

# Jurisdiction on Arizona Lands

Arizona Senate Federalism Committee

Arizona State Legislature

10Feb2025 – 1400hrs

Presented by Doyel Shamley

Member	Position
Hildy Angius	Vice-Chairman
Frank Carroll	Member
Eva Diaz	Member
Mark Finchem	Chairman
Analise Ortiz	Member
Kevin Payne	Member
Priya Sundareshan	Member

**Federally Controlled Lands**



# Organic and Weeks Act

- In the Organic Act of 1897 and the Weeks Forestry Act of 1911, Congress authorized the States to retain jurisdiction over National Forests.
- 16 U.S.C.
- 30 Stat. 36
- 30 Stat. 963

# Weeks Forestry Act

## THE WEEKS BILL

Sixty-first Congress, First Session, H. R. 11798

IN THE HOUSE OF REPRESENTATIVES

July 23, 1909

Mr. Weeks introduced the following bill, which was referred to the Committee on Agriculture and ordered to be printed

### A Bill

To enable any state to cooperate with any other state or states, or with the United States for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of the Congress of the United States is hereby given to each of the several states of the Union to enter into any agreement or compact, not in conflict with any law of the United States, with any other state or states for the purpose of conserving the forests and the water supply of the states entering into such agreement or compact.*

SEC. 2. That the sum of \$200,000 is hereby appropriated and made available until expended, out of any moneys in the National Treasury not otherwise appropriated, to enable the Secretary of Agriculture to cooperate with any state or group of states, when requested to do so, in the protection from fire of the forested watersheds of navigable streams; and the Secretary of Agriculture is hereby authorized, and on such conditions as he deems wise, to stipulate and agree with any state or group of states to cooperate in the organization and maintenance of a system of fire protection on any private or state forest lands within such state or states and situated upon the watershed of a navigable river: *Provided*, That no such stipulation or agreement shall be made with any state which has not provided by law for a system of forest-fire protection: *Provided further*, That in no case shall the amount expended in any state exceed in any fiscal year the amount appropriated by that state for the same purpose during the same fiscal year.



# Weeks Forestry Act

SEC. 3. That the Secretary of Agriculture, for the further protection of the watersheds of said navigable streams, may, in his discretion, and he is hereby authorized, on such conditions as he deems wise, to stipulate and agree to administer and protect for a definite term of years any private forest lands situated upon any such watershed whereon lands may be permanently reserved, held, and administered as National Forest lands; but such stipulation or agreement shall provide that the owner of such private lands shall cut and remove the timber thereon only under such rules and regulations, to be expressed in the stipulation or agreement, as will provide for the protection of the forest in the aid of navigation: *Provided*, That in no case shall the United States be liable for any damage resulting from fire or any other cause.

SEC. 4. That there is hereby appropriated, for the fiscal year ending June 30, 1910, the sum of \$1,000,000, and for each fiscal year thereafter a sum not to exceed \$2,000,000 for use in the examination, survey, and acquirement of lands located on the headwaters of navigable streams or those which are being or which may be developed for navigable purposes: *Provided*, That the provisions of this section shall expire by limitation on the 30th day of June, 1915.

SEC. 5. That a commission, to be known as the National Forest Reservation Commission, consisting of the Secretary of War, the Secretary of the Interior, the Secretary of Agriculture, and two members of the Senate, to be selected by the President of the Senate, and two members of the House of Representatives, to be selected by the Speaker, is hereby created and authorized to consider and pass upon such lands as may be recommended for purchase as provided in section six of this act, and to fix the price or prices at which such lands may be purchased, and no purchases shall be made of any lands until such lands have been duly approved for purchase by said commission: *Provided*, That the members of the commission herein created shall serve as such only during their incumbency in their respective official positions, and any vacancy on the commission shall be filled in the manner as the original appointment.

SEC. 6. That the commission hereby appointed shall, through its president, annually report to Congress, not later than the first Monday in December, the operations and expenditures of the commission, in detail, during the preceding fiscal year.

SEC. 7. That the Secretary of Agriculture is hereby authorized and directed to examine, locate, and recommend for purchase such lands as in his judgment may be necessary to the regulation of the flow of navigable streams, and to report to the National Forest Reservation Commission the results of such examination: *Provided*, That before any lands are purchased by the National Forest Reservation Commission said lands shall be examined by the Geological

# Weeks Forestry Act

Survey and a report made to the Secretary of Agriculture, showing that the control of such lands will promote or protect the navigation of streams on whose watersheds they lie.

SEC. 8. That the Secretary of Agriculture is hereby authorized to purchase, in the name of the United States, such lands as have been approved for purchase by the National Forest Reservation Commission at the price or prices fixed by said Commission: *Provided, That no deed or other instrument of conveyance shall be accepted or approved by the Secretary of Agriculture under this act until the legislature of the state in which the land lies shall have consented to the acquisition of such land by the United States for the purpose of preserving the navigability of navigable streams.*

SEC. 9. That the Secretary of Agriculture may do all things necessary to secure the safe title in the United States to the lands to be acquired under this act, but no payment shall be made for any such lands until the title shall be satisfactory to the Attorney-General and shall be vested in the United States.

SEC. 10. That such acquisition may in any case be conditioned upon the exception and reservation to the owner from whom title passes to the United States of the minerals and of the merchantable timber, or either or any part of them, within or upon such lands at the date of the conveyance, but in every case such exception and reservation and the time within which such timber shall be removed and the rules and regulations under which the cutting and removal of such timber, and the mining and removal of such minerals shall be done shall be expressed in the written instrument of conveyance, and thereafter the mining, cutting, and removal of the minerals and timber so excepted and reserved shall be done only under and in obedience to the rules and regulations so expressed.

SEC. 11. That inasmuch as small areas of land chiefly valuable for agriculture may of necessity or by inadvertence be included in tracts acquired under this act, the Secretary of Agriculture may, in his discretion, and he is hereby authorized, upon application or otherwise, to examine and ascertain the location and extent of such areas as in his opinion may be occupied for agricultural purposes without injury to the forests or to stream flow and which are not needed for public purposes, and may list and describe the same by metes and bounds, or otherwise, and offer them for sale as homesteads at their true value, to be fixed by him, to actual settlers, in tracts not exceeding eighty acres in area, under such joint rules and regulations as the Secretary of Agriculture and the Secretary of the Interior may prescribe; and in case of such sale the jurisdiction over the lands sold shall, *ipso facto*, revert to the state in which the lands sold lie. And no right, title, interest, or claim in or to any lands acquired under this act, or the waters thereon, or the products, resources, or use thereof after such lands shall have been acquired, shall be initiated or perfected, except as in this section provided.

# Weeks Forestry Act

SEC. 12. That, subject to the provisions of the last preceding section, the lands acquired under this act shall be permanently reserved, held, and administered as national forest lands under the provisions of section twenty-four of the act approved March 3, 1891 (Vol. 26 Stat. at Large, p. 1103), and acts supplemental to and amendatory thereof. And the Secretary of Agriculture may from time to time divide the lands acquired under this act into such specific National Forests and so designate the same as he may deem best for administrative purposes.

SEC. 13. That the jurisdiction, both civil and criminal, over persons upon the lands acquired under this act shall not be affected or changed by their permanent reservation and administration as National Forest lands, except so far as the punishment of offenses against the United States is concerned, the intent and meaning of this section being that the state wherein such land is situated shall not, by reason of such reservation and administration, lose its jurisdiction nor the inhabitants thereof their rights and privileges as citizens or be absolved from their duties as citizens of the state.

SEC. 14. That five per centum of all moneys received during any fiscal year from each National Forest into which the lands acquired under this act may from time to time be divided shall be paid, at the end of such year, by the Secretary of the Treasury to the state in which such National Forest is situated, to be expended as the state legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which such National Forest is situated: *Provided*, That when any National Forest is in more than one state or county the distributive share to each from the proceeds of such forest shall be proportional to its area therein: *Provided further*, That there shall not be paid to any state for any county an amount equal to more than forty per centum of the total income of such county from all other sources.

SEC. 15. That a sum sufficient to pay the necessary expenses of the commission and its members, not to exceed an annual expenditure of \$25,000, is hereby appropriated out of any money in the Treasury not otherwise appropriated. Said appropriation shall be immediately available, and shall be paid out on the audit and order of the president of the said commission, which audit and order shall be conclusive and binding upon all departments as to the correctness of the accounts of said commission.

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Bulletin No. 1 (8 pp.) contains the argument by Hon. Curtis Guild, Jr., President of the American Forestry Association, on the Appalachian forests as a national question, and a summary of the case. Bulletin No. 2 (8 pp.) contains the record of vote on Weeks bill in the Sixtieth Congress. These bulletins can be obtained for 50 cents a hundred for four-page issues and 75 cents a hundred for eight-page issues.

# Needful Buildings Clause

- “Needful Buildings” clause of Article 1, Sec. 8, Clause 17 of the Constitution for the United States does not include Forests and Parklands.
- Collins vs. Yosemite Park and Curry Co.



# State Environmental Requirements

- Congress has made all federal property, including federal enclaves, subject to State environmental requirements and the power to enforce State environmental laws includes the power to enforce criminal provision of those laws.
- • 133 Mil. L. Rev. 249, 278 (1991)

# Federal Officer Jurisdiction

- A federal officer who is outside his jurisdiction loses his law enforcement authority and can make only a “citizens arrest”.
- People vs. Crusilla, 77 Cal. App.4th 141, 91 (1999)

# **State Criminal Laws Authorized on Immigrant Stations**

- In 1952, Congress gave criminal jurisdiction to the States over “Immigrant Stations” to enable them to “Preserve the peace and make arrests for crimes under the laws of the States.
- People v. Materon, 107 A.D. 2d 408 N.Y.S. 2d 334 (1985)

# **Retrocession of federally managed properties**

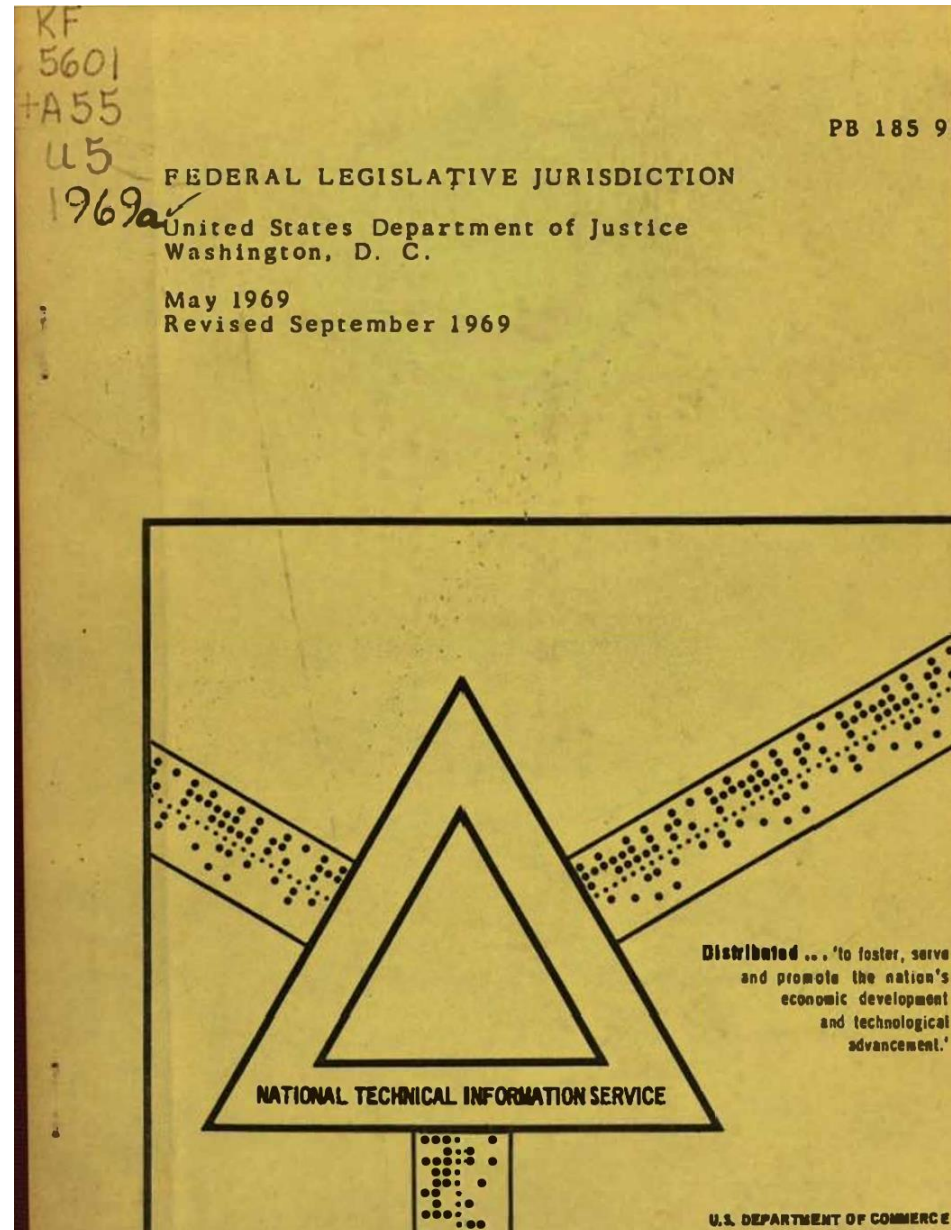
- The Act of May 9, 1941, 55 Stat. 183, codified at 43 U.S.C. 931a, authorized the Attorney General to retrocede jurisdiction over roads across federal properties. The Act of October 23, 1962, 76 Stat. 1129, codified at 40 U.S.C. 319, extended this power to executive agency heads generally (Secretary level).



# **Retrocession of federally managed properties**

- In 1970 Congress Authorized Federal Agencies again to retrocede jurisdiction over lands:
- In 1976 the Secretary of the Interior obtained retrocession authority with respect to National Parks.
- In 1978 the Secretary of Agriculture was added as well.

# Federal Legislative Jurisdiction – U.D. DOJ



# Federal Legislative Jurisdiction – U.D. DOJ

However, the great bulk of federally owned areas which constitute the lands of the public domain, including the great majority of such areas which have been reserved or withdrawn for various Federal purposes, continue to be held by the United States merely in a proprietorial status, with legislative jurisdiction remaining in the respective host States.

2. National forest lands. The other major area of the PLLR Commission's interest, lands of the national forests of the United States, also are in vast majority held by the United States merely in a proprietorial status, with legislative jurisdiction remaining in the respective host States. This is so because the earliest national forests were created by withdrawal of lands from the public domain, and the Weeks Forestry Act of 1911, which authorized acquisition of privately owned lands for national forest purposes, provided (16 U.S.C. 480):

The jurisdiction, both civil and criminal, over persons within national forests shall not be affected or changed by reason of their existence, except so far as the punishment of offenses against the United States is concerned; the intent and meaning of this provision being that the State wherein any such national forest is situated shall not, by reason of the establishment thereof, lose its jurisdiction, nor the inhabitants thereof their rights and privileges as citizens, or be absolved from their duties as citizens of the State.

# United States Attorney Manual

- US Attorneys – USAM – Title 9 – Sec. 665
- **“Determining Federal Jurisdiction”**
- “The United States has jurisdiction only if the land or building is within the special territorial jurisdiction of the United States.”



# United States Attorney Manual

- “If the land is other than a military base, the regional counsel's office of the General Services Administration usually has the complete roster of all Federal lands and buildings in its region and can frequently provide a definitive answer to jurisdiction.”

# United States Attorney Manual

- “Each United States Attorney would be well advised to request from each agency within the district a report on the jurisdictional status claimed for each of its facilities and assurance that documentation is available.”

## Federal Land as a Percentage of Total State Land Area



# Proprietary Interest Only

- Proprietary Interest Only (Category 4) is the jurisdictional category approximately 97%+ of our federally managed lands in are held under. For instance, in Arizona the federal government **manages 32,538,189 acres, Proprietary Interest Only (Category 4) is 31,803,194 acres.**



# Arizona Federal Custodial Holdings Summary

## LEGISLATIVE JURISDICTION OVER FEDERAL AREAS WITHIN THE STATES

### CODES USED IN TYPE OF JURISDICTION AND CITATION TO LEGISLATIVE AUTHORITY COLUMNS

CODE	TYPE OF LEGISLATIVE JURISDICTION	CITATION TO LEGISLATIVE AUTHORITY
1	<b>Exclusive Legislative Jurisdiction.</b> This term is applied when the Federal Government possesses, by whichever method acquired, all of the authority of the State, and in which the State concerned has not reserved to itself the right to exercise any of the authority concurrently with the United States except the right to serve civil or criminal process in the area for activities which occurred outside the area.	For land areas reported under "Exclusive," "Concurrent," or "Partial" legislative jurisdiction, a general or specific State statute or Federal law (Statutes-at-Law) is cited.  <b>State Statute.</b> Citations to State laws are in terms of session statutes regardless of whether or not they have been codified. Each citation shows: (1) the year of enactment of the cited statute; (2) the page number of the volume of State laws; and (3) the chapter (or equivalent) number of the State law.  <b>Federal Law (Statutes-At-Large)</b> Citations to Federal laws are shown in cases where legislative jurisdiction was obtained by a reservation in the enabling act authorizing Statehood. These citations show volumes and page numbers of the Statutes at Large.
2	<b>Concurrent Legislative Jurisdiction.</b> This term is applied in those instances wherein in granting to the United States authority which would otherwise amount to exclusive legislative jurisdiction over an area, the State concerned has reserved to itself the right to exercise, concurrently with the United States, all of the same authority.	<b>Acceptance or Recordation Date.</b> This date represents the month, day, and year on which the Federal Government accepted legislative jurisdiction. This date is called for in the case of any acquisition after January 31, 1940, (Section 355, Revised Statutes U.S.) as well as acquisitions prior thereto where recordation or other affirmative act was required by the applicable State Statute.
3	<b>Partial Legislative Jurisdiction.</b> This term is applied in those instances wherein the Federal Government has been granted for exercise by it over an area in a State certain of the State's authority, but where the State concerned has reserved to itself the right to exercise, by itself or concurrently with the United States, other authority constituting more than merely the right to serve civil or criminal process in the area (e.g., the right to tax private property).	<b>ADDITIONAL INFORMATION FOUND IN THE DETAILED LISTING</b>
4	<b>Proprietary Interest Only.</b> This term is applied to those instances wherein the Federal Government has acquired some right or title to an area in a State, but has not obtained any measure of the State's authority over the area. In applying this definition, recognition should be given to the fact that the United States, by virtue of its functions and authority under various provisions of the Constitution, has many powers and immunities not possessed by ordinary landholders with respect to areas in which it acquires an interest, and of the further fact that all its properties and functions are held or performed in a governmental, rather than a proprietary capacity.	N (negligible) An "N" shown in the Land Area column indicates less than one tenth (0.1) of an acre. R (reference) An "R" shown in the State Statute column indicates that additional unpublished data is on file in the Central Office of GSA. X An "X" shown in the Jurisdictional Code column and/or the Federal Law column indicates that the propriety of the code and/or the law cited is considered doubtful by the reporting agency.
5	<b>Unknown.</b> Land will be reported under this category when there is no data or record to guide the reporting holding agency.  <b>EXPLANATION:</b> The number (1 through 5) appearing in the Jurisdictional Code column indicates the legislative jurisdiction of the acreage listed on the same line in the Land column. For example, a number 1 indicates exclusive jurisdiction by the Federal Government over the area shown in the Land column on the same line.	These listings have been carefully prepared and checked, but perfection cannot be assured. Users are asked to call to the attention of the Office of Finance and Administration, General Services Administration, Washington 25, D.C., necessary corrections as well as suggestions for alteration in the content or format of the list.

# Arizona Federal Custodial Holdings Summary

COUNTY CODES

NAME	CODES	
	STATE	COUNTY
ARIZONA	02	
APACHE		001
COCHISE		003
COCONINO		005
GILA		007
GRAHAM		009
GREENLEE		011
MARICOPA		013
MOHAVE		015
NAVAJO		017
PIMA		019
PINAL		021
SANTA CRUZ		023
YAVAPAI		025
YUMA		027

# Arizona Federal Custodial Holdings Summary

JURISDICTIONAL STATUS OF FEDERAL LAND AREAS													
BUREAU OF LAND MANAGEMENT		LOCATION		DESCRIPTION	ACRES	DATE ACQUIRED		LAND AREA		EDIFICATION TO LEGISLATIVE AUTHORITY			
SECTION	TOWNSHIP	RANGE	COUNTY			FROM	TO	ACRES TO NEAREST TENTH	DATE OF ACQUISITION	DATE OF ACQUISITION	DATE OF ACQUISITION	DATE OF ACQUISITION	DATE OF ACQUISITION
				ARIZONA									
				APACHE									
				POST OFFICE									
				BUREAU OF FACILITIES									
1800	01266	02	0470	001 FORESTRY POST OFFICE SE CORNER MAIN & 2ND ST	1	1936		4	1913		0017		
				FEDERAL AVIATION AGENCY									
4900	06139	02	9999	001 NEWMAN PEAK BCH	4	1931		2-5					
4900	06148	02	9999	001 DEEP LAKE BCH	4	1931		40.0					
4900	12585	02	0400	001 NAV FAC VENTAC	4	1957		162.0					
4					5			204.94					
				COCHISE									
				INTERIOR									
				NATIONAL PARK SERVICE									
1417	07112	02	0129	003 CHIRICAHUA NAT MON	4	1924	1941	10,486.9					
1417	07141	02	0050	003 CORONADO NAT MON STAR ROUTE HERFORD ARI	4	1952	1957	2,745.3					
				POST OFFICE									
				BUREAU OF FACILITIES									
1800	01258	02	0130	003 POST OFFICE S E CORNER 10TH & F ST	1	1912		4	1912	0428			
				DEFENSE									
				ARMY									
2100	20274	02	9999	003 NG FAC DOUGLAS	4	1915		640.0					
				FEDERAL COMM COM									
2706	11382	02	0130	003 MONITORING STATION	4	1956		11.3					
				GENERAL SERVICES ADMIN									
				REGION 49 SAN FRANCISCO									
4709	01198	02	0130	003 BORDER STATION WALLROAD AVE & FIRST ST	1	1931		2.5	1913		0017		
4709	03200	02	0325	003 BORDER STATION EL PASO & D STS	1	1935	1939	5	1913		0017		
7					10			13,680.94					
				COCHISE									
				INTERIOR									
				NATIONAL PARK SERVICE									
1417	07047	02	0223	005 GRAND CANYON NAT PARK	4	1908	1960	673,203.3					
1417	07116	02	0223	005 GRAND CANYON NAT MON	4	1932	1944	193,040.0					
1417	07131	02	0170	005 SUNSET CRATER NAT MON	4	1930	1954	3,040.0					
1417	07136	02	0170	005 WALNUT CANYON NAT MON	4	1915	1938	1,641.0					
1417	07138	02	0170	005 TURA STAR ROUTE TURA STAR ROUTE	4	1924	1945	26,680.0					
				BUR OF RECLAMATION									
1423	06806	02	9999	005 CENTRAL ARIZONA PROJ	4	1952		4,324.1					
1423	10726	02	9999	005 GOLD R STOR PROJ	4	1957		92,053.4					

# Arizona Federal Custodial Holdings Summary

JURISDICTIONAL STATUS OF FEDERAL LAND AREAS																	
FWS CONTROL NO.		LAND STATUS		FEDERAL AGENCY	ACRES	ACRES		DISPOSITION TO LEGISLATIVE AUTHORITY									
FWS NO.	STATE	DATE	STATUS			FWS NO.	STATE	ACRES		ACRES		ACRES		ACRES		ACRES	
								DATE	STATUS	DATE	STATUS	DATE	STATUS	DATE	STATUS	DATE	STATUS
1423	12477	02	9999	005	HARLE CANYON PROJ	4	1958	10,141.8									
					DEFENSE												
					NAVY												
1700	23853	02	0170	005	OSBORN FLAGSTAFF STA	4	1957	140.0									
					DEFENSE												
					ARMY												
2100	20635	02	0037	005	NAVAJO ORD DEPOT	1	1942	2,657.0	1913	0017			04	19	1943		
									1913	0017				07	31	1945	
2100	20635	02	0037	005		4	1942	25,488.0	1913	0017				04	27	1944	
					GENERAL SERVICES ADMIN												
					REGION #9 SAN FRANCISCO												
4709	01254	02	0170	005	FEDERAL CPICE BUILDING	1	1935	4.9	1913	0017							
					NORTH SAN FRANCISCO ST												
					DEFENSE												
					AIR FORCE												
5700	24735	02	0170	005	WINSLOW AFS	4	1958	21.0									
	12					17		1,040,496.8*									
					CELA												
					INTERIOR												
					NATIONAL PARK SERVICE												
1417	07130	02	0210	007	SW ARCHEOLOGICAL CTR	4	1952	22.0									
1417	07133	02	0395	007	TONTU NAT MON	4	1907	1,120.0									
					POST OFFICE												
					BUREAU OF FACILITIES												
1800	01240	02	0210	007	POST OFFICE COURT HOUSE	3	1911	4.4	1912	0428							
					NW CORNER HILLSVAPCRE												
	3					4		1,143.3*									
					GRANAP												
					JUSTICE												
					BUREAU OF PRISONS												
1519	13033	02	0410	009	FEDERAL PRISON CAMP	4	1958	140.0									
					POST OFFICE												
					BUREAU OF FACILITIES												
1800	01245	02	0410	006	POST OFFICE	1	1938	4.5	1913	0017							
					504 FIFTH AVENUE												
					DEFENSE												
					ARMY												
2100	20782	02	9999	006	MC PAC SAPPORD	4	1927	400.0									
	3					4		560.5*									
					PARICCPA												
					AGRICULTURE												
					AGR RESEARCH SERVICE												
1205	07320	02	0200	013	SW POULTRY EXPT STA	4	1921	20.0									
					1827 W BETHANY HOME AC												
1205	13047	02	0370	013	SW WATER CON LAB	4	1958	5.0									



# Arizona Federal Custodial Holdings Summary

JURISDICTIONAL STATUS OF FEDERAL LAND AREAS																
LOCATION					DATE ACQUIRED		CREATION OR ACQUISITION AUTHORITY									
FEDERAL AGENCY	STATE	COUNTY	TOWNSHIP	RANGE	SECTION	ACRES	FEDERAL AGENCY	ACRES			ACRES			ACRES		
								STATE	FEDERAL	PRIVATE	STATE	FEDERAL	PRIVATE	STATE	FEDERAL	PRIVATE
					AZOD E BROADWAY											
					INTERIOR											
					BUR OF INDIAN AFFAIRS											
3409	09105	02	0370	013	PHOENIX INDIAN SCHOOL	4	1891	1928		104.3						
					ALCO RHODES CIRCLE											
					BUR OF LAND MANAGEMENT											
3411	13080	02	9599	013	RADIO BASE SHELTER	4	1848			.5						
3411	14701	02	9999	013	WHITNEY PASS LOOKOUT	4	1848			1.0						
					FISH AND WILDLIFE SER.											
1435	10756	02	0640	013	CILA R WATERFOWL AREA	4	1954			6,890.1						
					DEFENSE											
					NAVY											
1700	23112	02	0263	013	AIR FACILITY BUMPS	4	1944	1956		805.0						
					POST OFFICE											
					BUREAU OF FACILITIES											
1800	01262	02	0240	013	POST OFFICE	1	1936			.7	1913		0017			
					26 W MACDONALD ST											
					DEFENSE											
					ARMY											
2100	20129	02	9999	013	MC FAC BUCKEYE	4	1910			1,321.0						
					VETERANS ADMINISTRATION											
3600	07309	02	0370	013	V A HOSPITAL	4	1891			23.6						
					7TH ST & INDIAN SCH RD											
					GENERAL SERVICES ADMIN											
					REGION #9 SAN FRANCISCO											
4709	01203	02	0370	013	FEDERAL BUILDING	4	1900	1959		2.5						
					230 NORTH FIRST AVE											
4709	01204	02	0370	013	POST OFFICE & FOR	1	1931			1.9	1913		0017			
					FILMORE ST & CENT AVE											
					DEFENSE											
					AIR FORCE											
5700	24101	02	0595	013	WILLIAMS	AFB	4	1941		2,694.0						
5700	24133	02	0274	013	LUKE	AFB	1	1941	1943		53.4	1913		0017		04 18 1943
5700	24133	02	0274	013	LUKE	AFB	4	1944		2,338.4						
5700	24134	02	0035	013	LUKE	RRG	4	1942		10.0						
5700	24136	02	0615	013	LUKE C1	AAF	4	1952	1953	400.0						
5700	24138	02	0060	013	LUKE C6	AAF	4	1950	1953	200.0						
5700	24139	02	0189	013	CILA BENG	AAF	4	1942	1944	1,685.0						
5700	24514	02	0189	013	LUKE WILLIAMS	RG	4	1942		2,559,141.0						
5700	24817	02	0370	013	AIERSCH HPG CO	APP	4	1953		10.0						
5700	24888	02	0263	013	LUKE	SWG	4	1941		42.0						
					FEDERAL AVIATION AGENCY											
6900	06135	02	9999	013	BUCKEYE BEN	4	1940			160.0						
6900	06136	02	9999	013	NAV FAC VGR	4	1951			160.0						
6900	06143	02	9999	013	NAV FAC VGR	4	1938			40.0						
6900	06151	02	9999	013	NAV FAC VGR	4	1953			20.0						

[illegible]

# Arizona Federal Custodial Holdings Summary

JURISDICTIONAL STATUS OF FEDERAL LAND AREAS													
FED CONTROL NO	FED LOCAL	STATE	COUNTY	LAND ACQUISITION	FED ACQUISITION	FED ACQUISITION	FED ACQUISITION	FED ACQUISITION	FED ACQUISITION	FED ACQUISITION	FED ACQUISITION	FED ACQUISITION	FED ACQUISITION
7511	11486	02	0610	017	HEALTH ID AND WELFARE PUBLIC HEALTH SERVICE INDIAN HEALTH HOSPITAL	1	1931	20.0	1912	0428	0081		
	4					4		5,599.0+					
1235	07448	02	0530	019	PIRA AGRICULTURE SOIL CONSERVATION SER TUCSON NURSERY 3241 ROMERO ROAD	4	1943	1948	45.9				
1307	05028	02	0530	019	COMMERCE COAST AND GEODETIC SURV MAGNETIC OBSERVATORY RT 2 BOX 482	1	1909	173.0	1913	0017			
1415	06805	02	0530	019	INTERIOR BUREAU OF MINES METALLURGY RESEARCH LAB 1724 NORTH VINE AVENUE	4	1946	1952	1.4				
1417	07125	02	0610	019	NATIONAL PARK SERVICE ORGAN PIPE CACTUS N M	4	1937	1957	328,491.0				
1417	07129	02	0530	019	SAGUARO NAT MON	4	1933	1961	61,488.9				
1515	05128	02	0530	019	JUSTICE IMMIGRATION AND NAT SER BORDER PATROL HQS 450 MC GRANDS AVE	4	1952	1.5					
3600	10342	02	0530	019	VETERANS ADMINISTRATION VA HOSPITAL SOUTH SIXTH AVENUE	1	1926	117.0	1913	0017			
4709	01199	03	0275	019	GENERAL SERVICES ADMIN REGION #9 SAN FRANCISCO	4	1939	5.8					
4709	01206	02	0418	019	BORDER STATION GILA & SALT R MERIDIAN	1	1936	.5	1913	0017			
4709	01208	02	0530	019	BORDER STATION R M INTL ST & PIRA R HY	1	1914	.6	1913	0017			
4900	12454	02	0530	019	POST OFFICE COURTHOUSE E BROADWAY & 10 SECT 11	4	1959	2.6					
					NAT SCIENCE FOUNDATION KITTY PEAK NAT OBSERV 950 NORTH CHERRY AVENUE	4	1959	2.6					
5700	24051	02	0530	019	DEFENSE AIR FORCE DAVIS MONTHAN PHG	4	1947	22.0					
5700	24054	02	0440	019	SAMUARITA RGE	4	1948	49.0					
5700	24055	03	0530	019	DAVIS MONTHAN AFB	1	1927	1940	845.7	1913	0017	07	31
5700	24055	02	0530	019	DAVIS MONTHAN AFB	4	1941	5,744.3					
5700	24429	02	0530	019	AF PLANT 44	4	1951	2,313.0					
5700	26134	02	0530	019	DAVIS MONTHAN OR	4	1958	1.0					
16						22		399,103.2+					

# Arizona Federal Custodial Holdings Summary

JURISDICTIONAL STATUS OF FEDERAL LAND AREAS																
FEDERAL LAND AREA					LAND AREA		CITATION TO LEGISLATIVE AUTHORITY									
FEDERAL LAND AREA	STATE	COUNTY	TOWNSHIP	SECTION	SECTION	SECTION	DATE ACQUIRED		CITATION TO LEGISLATIVE AUTHORITY		SPOTS PROVIDED		FEDERAL LAND ACQUISITION		ACQUISITION BY	
							FROM	TO	TO NEAREST TOWN	TO NEAREST TOWN	TO NEAREST TOWN	TO NEAREST TOWN	TO NEAREST TOWN	TO NEAREST TOWN	TO NEAREST TOWN	TO NEAREST TOWN
1417	07109	02	0110	021	FOKAL INTERIOR NATIONAL PARK SERVICE	4	1892	1940		472.5						
1519	13065	02	0180	021	JUSTICE BUREAU OF PRISONS FEDERAL PRISON CAMP	4	1848			458.5						
2100	20154	02	9999	021	DEFENSE ARMY NO PAC CASA GRANDE	4	1933			800.0						
2100	20338	02	9999	021	NO PAC FLORENCE	4	1912			5,709.0						
5700	24103	02	0180	021	DEFENSE AIR FORCE RITTENHOUSE AAF	4	1942	1954		537.0						
9400	13929	02	9999	021	DEFENSE CORPS OF ENG -CIVIL-WITTON RANCH RESERVOIR	4	1959	1960		2,873.0						
										10,848.0*						
1417	07134	02	0330	023	SANTA CRUZ INTERIOR NATIONAL PARK SERVICE	4	1908	1958		10.2						
1800	01263	02	0330	023	POST OFFICE BUREAU OF FACILITIES	1	1922			-4	1913		0017			
2005	07832	02	0330	023	POST OFFICE/CUSTOM HSE 511 HOLLEY AVENUE	4	1940			1.3						
4709	01202	02	0330	023	TREASURY BUREAU OF CUSTOMS CUSTOMS AGENCY BUILDING 711 HOLLEY AVENUE	1	1936			-8	1913		0017			
					GENERAL SERVICES ADMIN REGION #9 SAN FRANCISCO					12.7*						
1417	07122	02	0065	025	U S BORDEN STATION INTL OF E TERRACE AVE	4	1906	1947		783.1						
1417	07135	02	0090	025	YAVAPAI INTERIOR NATIONAL PARK SERVICE	4	1935			42.7						
1800	01264	02	0390	025	POST OFFICE BUREAU OF FACILITIES	1	1915			-4	1913		0017			
2100	20956	02	9999	025	POST OFFICE/COURT HSE IN COR GOODWIN & CORTEZ	1	1904			1,080.0	1912	0429				

# Arizona Federal Custodial Holdings Summary

JURISDICTIONAL STATUS OF FEDERAL LAND AREAS													
FEDERAL LAND AREA				DATE OF ACQUISITION		LAND USE		STATUS OF ACQUISITION					
ACQUISITION DATE	ACQUISITION TYPE	ACQUISITION METHOD	ACQUISITION COST	DATE OF ACQUISITION	DATE OF ACQUISITION	DATE OF ACQUISITION	DATE OF ACQUISITION	DATE OF ACQUISITION	DATE OF ACQUISITION	DATE OF ACQUISITION	DATE OF ACQUISITION	DATE OF ACQUISITION	DATE OF ACQUISITION
ACQUISITION DATE	ACQUISITION TYPE	ACQUISITION METHOD	ACQUISITION COST	DATE OF ACQUISITION	DATE OF ACQUISITION	DATE OF ACQUISITION	DATE OF ACQUISITION	DATE OF ACQUISITION	DATE OF ACQUISITION	DATE OF ACQUISITION	DATE OF ACQUISITION	DATE OF ACQUISITION	DATE OF ACQUISITION
1913	02	0563	025	VETERANS ADMINISTRATION	1	1865	263.5	1913	0017				
1900	10351	02	0563	025	VA CENTER								
				DEFENSE									
				AIR FORCE									
5700	25795	02	9999	025	HILLSIDE	4	1960	1.0					
	6			10				2,770.76					
				YUMA									
				INTERIOR									
				BUREAU OF RECLAMATION									
1423	04861	02	9999	027	ALL AMERICAN CANAL	4	1902	1951	34,572.6				
1423	04874	02	9999	027	GILA PROJ	4	1940	1961	103,787.3				
1423	06881	02	9999	027	YUMA PROJ	4	1912	1929	11,973.4				
1423	11768	02	9999	027	PALO VERDE DIV PROJ	4	1956		16.2				
1423	12481	02	9999	027	YUMA AUXILIARY PROJ	4	1956		13.3				
				FISH AND WILDLIFE SERV									
1435	09370	02	0620	027	KOFA GAME RANGE	4	1939	1951	660,041.0				
				DEFENSE									
				NAVY									
1700	24291	02	0620	027	BARCOR AUX AIR STATION	1	1904		1,687.8	1912	0428		
1700	24291	02	0620	027		4	1950	1962	390.2				
				POST OFFICE									
				BUREAU OF FACILITIES									
1800	01268	02	0620	027	POST OFFICE	1	1933		.7	1913	0017		
				350 MAIN STREET									
				STATE									
				COMP. -U.S.-E. MER.									
1913	10776	02	9999	027	MORELOS DAM	4	1949		27.1				
				DEFENSE									
				ARMY									
2100	20030	02	9999	027	MG FAC ARIZONA	4	1910		1,280.0				
2100	20991	02	9999	027	YUMA TEST STATION	4	1952		891,286.0				
				GENERAL SERVICES ADM									
				REGION #9 SAN FRANCISCO									
4709	01205	02	0417	027	BORDER STATION	4	1929		5.0				
				FILMORE ST & CENT AVE									
				FEDERAL AVIATION AGENCY									
6900	06154	02	9999	027	INT FLO	4	1941		480.0				
6900	10630	02	9999	027	LA CHOLLA BEN	4	1941		160.0				
				DEFENSE									
				CORPS OF ENG -CIVIL-									
9600	14738	02	9999	027	PAINTED BK RADIO STA	4	1958		18.7				
				333 INDIAN SCHOOL RD									
				15					1,705,746.56				

# Arizona Federal Custodial Holdings Summary

JURISDICTIONAL STATUS OF FEDERAL LAND AREAS													
CENSUS AREA		SECTION		DESCRIPTION	DATE ACQUIRED		LAND AREA ACRES TO NEAREST TENTH	CITATION TO LEGISLATIVE AUTHORITY					
STATE	COUNTY	TOWNSHIP	RANGE		SECTION	FROM		TO	ACT	BY	DATE	PAGE	YEAR
1223	07545	02	9999	999				1,775,300.0					
1223	07546	02	9999	999				1,800,786.0					
1223	07549	02	9999	999				1,190,647.9					
1223	07554	02	9999	999				1,718,803.0					
1223	07555	02	9999	999				1,247,593.0					
1223	07557	02	9999	999				771,094.9					
1223	07558	02	9999	999				2,894,278.0					
1409	09068	02	9999	999				788.0					
1409	09076	02	9999	999				30.0					
1409	09077	02	9999	999				30.3					
1409	09078	02	9999	999				22,415.0					
1409	09079	02	9999	999				67,014.6					
1409	09101	02	9999	999				124.8					
1411	07224	02	9999	999				19,086,230.0					
1417	07127	02	9999	999				92,991.7					
1423	06867	02	9999	999				17,541.6					
1423	06870	02	9999	999				145,256.1					
1423	06875	02	9999	999				32,508.0					
1423	06877	02	9999	999				159,417.4					
1423	12476	02	9999	999				28,172.9					
1435	09369	02	9999	999				679,680.0	1951	0220	0096		
1435	09369	02	9999	999				180,560.3					
1700	23176	02	9999	999				8.0					
2100	20434	02	9999	999				48,177.0	1951		0006	03 08 1951	
2100	20434	02	9999	999				23,646.0					
2100	22512	02	9999	999				27,553.0					
2100	22514	02	9999	999				640.0					
9400	12555	02	9999	999				19,403.0					



# Arizona Federal Custodial Holdings Summary

JURISDICTIONAL STATUS OF FEDERAL LAND AREAS															
FEDERAL LAND ACQUISITION ACT		LOCATION			DESCRIPTION	FEDERAL LAND ACQUISITION ACT	DATE ACQUIRED		LAND AREA		CITATION TO LEGISLATIVE AUTHORITY				
STATE	COUNTY	SECTION	TOWNSHIP	RANGE			FROM	TO	ACRES	TO NEAREST TENTH	STATE STATUTE	FEDERAL LAND ACQUISITION ACT	RECORDS MANAGEMENT ACT	RECORDS MANAGEMENT ACT	RECORDS MANAGEMENT ACT
9600	13523	02	9999	999	333 INDIAN SCHOOL RD 333 INDIAN SCHOOL RD	4	1959	1961	11.325.0						
	27					32			26.043, 335.5*						
	147					187			32.538, 189.80						

# Arizona Federal Custodial Holdings Summary

JURISDICTIONAL STATUS OF FEDERAL LAND AREAS MULTIPLE COUNTY LISTINGS	
ARIZONA	
AGRICULTURE FOREST SERVICE	
1223 07555 02 9999 999	COLORADO NATL FOREST
003 COCHISE	
008 GRAHAM	
019 PINAL	
020 PIMA	
023 SANTA CRUZ	
1223 07555 02 9999 999	CONINO NATL FOREST
005 COCONINO	
007 GILA	
025 YAVAPAI	
1223 07549 02 9999 999	APACHE NATIONAL FO. BST
001 APACHE	
023 GREENLEE	
1223 07554 02 9999 999	KAIABAS NATIONAL FOREST
005 COCONINO	
015 MOHAVE	
027 YAVAPAI	
1223 07555 02 9999 999	PRESCOTT NATL FOREST
005 COCONINO	
025 YAVAPAI	
1223 07557 02 9999 999	SITGREAVES NATL FOREST
001 APACHE	
005 COCONINO	
017 NAVAJO	
1223 07558 02 9999 999	TONTO NATIONAL FOREST
007 GILA	
023 MARICOPA	
025 PINAL	
025 YAVAPAI	
INTERIOR	
BUREAU OF INDIAN AFFAIRS	
1409 09018 02 9999 999	COLORADO RIVER AGENCY
015 MOHAVE	
027 YUMA	
1409 09076 02 9999 999	PAPAGO AGENCY
013 MARICOPA	
019 PIMA	
021 PINAL	
1409 09077 02 9999 999	PIMA AGENCY
013 MARICOPA	
021 PINAL	
1409 09078 02 9999 999	SAN CARLOS AGENCY
007 GILA	
008 GRAHAM	
021 PINAL	
1409 09079 02 9999 999	SAN CARLOS IRRIG PROJ
007 GILA	
021 PINAL	
1409 09101 02 9999 999	NAVAJO AGENCY
001 APACHE	
005 COCONINO	
017 NAVAJO	
BUREAU OF LAND MANAGEMENT	
1411 07225 02 9999 999	PUBLIC DOMAIN
001 APACHE	
003 COCHISE	
005 COCONINO	
007 GILA	
009 GRAHAM	
011 GREENLEE	
013 MARICOPA	
015 MOHAVE	
017 NAVAJO	
019 PIMA	
021 PINAL	
023 SANTA CRUZ	
025 YAVAPAI	
027 YUMA	
NATIONAL PARK SERVICE	

# Arizona Federal Custodial Holdings Summary

JURISDICTIONAL STATUS OF FEDERAL LAND AREAS		MULTIPLE COUNTY LISTINGS	
1417 07127 02 9999 999	PETRIFIED F. ON RST. NA. NO	001 APACHE	015 MARICOPA
BUREAU OF RECLAMATION			
1423 06867 02 9999 999	COLORADO RIVER STOR. PROJ.	015 MARICOPA	027 YUMA
1423 06870 02 9999 999	PARKER DAVIS PROJ.	015 MARICOPA	027 YUMA
1423 06875 02 9999 999	HASSATAMPA PROJ.	013 MARICOPA	025 YAVAPAI
1423 06877 02 9999 999	SALT RIVER PROJ.	007 GILA	013 MARICOPA
1423 12476 02 9999 999	MIDDLE GILA RIVER PROJ.	007 GILA	021 PINAL
FISH AND WILDLIFE SERV.			
1535 09369 02 9999 999	CABEZA PRIETA GAME RES.	019 PINAL	027 YUMA
DEFENSE			
1700 23176 02 9999 999	RESERVE TRAINING CENTER	007 GILA	013 MARICOPA
DEFENSE			
2100 20434 02 9999 999	HUACHUCA EGBE	003 COCHISE	023 SANTA CRUZ
2100 22512 02 9999 999	HUACHUCA FT. WILCOX AREA	003 COCHISE	009 GRANMA
2100 22514 02 9999 999	HUACHUCA FT. GILA BEND	007 GILA	013 MARICOPA
DEFENSE			
9600 12355 02 9999 999	ALAMO RESERVOIR	015 MARICOPA	027 YUMA
9600 13523 02 9999 999	INDIAN SCHOOL RD.	013 MARICOPA	027 YUMA

# Arizona Federal Custodial Holdings Summary

JURISDICTIONAL STATUS OF FEDERAL LANDS IN THE UNITED STATES AND TOTAL ACREAGE OF EACH STATE

TABLE 2. JURISDICTIONAL STATUS OF FEDERAL LANDS IN THE UNITED STATES AND TOTAL ACREAGE OF EACH STATE

STATE	NO. OF INSTALL	JURISDICTIONAL STATUS-IN ACRES						TOTAL ACREAGE OF STATE
		EXCLUSIVE	CONCURRENT	PARTIAL	PROPRIETORIAL	UNKNOWN	TOTAL	
ALABAMA	167	45,563.1	.0	98,843.7	938,284.4	.0	1,082,671.2	32,678,400
ALASKA	388	.0	23,909,238.5	2,068,614.9	339,094,369.3	.0	365,072,222.7	365,481,600
ARIZONA	147	734,995.1	.0	.0	31,803,194.7	.0	32,538,189.8	72,688,000
ARKANSAS	147	87,611.5	.0	145,798.0	2,791,875.5	.0	3,025,285.0	33,599,360
CALIFORNIA	670	208,453.4	86.0	2,358,112.7	42,043,017.9	.0	44,609,670.0	100,206,720
COLORADO	153	143,151.1	.0	307,773.5	23,462,705.4	.0	23,913,630.0	66,485,760
CONNECTICUT	132	1,159.4	.0	.0	5,553.0	2.8	6,715.2	3,135,960
DELAWARE	73	3,395.4	.0	.0	28,122.7	44.1	31,542.2	1,265,920
FLORIDA	284	157,700.9	.0	1,258,361.0	1,867,293.4	.0	3,283,355.3	34,721,280
GEORGIA	225	118,621.5	.0	438,230.8	1,477,208.1	.0	2,034,060.4	37,295,360
HAWAII	78	.0	34,803.5	196,040.1	2,307.5	.0	233,151.1	4,105,600
IDAH0	118	74,700.4	.0	303.6	34,119,291.9	.0	34,195,296.1	52,933,120
ILLINOIS	345	81,849.3	.0	1,445.2	354,416.7	.0	437,711.2	35,795,200
INDIANA	187	140,478.5	.0	62,755.9	143,999.3	.0	347,233.7	23,158,400
IOWA	157	20,301.8	.0	29.4	122,681.7	.0	143,012.9	35,860,480
KANSAS	185	1,130.7	572.7	123,414.0	303,103.9	.0	428,221.3	52,510,720
KENTUCKY	188	194,496.9	.0	50,507.4	822,372.0	.0	1,047,376.5	25,512,320
LOUISIANA	164	148,360.5	.0	82,502.0	817,786.8	.0	1,048,649.3	28,867,840
MAINE	208	22,738.0	2,987.0	2,141.1	101,999.2	.0	129,865.3	19,847,680
MARYLAND	180	124,123.7	10,663.2	103.6	47,162.1	.0	182,052.6	6,319,360
MASSACHUSETTS	320	23,094.7	.0	8.1	35,218.0	.0	58,320.8	5,034,680
MICHIGAN	358	20,614.1	3,061.1	539,339.4	2,485,259.6	42.4	3,248,316.6	34,492,160
MINNESOTA	188	7,204.0	.0	119.0	3,333,757.9	.0	3,341,080.9	51,205,760
MISSISSIPPI	149	8,914.8	1,402.8	20,471.3	1,480,869.9	213.4	1,511,872.4	30,222,720
MISSOURI	221	748.8	.0	78,191.3	1,618,821.8	.0	1,695,761.9	44,246,320
MONTANA	289	147,015.2	.0	1,012,558.4	26,510,504.9	8,303.6	27,678,382.1	93,271,040
NEBRASKA	137	71,158.5	.0	34,405.6	595,923.9	.0	701,488.0	49,031,680
NEVADA	98	14.1	.0	145,396.9	59,901,578.8	323.7	60,047,313.5	70,264,320
NEW HAMPSHIRE	63	114.7	.0	27.0	703,537.5	.0	703,679.2	5,768,960
NEW JERSEY	238	70,350.3	.0	1,364.0	28,773.6	.0	100,532.2	4,813,440
NEW MEXICO	161	107,284.5	740.5	171,029.3	26,871,017.4	14.0	27,150,085.7	27,766,400
NEW YORK	642	30,857.5	.0	51.2	192,883.4	16.4	223,808.7	30,680,960
NORTH CAROLINA	223	237,942.1	9.6	368,330.9	1,293,520.7	169.8	1,899,973.1	31,402,880
NORTH DAKOTA	145	366.4	.0	.0	2,005,970.1	.0	2,006,336.5	44,452,480
OHIO	390	50,257.9	.9	1.8	159,744.3	.0	210,004.9	26,222,080
OKLAHOMA	175	84,639.0	.0	51,259.7	1,070,355.1	950.4	1,207,204.2	44,087,680
OREGON	340	78,313.8	.0	180,484.1	31,731,962.8	.0	31,988,760.7	61,598,720
PENNSYLVANIA	414	4,690.2	2,425.3	35,949.1	516,665.7	.0	559,721.3	28,804,480
RHODE ISLAND	69	4,662.2	.0	.0	1,043.7	.0	5,705.9	877,120
SOUTH CAROLINA	127	88,834.1	8,502.4	50,580.3	979,405.1	.0	1,127,321.9	19,374,080
SOUTH DAKOTA	113	55,035.7	10.7	.0	3,335,581.1	.0	3,390,627.5	48,881,920
TENNESSEE	213	4,964.4	.0	327,652.4	1,216,195.9	.0	1,550,812.9	26,727,680
TEXAS	483	118,834.5	.0	926,201.1	1,690,497.0	6.1	2,735,538.7	188,217,600
UTAH	141	53,133.8	3,680.0	1,292.9	35,966,085.6	.8	36,024,193.1	52,696,960
VERMONT	69	12,540.5	.0	.0	242,033.3	.0	254,573.8	5,936,640
VIRGINIA	287	85,857.4	138,801.6	229,880.3	1,678,740.6	.0	2,133,279.9	25,498,320
WASHINGTON	494	78,955.8	55,080.5	1,136,738.5	11,313,934.0	.0	12,584,708.8	42,693,760
WEST VIRGINIA	134	464.5	3,607.7	.4	948,833.7	.0	953,105.8	15,110,560
WISCONSIN	223	60,824.0	.0	.0	1,721,584.1	.2	1,782,408.3	35,011,200
WYOMING	112	2,102,917.9	.0	8,090.2	27,960,813.0	1,499.1	30,073,320.2	62,403,840
U. S. TOTAL	11,232	5,922,581.0	24,175,674.0	12,489,393.3	728,135,837.5	11,629.5	770,735,115.3	2,271,365,120

# Arizona Federal Custodial Holdings Summary

ARIZONA						
CIVIL						
AGRICULTURE						
AGRICULTURAL RESEARCH SERVICE	2	.0	.0	.0	25.0	25.0
FOREST SERVICE	7	.0	.0	.0	11,397,922.8	11,397,922.8
SOIL CONSERVATION SERVICE	1	.0	.0	.0	45.9	45.9
TOTAL	10	.0	.0	.0	11,397,993.7	11,397,993.7
COMMERCE						
COAST AND GEODETTIC SURVEY	1	173.0	.0	.0	.0	173.0
HEALTH EDUCATION AND WELFARE						
PUBLIC HEALTH SERVICE	4	49.1	.0	.0	.8	49.9
INTERIOR						
INDIAN AFFAIRS, BUR OF	7	.0	.0	.0	90,507.0	90,507.0
LAND MANAGEMENT, BUR OF	7	.0	.0	.0	13,088,274.0	13,088,274.0
MINES BUREAU OF	1	.0	.0	.0	1.4	1.4
NATIONAL PARK SERVICE	18	.0	.0	.0	1,404,854.9	1,404,854.9
RECLAMATION, BUREAU OF	16	.0	.0	.0	1,382,893.2	1,382,893.2
COMM FISHERIES, BUR OF	3	679,680.0	.0	.0	847,297.4	1,526,977.4
TOTAL	52	679,680.0	.0	.0	16,813,827.9	17,493,507.9
JUSTICE						
IMMIGRATION AND NAT SERVICE	1	.0	.0	.0	1.5	1.5
PRISONS, BUREAU OF	2	.0	.0	.0	616.5	616.5
TOTAL	3	.0	.0	.0	618.0	618.0
POST OFFICE	10	4.4	.0	.0	.0	4.4
STATE						
INTER WATER COMM US MEX	1	.0	.0	.0	27.1	27.1
TREASURY						
CUSTOMS, BUREAU OF	1	.0	.0	.0	1.3	1.3
GENERAL SERVICES ADMINISTRATION	10	7.0	.0	.0	13.3	20.3
VETERANS ADMINISTRATION	3	380.5	.0	.0	23.6	404.1
OTHER CIVIL AGENCIES						
FEDERAL AVIATION AGENCY	12	.0	.0	.0	1,284.5	1,284.5
FEDERAL COMMUNICATIONS COMMISSION	1	.0	.0	.0	11.3	11.3
NATIONAL SCIENCE FOUNDATION	1	.0	.0	.0	2.6	2.6
TOTAL OTHER AGENCIES	14	.0	.0	.0	1,298.4	1,298.4
TOTAL CIVIL AGENCIES	109	680,294.0	.0	.0	28,213,804.1	28,894,098.1
DEFENSE						
MILITARY FUNCTIONS						
ARMY	12	52,514.0	.0	.0	978,983.0	1,031,497.0
AIR FORCE	18	499.3	.0	.0	2,575,424.7	2,575,924.0
NAVY	4	1,687.8	.0	.0	1,363.2	3,051.0
TOTAL MILITARY	34	54,701.1	.0	.0	3,555,770.9	3,610,472.0
CIVIL FUNCTIONS						
CORPS OF ENGINEERS	4	.0	.0	.0	33,619.7	33,619.7
TOTAL DEFENSE	38	54,701.1	.0	.0	3,589,390.6	3,644,091.7
TOTAL ALL AGENCIES	147	734,995.1	.0	.0	31,803,194.7	32,538,189.8

# Arizona Federal Custodial Holdings Summary

TABLE 1. JURISDICTIONAL STATUS OF FEDERAL LANDS IN THE UNITED STATES, BY AGENCY AND BUREAU

AGENCY AND BUREAU	NO. OF INSTALL.	JURISDICTIONAL STATUS, IN ACRES					TOTAL
		EXCLUSIVE	CONCURRENT	PARTIAL	PROPRIETORIAL	UNKNOWN	
<b>CIVIL</b>							
AGRICULTURE							
AGRICULTURAL MARKETING SERVICE	1	.0	.0	.0	9.9	.0	9.9
AGRICULTURAL RESEARCH SERVICE	93	35,950.7	.0	39.7	344,849.6	.0	400,840.0
COMMODITY CREDIT CORPORATION	22	9.9	.0	.0	53.0	.0	62.9
FARMERS HOME ADMINISTRATION	1	.0	.0	.0	1,668.5	.0	1,668.5
FOREST SERVICE	227	58,113.0	.0	411,226.0	185,682,972.0	.0	186,152,311.0
SOIL CONSERVATION SERVICE	19	20,402.0	.0	.0	20,402.0	.0	20,402.0
<b>TOTAL</b>	<b>363</b>	<b>94,571.6</b>	<b>.0</b>	<b>411,265.7</b>	<b>186,670,180.0</b>	<b>.0</b>	<b>187,176,018.3</b>
<b>COMMERCE</b>							
COAST AND GEODETIC SURVEY	13	214.5	.0	2.3	573.8	.0	790.6
MARITIME ADMINISTRATION	15	690.4	.0	.0	3,864.1	.0	4,554.5
NATIONAL BUREAU OF STANDARDS	8	.1	.0	.0	2,573.0	.0	2,573.1
PUBLIC ROADS, BUREAU OF	8	12.6	.0	.0	1,060.0	.0	1,072.6
OFFICE OF THE SECRETARY	1	.0	.0	.0	4.5	.0	4.5
WEATHER BUREAU	7	9.0	.0	.0	430.4	.0	439.4
<b>TOTAL</b>	<b>57</b>	<b>926.6</b>	<b>.0</b>	<b>2.3</b>	<b>8,331.8</b>	<b>.0</b>	<b>9,260.7</b>
<b>HEALTH EDUCATION AND WELFARE</b>							
PUBLIC HEALTH SERVICE	86	3,251.9	7.0	70.1	1,200.0	.0	5,029.0
<b>INTERIOR</b>							
BOONEVILLE POWER ADMIN	249	.0	.0	.0	8,598.2	.0	8,598.2
ALASKA RAIL ROAD	1	.0	.0	.0	38,945.2	.0	38,945.2
GEOLOGICAL SURVEY	3	.0	.0	.0	68.1	.0	68.1
INDIAN AFFAIRS, BUR OF	88	45,006.2	.0	.0	4,413,107.1	11,112.8	4,468,226.1
LAND MANAGEMENT, BUR OF	151	23,000,000.0	.0	.0	449,424,821.2	.0	449,424,821.2
MINES, BUREAU OF	24	365.8	17.9	.0	25,228.4	.0	25,612.3
NATIONAL PARK SERVICE	193	2,333,332.9	19,131.3	9,725,570.8	10,793,174.0	.0	22,361,169.0
RECLAMATION, BUREAU OF	164	415.0	.0	87,440.0	9,102,706.4	.0	9,190,566.4
SALINE WATER, OFFICE OF	6	.0	.0	.0	77.7	.0	77.7
SOUTHWESTERN POWER ADM	421	709,349.0	1,608.4	4,740.8	74,543,789.0	323.7	77,250,789.9
COMM FISHERIES, BUR OF	1,308	1,088,470.0	23,020,597.4	9,807,778.4	517,560,242.1	11,430.7	532,510,718.6
<b>JUSTICE</b>							
IMMIGRATION AND NAT SERVICE	29	24.1	.0	.0	81.4	.0	105.5
PRISONS, BUREAU OF	26	21,068.4	.0	521.0	4,405.9	.0	25,995.3
<b>TOTAL</b>	<b>55</b>	<b>21,092.5</b>	<b>.0</b>	<b>521.0</b>	<b>4,487.3</b>	<b>.0</b>	<b>26,100.8</b>
<b>POST OFFICE</b>	<b>3,023</b>	<b>1,232.0</b>	<b>76.3</b>	<b>190.0</b>	<b>175.3</b>	<b>.0</b>	<b>1,673.6</b>
<b>STATE</b>							
INTER WATER COMM US MEX	6	5,260.2	.0	.0	69,122.6	.0	74,382.8
<b>TREASURY</b>							
CUSTOMS, BUREAU OF	19	7.6	.0	.0	25.4	.0	33.0
RENT, BUREAU OF	5	82.3	.0	.0	.4	.0	82.7
COAST GUARD	1,271	10,633.6	10,459.9	489.2	10,783.0	242.8	22,308.5
<b>TOTAL</b>	<b>1,295</b>	<b>10,723.5</b>	<b>10,459.9</b>	<b>489.2</b>	<b>10,808.8</b>	<b>242.8</b>	<b>22,724.2</b>
<b>GENERAL SERVICES ADMINISTRATION</b>	<b>712</b>	<b>4,731.0</b>	<b>132.8</b>	<b>253.4</b>	<b>7,480.8</b>	<b>46.5</b>	<b>12,644.5</b>
<b>HOUSING AND HOME FINANCE AG</b>							
OFFICE OF THE ADMINISTR	5	.0	.0	.0	28.1	.0	28.1
PUBLIC HOUSING ADMINITS	8	.0	.0	.0	238.0	.0	238.0
<b>TOTAL</b>	<b>13</b>	<b>.0</b>	<b>.0</b>	<b>.0</b>	<b>266.1</b>	<b>.0</b>	<b>266.1</b>
<b>VETERANS ADMINISTRATION</b>	<b>184</b>	<b>21,740.8</b>	<b>1,423.5</b>	<b>1,470.5</b>	<b>1,923.8</b>	<b>.0</b>	<b>26,558.6</b>
<b>OTHER CIVIL AGENCIES</b>							
ATOMIC ENERGY COMMISSION	38	12,294.3	98.9	679.9	2,093,251.7	.0	2,106,324.8
CENTRAL INTELLIGENCE AGENCY	3	.0	138.2	.0	585.4	.0	723.6
FEDERAL AVIATION AGENCY	247	714.1	10,900.1	.0	100,488.3	.0	112,102.5
FEDERAL COMMUNICAT COMM	17	843.0	9.3	.0	2,011.2	.0	2,863.5
NATL AERD AND SPACE ADM	9	872.4	.0	.0	21,513.1	.0	22,385.5
NATIONAL SCIENCE FOUNDA	2	.0	2,654.3	.0	2.6	.0	2,656.9
SAINT LAWRENCE SEAWAY	1	.0	.0	.0	3,269.0	.0	3,269.0
TERR VALLEY AUTHORITY	114	2,493.5	.0	.0	695,029.1	.0	697,522.6
SMITHSONIAN INSTITUTION	1	21.0	.0	.0	.0	.0	21.0
U S INFORMATION AGENCY	6	.0	.0	.0	8,197.4	.0	8,197.4
<b>TOTAL OTHER AGENCIES</b>	<b>438</b>	<b>17,538.5</b>	<b>13,796.8</b>	<b>679.9</b>	<b>2,924,952.3</b>	<b>.0</b>	<b>2,956,967.5</b>
<b>TOTAL CIVIL AGENCIES</b>	<b>7,520</b>	<b>3,169,043.8</b>	<b>23,061,697.2</b>	<b>10,773,134.8</b>	<b>706,349,150.0</b>	<b>11,629.5</b>	<b>742,760,076.3</b>
<b>DEFENSE</b>							
<b>MILITARY FUNCTIONS</b>							
ARMY	1,147	1,767,371.4	872,770.4	1,401,904.9	5,816,665.9	.0	9,858,712.6
AIR FORCE	1,223	625,913.0	156,009.4	201,522.6	8,222,432.0	.0	9,005,896.0
NAVY	673	444,609.2	57,560.4	862,560.1	2,305,287.3	.0	3,470,006.0
<b>TOTAL MILITARY</b>	<b>2,643</b>	<b>2,637,893.6</b>	<b>1,086,339.4</b>	<b>2,265,046.6</b>	<b>16,344,405.2</b>	<b>.0</b>	<b>22,333,684.8</b>
<b>CIVIL FUNCTIONS</b>							
CORPS OF ENGINEERS	259	15,633.5	656.7	393.9	5,641,881.4	.0	5,658,375.5
<b>TOTAL DEFENSE</b>	<b>3,601</b>	<b>2,653,527.1</b>	<b>1,086,996.1</b>	<b>2,266,239.5</b>	<b>21,986,286.6</b>	<b>.0</b>	<b>27,992,839.3</b>
<b>TOTAL ALL AGENCIES</b>	<b>11,121</b>	<b>5,822,570.9</b>	<b>24,148,693.3</b>	<b>12,489,374.3</b>	<b>728,335,436.6</b>	<b>11,629.5</b>	<b>770,735,115.3</b>



State of Arizona  
Senate  
Thirty-fourth Legislature  
Second Regular Session  
1980  
Senate Bill 1012

# SB1012 – 1980

State of Arizona  
Senate  
Thirty-fourth Legislature  
Second Regular Session  
1980

## CHAPTER 38

### SENATE BILL 1012

#### AN ACT

RELATING TO PUBLIC LANDS; PROVIDING FOR STATE CONTROL OF CERTAIN LANDS WITHIN STATE BOUNDARIES; PRESCRIBING DEFINITIONS; PRESCRIBING PUBLIC POLICY FOR USE OF PUBLIC LANDS; PRESCRIBING POWERS AND DUTIES OF STATE LAND DEPARTMENT AND STATE LAND COMMISSIONER; ESTABLISHING A PUBLIC LANDS BOARD OF REVIEW AND PRESCRIBING MEMBERS AND POWERS AND DUTIES; PROVIDING FOR APPEAL OF COMMISSIONER'S DECISIONS ON PUBLIC LANDS; PROVIDING FOR DISPOSAL OF PUBLIC LANDS; PROVIDING FOR TAXATION OF CERTAIN PUBLIC LANDS; PRESCRIBING POWERS AND DUTIES OF ATTORNEY GENERAL; PROVIDING FOR REIMBURSEMENT BY THIS STATE OF CERTAIN FEDERAL PAYMENTS TO COUNTIES IF STATE ACTION REDUCES THE FEDERAL PAYMENTS; PRESCRIBING PROCEDURES AND EFFECTIVE DATE FOR STATE REIMBURSEMENT TO COUNTIES; AMENDING TITLE 37, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 5, AND MAKING AN APPROPRIATION.

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

2 Section 1. Legislative intent

3 The legislature finds that:

4 1. On February 14, 1912, Arizona was admitted to statehood on the  
5 condition that it forever disclaim all right and title to unappropriated  
6 public land within its boundaries.

7 2. The State of Arizona has strong moral, historical, economic and  
8 legal claims upon the public land retained by the federal government within  
9 its borders.

10 3. The fact that Arizona and other states, especially western  
11 states and others admitted to statehood in recent times, were forced to  
12 renounce any claim to the unappropriated lands within their boundaries  
13 violates the "equal footing" doctrine because Arizona and the other states  
14 were denied admission to the Union on an equal footing with the original  
15 states.

16 4. The doctrine of admission to statehood on an equal footing with  
17 the other states is based on the very character and purpose of the Union of  
18 the states as established by the Constitution of the United States and is  
19 supported by very early case law precedent and other governmental actions.

20 5. The exercise by this state of control over the public lands  
21 within its boundaries would greatly benefit the public because the tax

# SB1012 - 1980

S.B. 1012

burden on state residents could be lessened. State administration of the public lands would result in a more coordinated and fair management of public lands. The availability of additional land is absolutely essential to accommodate the rapidly growing population of this state and would enhance the lifestyle of all state residents.

6. The states of this Union and their citizens are at least as well-equipped as the federal government to make the often difficult policy decisions that are necessary with respect to the appropriate uses to which the lands within the states should be put.

Sec. 2. Title 37, Arizona Revised Statutes, is amended by adding chapter 5, to read:

## CHAPTER 5

### STATE CLAIMS TO PUBLIC LANDS

#### ARTICLE 1. GENERAL PROVISIONS

##### 37-901. Definitions

IN THIS CHAPTER, UNLESS THE CONTEXT OTHERWISE REQUIRES:

1. "BOARD" MEANS THE PUBLIC LANDS BOARD OF REVIEW.

2. "PUBLIC LANDS" MEANS ALL LANDS WITHIN THE EXTERIOR BOUNDARIES OF THIS STATE EXCEPT LANDS:

(a) TO WHICH TITLE IS HELD BY ANY NATURAL PERSON, CORPORATION, COMPANY, PARTNERSHIP, FIRM, ASSOCIATION, SOCIETY OR ANY OTHER ENTITY.

(b) WHICH ARE OWNED OR HELD IN TRUST BY THIS STATE OR ANY POLITICAL SUBDIVISION OF THIS STATE, INCLUDING LEASED SCHOOL OR UNIVERSITY LAND.

(c) LANDS WHICH ARE LOCATED WITHIN AND MEET THE STANDARDS AND PURPOSES OF CONGRESSIONALLY AUTHORIZED NATIONAL PARKS, MONUMENTS, NATIONAL FORESTS AND WILDLIFE REFUGES AND SUCH OTHER LANDS ACQUIRED BY PURCHASE, EXCHANGE, GIFT OR EMINENT DOMAIN CONSENTED TO BY THE LEGISLATURE.

(d) WHICH ARE CONTROLLED BY THE UNITED STATES DEPARTMENT OF DEFENSE, DEPARTMENT OF ENERGY OR BUREAU OF RECLAMATION AND WHICH WERE ACQUIRED BY CONSENT OF THE LEGISLATURE AND WHICH MEET THE STANDARDS AND PURPOSES FOR WHICH CONTROL WAS AUTHORIZED.

(e) WHICH ARE HELD IN TRUST FOR INDIAN PURPOSES OR WHICH ARE INDIAN RESERVATIONS.

##### 37-902. Public lands; public policy; state land department

A. THE DEPARTMENT SHALL HOLD THE PUBLIC LANDS OF THIS STATE IN TRUST FOR THE BENEFIT OF THE PEOPLE OF THIS STATE AND SHALL MANAGE THEM IN AN ORDERLY AND BENEFICIAL MANNER CONSISTENT WITH THE PUBLIC POLICY DECLARED IN SUBSECTION B.

B. THE DEPARTMENT SHALL ADMINISTER THE PUBLIC LANDS OF THIS STATE IN SUCH A MANNER AS TO CONSERVE AND PRESERVE NATURAL RESOURCES, WILDLIFE HABITAT, WILDERNESS AREAS AND HISTORICAL SITES AND ARTIFACTS AND TO PERMIT THE DEVELOPMENT OF COMPATIBLE PUBLIC USES FOR RECREATION, AGRICULTURE, RANCHING, MINING AND TIMBER PRODUCTION AND THE DEVELOPMENT, PRODUCTION AND TRANSMISSION OF ENERGY AND OTHER PUBLIC UTILITY SERVICES UNDER PRINCIPLES OF MULTIPLE USE WHICH PROVIDE THE GREATEST BENEFIT TO THE PEOPLE OF THIS STATE.

C. SUBJECT TO EXISTING RIGHTS, ALL PUBLIC LAND IN THIS STATE AND ALL MINERALS NOT PREVIOUSLY APPROPRIATED TO PRIVATE OWNERSHIP ARE THE PROPERTY OF THIS STATE AND SUBJECT TO ITS JURISDICTION AND CONTROL.

# SB1012 - 1980

S.B. 1012

1 D. ANY PUBLIC LANDS WITHIN THIS STATE ADMINISTERED BY THE UNITED  
2 STATES UNDER TREATIES OR INTERSTATE COMPACTS SHALL CONTINUE TO BE  
3 ADMINISTERED BY THIS STATE IN CONFORMANCE WITH THE TREATIES OR COMPACTS.  
4 E. UNTIL EQUIVALENT MEASURES ARE ENACTED BY THIS STATE, THE RIGHTS  
5 AND PRIVILEGES OF THE PEOPLE OF THIS STATE UNDER THE NATIONAL FOREST  
6 RESERVE TRANSFER ACT, 16 U.S.C. SEC. 471 ET SEQ., THE GENERAL MINING LAWS,  
7 30 U.S.C. SEC. 21 ET SEQ., THE TAYLOR GRAZING ACT, 43 U.S.C. SEC. 315 ET  
8 SEQ., THE DESERT LAND ACT, 43 U.S.C. SEC. 321 ET SEQ., THE CAREY ACT, 43  
9 U.S.C. SEC. 641 ET SEQ., THE PUBLIC RANGELANDS IMPROVEMENT ACT, 43 U.S.C.  
10 SEC. 1901 ET SEQ. AND ALL RIGHTS-OF-WAY AND EASEMENTS FOR PUBLIC UTILITIES  
11 ARE PRESERVED UNDER THE ADMINISTRATION OF THIS STATE.  
12 37-903. State land commissioner; powers; duties  
13 A. THE COMMISSIONER MAY:  
14 1. WITH THE APPROVAL OF THE BOARD, PROMULGATE RULES AND REGULATIONS  
15 DEEMED NECESSARY TO MANAGE THE PUBLIC LANDS IN AN ORDERLY AND BENEFICIAL  
16 MANNER ACCORDING TO THIS CHAPTER.  
17 2. CONTRACT FOR OR EMPLOY PROFESSIONAL AND CLERICAL PERSONNEL  
18 DEEMED NECESSARY TO CARRY OUT HIS FUNCTIONS UNDER THIS CHAPTER. ANY  
19 CONTRACT FOR PROFESSIONAL SERVICES MUST BE APPROVED AND ANY MONEY  
20 NECESSARY TO COMPENSATE THOSE PERSONS MUST BE APPROVED FOR EXPENDITURE BY  
21 THE JOINT LEGISLATIVE BUDGET COMMITTEE.  
22 3. CONVEY, LEASE OR PERMIT THE USE OF PUBLIC LANDS TO THE SAME  
23 EXTENT OR IN THE SAME MANNER AS THE PUBLIC LANDS ARE CONVEYED, LEASED,  
24 LICENSED OR PERMITTED TO BE USED BY THE FEDERAL GOVERNMENT OR ANY OF ITS  
25 AGENCIES.  
26 B. THE COMMISSIONER SHALL DEPOSIT ALL FEES, RENTS, ROYALTIES OR  
27 OTHER MONIES PAID TO THIS STATE FOR PURPOSES OF PUBLIC LANDS, EXCEPT FOR  
28 STATE TRUST LANDS, WITH THE STATE TREASURER FOR CREDIT TO THE GENERAL  
29 FUND.  
30 37-904. Public lands board of review; members;  
31 powers and duties; administrative staff  
32 and offices; service of process  
33 A. THERE IS ESTABLISHED A PUBLIC LANDS BOARD OF REVIEW CONSISTING  
34 OF THE FOLLOWING MEMBERS:  
35 1. STATE LAND COMMISSIONER.  
36 2. DIRECTOR OF THE DEPARTMENT OF HEALTH SERVICES DIVISION OF AIR  
37 AND WATER QUALITY.  
38 3. DIRECTOR OF THE DEPARTMENT OF MINERAL RESOURCES.  
39 4. DIRECTOR OF THE ARIZONA STATE PARKS BOARD.  
40 5. DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION.  
41 6. DEPUTY STATE FORESTER.  
42 7. CHAIRMAN OF THE ARIZONA WATER COMMISSION.  
43 8. DIRECTOR OF THE ARIZONA GAME AND FISH DEPARTMENT.  
44 9. AS PROVIDED IN SUBSECTION F, THE CHAIRMAN OF THE BOARD OF  
45 SUPERVISORS OF A COUNTY IN WHICH PUBLIC LANDS ARE LOCATED.  
46 10. ONE COUNTY SUPERVISOR, APPOINTED BY THE GOVERNOR TO SERVE AT THE  
47 PLEASURE OF THE GOVERNOR.

# SB1012 – 1980

State of Arizona  
Senate  
Thirty-fourth Legislature  
Second Regular Session  
1980

## CHAPTER 38

### SENATE BILL 1012

#### AN ACT

RELATING TO PUBLIC LANDS; PROVIDING FOR STATE CONTROL OF CERTAIN LANDS WITHIN STATE BOUNDARIES; PRESCRIBING DEFINITIONS; PRESCRIBING PUBLIC POLICY FOR USE OF PUBLIC LANDS; PRESCRIBING POWERS AND DUTIES OF STATE LAND DEPARTMENT AND STATE LAND COMMISSIONER; ESTABLISHING A PUBLIC LANDS BOARD OF REVIEW AND PRESCRIBING MEMBERS AND POWERS AND DUTIES; PROVIDING FOR APPEAL OF COMMISSIONER'S DECISIONS ON PUBLIC LANDS; PROVIDING FOR DISPOSAL OF PUBLIC LANDS; PROVIDING FOR TAXATION OF CERTAIN PUBLIC LANDS; PRESCRIBING POWERS AND DUTIES OF ATTORNEY GENERAL; PROVIDING FOR REIMBURSEMENT BY THIS STATE OF CERTAIN FEDERAL PAYMENTS TO COUNTIES IF STATE ACTION REDUCES THE FEDERAL PAYMENTS; PRESCRIBING PROCEDURES AND EFFECTIVE DATE FOR STATE REIMBURSEMENT TO COUNTIES; AMENDING TITLE 37, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 5, AND MAKING AN APPROPRIATION.

- 1 Be it enacted by the Legislature of the State of Arizona:  
2     Section 1. Legislative intent  
3     The legislature finds that:  
4     1. On February 14, 1912, Arizona was admitted to statehood on the  
5     condition that it forever disclaim all right and title to unappropriated  
6     public land within its boundaries.  
7     2. The State of Arizona has strong moral, historical, economic and  
8     legal claims upon the public land retained by the federal government within  
9     its borders.  
10    3. The fact that Arizona and other states, especially western  
11    states and others admitted to statehood in recent times, were forced to  
12    renounce any claim to the unappropriated lands within their boundaries  
13    violates the "equal footing" doctrine because Arizona and the other states  
14    were denied admission to the Union on an equal footing with the original  
15    states.  
16    4. The doctrine of admission to statehood on an equal footing with  
17    the other states is based on the very character and purpose of the Union of  
18    the states as established by the Constitution of the United States and is  
19    supported by very early case law precedent and other governmental actions.  
20    5. The exercise by this state of control over the public lands  
21    within its boundaries would greatly benefit the public because the tax

# SB1012 - 1980

S.B. 1012

1 A. AFTER JANUARY 1, 1980 NO SALE, CONVEYANCE OR OTHER DISPOSAL OF  
2 PUBLIC LANDS MAY BE AUTHORIZED BY THE COMMISSIONER UNLESS SPECIFICALLY  
3 AUTHORIZED BY LAW BY THE LEGISLATURE.

4 B. EXCEPT AS AUTHORIZED BY THIS CHAPTER OR BY THE COMMISSIONER  
5 PURSUANT TO LAW, ANY SALE, LEASE, EXCHANGE, ENCUMBRANCE OR OTHER DISPOSAL  
6 OF ANY PARCEL OF OR INTEREST IN THE PUBLIC LANDS IS VOID.

7 C. ANY PERSON WHO INTENDS TO PERFORM OR CARRY OUT ANY ACT WITH  
8 RESPECT TO THE USE, MANAGEMENT OR DISPOSAL OF ANY PUBLIC LANDS UNDER ANY  
9 STATUTE, ORDINANCE, REGULATION, CUSTOM OR USAGE OF THE UNITED STATES OR  
10 OTHERWISE SHALL OBTAIN WRITTEN AUTHORIZATION FROM THE COMMISSIONER  
11 CONFIRMING OR APPROVING THE ACT. THE COMMISSIONER SHALL GIVE THE WRITTEN  
12 AUTHORIZATION ONLY AS PERMITTED UNDER THIS CHAPTER.

13 D. ANY PERSON WHO DOES NOT OBTAIN WRITTEN AUTHORIZATION AS REQUIRED  
14 UNDER SUBSECTION C MAY BE ENJOINED IN AN ACTION BROUGHT BY THE ATTORNEY  
15 GENERAL FROM PERFORMING OR CONTINUING TO CARRY OUT ANY ACT RESPECTING THE  
16 USE, MANAGEMENT OR DISPOSAL OF ANY PUBLIC LANDS.

17 E. ANY PERSON WHO RECEIVES ANY MONEY OR OTHER CONSIDERATION FOR ANY  
18 PURPORTED SALE OR OTHER DISPOSITION OF ANY PUBLIC LANDS WHICH WAS MADE IN  
19 VIOLATION OF THIS CHAPTER IS LIABLE TO THIS STATE FOR THAT MONEY OR THE  
20 VALUE OF ANY OTHER CONSIDERATION. THE MONEY OR VALUE OF ANY OTHER  
21 CONSIDERATION MAY BE RECOVERED FOR THIS STATE IN AN ACTION BROUGHT BY THE  
22 ATTORNEY GENERAL.

23 37-907. Federal lands acquired without legislative  
24 consent; placement on tax rolls

25 ALL FEDERAL LANDS ACQUIRED BEFORE THE EFFECTIVE DATE OF THIS SECTION  
26 WITHOUT CONSENT OF THE LEGISLATURE THROUGH GIFT, PURCHASE, EXCHANGE OR  
27 EMINENT DOMAIN SHALL BE PLACED ON THE GENERAL TAX ROLLS OF THE COUNTIES OF  
28 THIS STATE IN THE NAME OF THE GRANTOR OF THE RESPECTIVE TRANSACTIONS. SUCH  
29 PROPERTY IS SUBJECT TO TAXATION IN THE SAME MANNER AS LIKE PROPERTY FROM  
30 AND AFTER JANUARY 1, 1981 UNLESS PRIOR TO JANUARY 1, 1981 THE LEGISLATURE  
31 SPECIFICALLY APPROVES AND CONSENTS TO FEDERAL OWNERSHIP OF THE LANDS.

32 37-908. Powers and duties of attorney general

33 THE ATTORNEY GENERAL MAY INITIATE OR DEFEND AN ACTION COMMENCED IN  
34 ANY COURT TO CARRY OUT OR ENFORCE THIS CHAPTER OR SEEK ANY APPROPRIATE  
35 JUDICIAL RELIEF TO PROTECT THE INTERESTS OF THIS STATE. ENFORCEMENT OF  
36 THIS CHAPTER RESTS EXCLUSIVELY WITH THE ATTORNEY GENERAL.

37 37-909. State payments to counties

38 A. A COUNTY RECEIVING PAYMENTS FROM THE FEDERAL GOVERNMENT OR ANY  
39 FEDERAL AGENCY UNDER 31 UNITED STATES CODE SECTION 1601 ET SEQ., WHOSE  
40 PAYMENTS ARE REDUCED DUE TO ACTION TAKEN BY THIS STATE UNDER THIS ARTICLE  
41 SHALL BE REIMBURSED BY THE STATE TREASURER FROM THE STATE GENERAL FUND IN  
42 THE TOTAL AMOUNT OF THE REDUCED REVENUES.

43 B. PRIOR TO RECEIVING ANY AMOUNT FROM THE STATE TREASURER, THE  
44 BOARD OF SUPERVISORS OF AN AFFECTED COUNTY SHALL SUBMIT TO THE STATE  
45 TREASURER, ON A FORM PROVIDED BY THE STATE TREASURER, THE FOLLOWING  
46 INFORMATION:

47 1. THE ACREAGE AND LOCATION OF THE LAND INVOLVED.

48 2. THE TOTAL AMOUNT OF REVENUE RECEIVED FROM THE FEDERAL GOVERNMENT  
49 UNDER 31 UNITED STATES CODE SECTION 1601 ET SEQ., FOR THE PRIOR FISCAL  
50 YEAR.



# SB1012 - 1980

S.B. 1012

1 3. THE TOTAL AMOUNT OF REVENUE RECEIVED FROM THE FEDERAL GOVERNMENT  
2 UNDER 31 UNITED STATES CODE SECTION 1601 ET SEQ., FOR THE CURRENT FISCAL  
3 YEAR.  
4 4. THE TOTAL AMOUNT OF REVENUE LOST BY THE COUNTY DURING THE CURRENT  
5 FISCAL YEAR DUE TO ACTION TAKEN UNDER THIS ARTICLE.  
6 C. THE STATE TREASURER, AFTER VERIFYING THE INFORMATION SUBMITTED,  
7 SHALL DRAW A WARRANT ON THE STATE GENERAL FUND AND SEND THE WARRANT TO THE  
8 COUNTY WHICH SUBMITTED THE INFORMATION UNDER SUBSECTION B.  
9 D. A COUNTY SHALL NOT RECEIVE AN AMOUNT FROM THE STATE TREASURER  
10 THAT, WHEN COMBINED WITH THE AMOUNT RECEIVED FROM THE FEDERAL GOVERNMENT,  
11 EXCEEDS THE TOTAL AMOUNT THE COUNTY WOULD HAVE BEEN ELIGIBLE FOR UNDER 31  
12 UNITED STATES CODE SECTION 1601 ET SEQ., DURING THE SAME PERIOD OF TIME.  
13 Sec. 3. Appropriation; lapsing  
14 A. There is appropriated to the department of law from the general  
15 fund the sum of sixty thousand dollars for purposes of implementing  
16 sections 37-908 and 37-906, subsection D, Arizona Revised Statutes, as  
17 added by this act.  
18 B. The appropriation made in this section is exempt from section  
19 35-190, Arizona Revised Statutes, relating to lapsing of appropriations.  
20 Sec. 4. Intent regarding termination  
21 Notwithstanding the provisions of this act, the legislature intends  
22 that if the provisions of title 41, chapter 20, Arizona Revised Statutes,  
23 operate to terminate an agency, any provisions regarding powers, duties,  
24 functions or personnel added or amended by this act terminate on the date  
25 of termination of the particular agency.  
26 Sec. 5. Conditional enactment  
27 Arizona Revised Statutes section 37-909, as added by section 2 of  
28 this act becomes effective only after a final judicial adjudication  
29 determines that this act is constitutional.

Vetoed by the Governor - April 12, 1980

Passed the House and Senate overriding the Governor's veto by the  
following vote:

Passed the Senate - April 14, 1980: 21 Ayes, 8 Nays, 1 Not Voting

Passed the House - April 15, 1980: 46 Ayes, 8 Nays, 6 Not Voting

# SB1012 - 1980

Passed the Senate March 31, 1980  
by the following vote: 20 Ayes,  
10 Nays, 0 Not Voting.

Les Arbet  
President of the Senate

Shirley L. Webster  
Secretary of the Senate

Passed the House April 1, 1980  
by the following vote: 47 Ayes,  
11 Nays, 2 Not Voting.

Frank Kelley  
Speaker of the House

L. Jane Richards  
Chief Clerk of the House

## EXECUTIVE DEPARTMENT OF ARIZONA OFFICE OF THE GOVERNOR

This Bill was received by the Governor  
this 2nd day of April, 1980  
at 11:50 o'clock A.M.

Randy Weiss  
Secretary to the Governor

Vetoed  
APPROVED THIS 8th DAY OF  
April, 1980  
at 12 o'clock P.M.

Ben Buhai  
Governor of Arizona

## EXECUTIVE DEPARTMENT OF ARIZONA OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of  
State this \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

# SB1012 - 1980

Passed the Senate April 14, 1980

OVERRIDING THE GOVERNOR'S VETO

by the following vote: 21 Ayes,

8 Nays, 1 Not Voting.

Les Conhet  
President of the Senate

Shirley R. Wharton  
Secretary of the Senate

Passed the House April 15, 1980

OVERRIDING THE GOVERNOR'S VETO

by the following vote: 46 Ayes,

8 Nays, 6 Not Voting.

Frank Kelley  
Speaker of the House

L. Jane Richards  
Chief Clerk of the House

## EXECUTIVE DEPARTMENT OF ARIZONA OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of

State this 15<sup>th</sup> day of April,

19 80, at 4:00 o'clock P. M.

Jose Nogales  
Secretary of State