



HOUSE OF REPRESENTATIVES

HB 2585

national monuments; justification; litigation
Prime Sponsor: Representative Thorpe, LD 6

DP Committee on Federalism and States' Rights
DPA Caucus and COW
X As Transmitted to Governor

OVERVIEW

HB 2585 requires the State Land Department (Department) to maintain a catalog of each existing or newly created national monument in the state.

PROVISIONS

1. Requires the Department to maintain a catalog of each existing or newly created national monument in the state with the following information:
 - a. A detailed accounting of each individual item to be protected;
 - b. The precise global positioning system location of each item to be protected;
 - c. The square footage each item to be protected;
 - d. The total square footage of the parcel of land compromising the national monument;
 - e. A peer-reviewed justification for the protection of the object by the federal government.
2. Specifies that the Department is required to determine whether the limits of a parcel compromising a national monument in this State are confined to the smallest area compatible with the proper care and management of the objects to be protected by the national monument.
3. Requires the Department to notify the Attorney General if the Department determines that the limits of a parcel compromising a national monument in this State are not confined to the smallest area compatible with the proper care and management of the objects to be protected by the national monument.
4. Allows the Attorney General to commence an action to confine the limits of the parcel compromising the national monument to the smallest area compatible with the proper care and management of the objects to be protected by the national monument on the receipt of the notice from the Department.

CURRENT LAW

[Arizona Revised Statutes § 37-102](#) provides that the Department administers all laws relating to lands owned by, belonging to and under the control of the state. Additionally, it specifies that the Department, in the name of the State, is allowed to commence, prosecute and defend all actions and proceedings to protect the interest of the State in lands within the State or the proceeds thereof. Actions must be commenced and prosecuted at the request of the Department by the Attorney General, a County Attorney or a special counsel under the direction of the Attorney General.