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House Engrossed Senate Bill

State of Arizona  
Senate  
Forty-sixth Legislature  
First Regular Session  
2003

## **SENATE CONCURRENT RESOLUTION 1012**

A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE X, CONSTITUTION OF ARIZONA, BY ADDING SECTION 12; RELATING TO STATE LANDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1

1 Be it resolved by the Senate of the State of Arizona, the House of  
2 Representatives concurring:

3 1. Article X, Constitution of Arizona, is proposed to be amended by  
4 adding section 12 as follows if approved by the voters and on proclamation of  
5 the Governor:

6 12. Land exchanges for military airport or conservation  
7 purposes

8 SECTION 12. A. AFTER PUBLIC NOTICE, THE STATE MAY  
9 EXCHANGE LANDS GRANTED OR CONFIRMED BY THE ENABLING ACT FOR  
10 OTHER PUBLIC LANDS AS THE LEGISLATURE MAY PROVIDE BY LAW IF THE  
11 FOLLOWING CONDITIONS ARE MET:

12 1. THE EXCHANGE IS IN THE BEST INTEREST OF THE STATE LAND  
13 TRUST.

14 2. THE PURPOSE OF THE EXCHANGE IS TO CONSERVE OPEN SPACE  
15 ON TRUST LANDS OFFERED BY THE STATE IN THE EXCHANGE OR TO ASSIST  
16 IN PRESERVING MILITARY AIRPORTS IN THIS STATE.

17 3. AT LEAST TWO INDEPENDENT APPRAISALS SHOW THAT THE TRUE  
18 VALUE OF ANY LANDS RECEIVED IN THE EXCHANGE EQUALS OR EXCEEDS  
19 THE TRUE VALUE OF THE LANDS THE STATE EXCHANGES.

20 4. AN ANALYSIS OF THE PROPOSED EXCHANGE SHOWS:

21 (a) THAT THE PROJECTED INCOME TO THE TRUST AFTER THE  
22 EXCHANGE EQUALS OR EXCEEDS THE INCOME TO THE TRUST BEFORE THE  
23 EXCHANGE.

24 (b) THE FISCAL IMPACT OF THE EXCHANGE ON EACH COUNTY,  
25 CITY, TOWN AND SCHOOL DISTRICT IN WHICH ALL THE LANDS INVOLVED  
26 IN THE EXCHANGE ARE LOCATED.

27 (c) THE PHYSICAL, ECONOMIC AND NATURAL RESOURCE IMPACTS  
28 OF THE PROPOSED EXCHANGE ON THE SURROUNDING OR DIRECTLY ADJACENT  
29 LOCAL COMMUNITY AND THE IMPACTS ON LOCAL LAND USES AND LAND USE  
30 PLANS.

31 B. LAND MAY NOT BE EXCHANGED UNLESS:

32 1. PUBLIC NOTICE OF THE PROPOSED EXCHANGE IS PROVIDED  
33 THAT INCLUDES A LEGAL AND GENERAL DESCRIPTION OF THE LOCATION OF  
34 THE LANDS TO BE EXCHANGED, THE APPRAISED VALUE OF ALL PARCELS OF  
35 THE LANDS AND THE TIME AND PLACE OF THE PUBLIC HEARINGS  
36 DESCRIBED IN PARAGRAPH 2 OF THIS SUBSECTION. THE NOTICE SHALL  
37 BE GIVEN BEGINNING AT LEAST SIX WEEKS BEFORE THE PROPOSED  
38 EXCHANGE IN A MANNER PRESCRIBED BY LAW. DURING THIS PERIOD, A  
39 COMMENT AND HEARING PROCESS SHALL BE PROVIDED FOR PUBLIC COMMENT  
40 ON THE PROPOSED EXCHANGE.

1                   2. PUBLIC HEARINGS ARE HELD AT THE STATE CAPITOL AND IN A  
2                   LOCATION OF GENERAL ACCESSIBILITY IN THE VICINITY OF THE STATE  
3                   LANDS BEING EXCHANGED.

4                   C. LAND EXCHANGES ARE NOT CONSIDERED TO BE SALES FOR  
5                   PURPOSES OF THIS ARTICLE.

6                   2. The Secretary of State shall submit this proposition to the voters  
7                   at the next general election as provided by article XXI, Constitution of  
8                   Arizona.