCEEDS OF THE SALE TO THE
12 UNITED STATES.

13 C. BEGINNING IN 2015, ALL PUBLIC LANDS TO WHICH THE UNITED STATES HAS
14 NOT EXTINGUISHED AND TRANSFERRED TITLE TO THIS STATE UNDER SUBSECTION A OF
15 THIS SECTION ARE SUBJECT TO ASSESSMENT, LEVY AND TAXATION PURSUANT TO TITLE
16 42, CHAPTERS 11 THROUGH 18.

17 D. FOR THE PURPOSES OF THIS SECTION, "NET PROCEEDS" MEANS THE GROSS
18 PROCEEDS FROM THE SALE OF PUBLIC LANDS LESS EXPENSES INCIDENT TO THE SALE.

19 Sec. 2. Public lands board of review; study

20 A. The public lands board of review established by section 37-904,
21 Arizona Revised Statutes, shall recommend legislation:

22 1. Creating a commission to administer the disposal of public lands,
23 as defined in section 37-901, Arizona Revised Statutes.

24 2. Modifying, as necessary, the definition of public lands.

25 3. Establishing a process for determining interests, rights or uses
26 related to:

27 (a) Easements.

28 (b) Minerals, oil, gas, geothermal, timber, water and other natural
29 resources.

30 (c) Livestock grazing.

31 (d) Mining.

32 (e) Recreation.

33 (f) Rights of entry.

34 (g) Special uses.

35 4. Establishing the conditions under which this state may cede land to
36 the federal government for national park and recreational purposes,
37 including:

38 (a) Circumstances under which the land shall revert to this state.

39 (b) The retention of interests, rights or uses.

40 (c) Whether this state should retain the authority to:

41 (i) Assess and levy taxes, assessments or charges on activities
42 conducted within the national park.

43 (ii) Exercise civil or criminal jurisdiction over the property.

- 1 5. Establishing the process for:
2 (a) The United States to extinguish title to public lands.
3 (b) This state to receive title to public lands from the United
4 States.
5 (c) This state to sell public lands pursuant to section 37-902.01,
6 Arizona Revised Statutes, as added by this act.
7 6. Establishing procedures and requirements for subjecting unsold
8 public lands to assessment, levy and taxation, including the lien,
9 foreclosure and sale of public lands for unpaid taxes.
10 7. Establishing other requirements related to national forests,
11 national monuments, national recreation areas and other public lands
12 administered by the United States.
13 B. The public lands board of review shall report its findings to the
14 governor, president of the senate and speaker of the house of representatives
15 on or before November 30, 2012.