

State of Arizona
House of Representatives
Fiftieth Legislature
Second Regular Session
2012

HOUSE CONCURRENT RESOLUTION 2004

A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING THE CONSTITUTION OF ARIZONA BY ADDING ARTICLE II.I; AMENDING ARTICLE XX, PARAGRAPHS 4 AND 12, CONSTITUTION OF ARIZONA; RELATING TO STATE SOVEREIGNTY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

3 1. Article II.I, Constitution of Arizona, is proposed to be added as
4 follows if approved by the voters and on proclamation of the Governor:

5 ARTICLE II.I. DECLARATION OF STATE SOVEREIGNTY

6 1. Declaration of sovereignty

7 SECTION 1. A. EACH STATE OF THE UNION POSSESSES FULL
8 ATTRIBUTES OF SOVEREIGNTY ON AN EQUAL FOOTING WITH ALL OTHER
9 STATES, THE RETENTION OF WHICH IS RECOGNIZED, ACKNOWLEDGED AND
10 GUARANTEED BY THE CONSTITUTION OF THE UNITED STATES.

11 B. STATE SOVEREIGNTY IS FUNDAMENTAL TO THE SECURITY OF
12 INDIVIDUAL RIGHTS, THE PERPETUITY OF FREE GOVERNMENT AND THE
13 INHERENT POLITICAL POWER OF THE PEOPLE.

14 C. THE STATE OF ARIZONA DECLARES ITS SOVEREIGN AND
15 EXCLUSIVE AUTHORITY AND JURISDICTION OVER THE AIR, WATER, PUBLIC
16 LANDS, MINERALS, WILDLIFE AND OTHER NATURAL RESOURCES WITHIN ITS
17 BOUNDARIES EXCEPT FOR:

18 1. TERRITORY ESTABLISHED AS INDIAN RESERVATIONS BY THE
19 GOVERNMENT OF THE UNITED STATES.

20 2. LANDS OF THE UNITED STATES OR LANDS OVER WHICH
21 JURISDICTION HAS BEEN CEDED, IN A MANNER PRESCRIBED BY LAW, TO
22 THE UNITED STATES PURSUANT TO ARTICLE I, SECTION 8, CLAUSE 17,
23 CONSTITUTION OF THE UNITED STATES.

24 2. Article XX, paragraphs 4 and 12, Constitution of Arizona, are
25 proposed to be amended as follows if approved by the voters and on
26 proclamation of the Governor:

27 Fourth. Public lands; Indian lands

28 Fourth. The people inhabiting this state do agree and
29 declare that they forever disclaim all right and title ~~to the~~
30 ~~unappropriated and ungranted public lands lying within the~~
31 ~~boundaries thereof and~~ to all lands lying within ~~said~~ THE
32 boundaries OF THIS STATE owned or held by any Indian or Indian
33 tribes, the right or title to which shall have been acquired
34 through or from the United States or any prior sovereignty, and
35 that, until the title of such Indian or Indian tribes shall have
36 been extinguished, the same shall be, and remain, subject to the
37 disposition and under the absolute jurisdiction and control of
38 the Congress of the United States.

39 Twelfth. Lands granted to state

40 Twelfth. The state of Arizona and its people hereby
41 consent to all and singular the provisions of the enabling act
42 approved June 20, 1910, concerning the lands thereby granted or
43 confirmed to the state, EXCEPT FOR the terms and conditions ~~upon~~
44 ON which said grants and confirmations are made, ~~and~~ the means

1 and manner of enforcing such terms and conditions,~~all in every~~
2 ~~respect and particular as in the aforesaid enabling act provided~~
3 AND THE TERMS AND CONDITIONS FOR THE USE AND DISPOSITION OF THE
4 LANDS.

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