



PROPOSITION 120



OFFICIAL TITLE

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 PROPOSED AMENDMENT

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

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

ARTICLE II.I. DECLARATION OF STATE SOVEREIGNTY

1. Declaration of sovereignty

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

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

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

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

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

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

Fourth. Public lands; Indian lands

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

Twelfth. Lands granted to state

Twelfth. The state of Arizona and its people hereby consent to all and singular the provisions of the enabling act approved June 20, 1910, concerning the lands thereby granted or confirmed to the state, EXCEPT FOR the terms and conditions upon ON which said grants and confirmations are made, and the means and manner of enforcing such terms and conditions, all in every respect and particular as in the aforesaid enabling act provided AND THE TERMS AND CONDITIONS FOR THE USE AND DISPOSITION OF THE LANDS.

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

ANALYSIS BY LEGISLATIVE COUNCIL

In 1910, the United States Congress passed the Arizona-New Mexico Enabling Act, allowing Arizona to become a state. The Enabling Act also granted Arizona approximately 10.9 million acres of state trust land, subject to certain terms for the management, operation, use and disposition of those trust lands.

Proposition 120 would amend the Arizona Constitution to declare Arizona's sovereign and exclusive authority and jurisdiction over the air, water, public lands, minerals, wildlife and other natural resources within the state's boundaries. Specifically excluded from this declaration are Indian reservations, lands of the United States and federal "forts, magazines, arsenals, dock-yards, and other needful buildings" obtained for federal government purposes, as required by Article I, section 8, clause 17 of the United States Constitution.

Proposition 120 also would amend the Arizona Constitution to repeal Arizona's disclaimer of all right and title to public lands within the state (except Indian reservations) and to repeal Arizona's consent to provisions of the Enabling Act.

Proposition 120 would declare that each state possesses full attributes of sovereignty on an equal footing with all other states, as provided by the United States Constitution, and that state sovereignty is fundamental to the security of individual rights, free government and the inherent political power of the people.

PROPOSITION 120

ARGUMENTS "FOR" PROPOSITION 120

(I support Proposition 120. When the western territories became states, the federal government violated the enabling acts that incorporated them and retained land within each of the western states in violation of federal law. Federal retention of that land hurts the economy of the western states and leaves them struggling to adequately fund public education, nurture their economies, and manage their forests and natural resources. Simply put, federal control and interference in state affairs inhibits Arizona's ability to provide for the welfare, health and safety of our people.

The EPA threatens to close coal-generating power plants with excessive regulations. Closing these plants will result in higher utility costs for everyone.

We can't build a bridge or perform needed flood control activities because of interference from numerous federal agencies.

We experience catastrophic forest fires, loss of wildlife habitat, threats to community watersheds, and loss of jobs, all of which affect the economy everywhere in the state. When the federal government mismanages our forestlands, the state cannot intervene.

Roads are being closed and citizens denied access across federal lands.

It takes years to obtain mining permits from the federal government, and some areas are closed to mining all together. As a result, Arizona loses billions of dollars that could be used to fund education and address other budget concerns.

Meanwhile, our abundant natural resources remain under the control of unelected federal bureaucrats.

Arizona is a sovereign state, and we have a right to control the air, water, public lands, minerals, wildlife, and other natural resources within our boundaries. Passing Prop 120 would be a small but important step in asserting our state rights and a rejection of the archaic colonial control by the federal government. **I SUPPORT PROP 120.**

Sylvia Allen, State Senator, Arizona State Senate, Candidate for Navajo County Board of Supervisors, District 3, Snowflake

Paid for by Sylvia Allen Committee 2012

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"...and they [Congress] may so exercise this power as entirely to annihilate all the state governments, and reduce this country to one single government. And if they may do it, it is pretty certain they will; for it will be found that the power retained by individual states, small as it is, will be a clog upon the wheels of the government of the United States; the latter therefore will be naturally inclined to remove it out of the way."

This "conspiracy theory" is not from talk radio. It was written, presumably by Robert Yates in October of 1787 as part of an effort to convince Americans that this newly written document could be abused.

The Constitution of the United States allows for certain properties for the federal government.

(1) To establish Post Offices and post roads (I, §8, Clause 7), (2) the Seat of Government (3) and to exercise like Authority over all Places purchased by the Consent of the Legislature (4) for the Erection of Forts, (5) Magazines, (6) Arsenals, (7) dock-Yards, and (8) other needful Buildings (i.e. Court buildings).

Article IV, § 3, Clause 2 and the Fifth Amendment referring to "public purposes" apply ONLY to those ends. The Fifth Amendment was never meant for States, counties or cities to steal private land from one for the private benefit of another. Congress has NO authority to establish a National Forest Service or National Park Service and all land inside Arizona belongs to the citizens of Arizona.

While I urge people to take back our land and vote YES on this proposition, I also urge that citizens recoil from the selling of the forests and lands around our Grand Canyon State Park and other parks to private interest.

Glen C. Davis, Williams

Farm Bureau Supports a "Yes" Vote on Proposition 120

Arizona Farm Bureau supports Proposition 120. Farmers and ranchers understand both stewardship and productivity of the land and our natural resources. In the last ten years, we have had devastating forest fires, followed by damaging floods. The machinery of federal bureaucracy slows and in some cases stops recovery and re-use.

Our members, along with many others have become frustrated and inflamed over the federal mis-management of our public lands. Proposition 120 draws a line and throws an anchor out to exhibit we are at wits end. It begins with our forests and federal stewardship and runs to how the government functions as a landlord. Certainly, Proposition 120 requires further action by Congress, but so does any other measure necessary for course correction. We hope this message ignites and sustains a dialogue to lead to meaningful reform in federal policies and programs.

Kevin G. Rogers, President, Arizona Farm Bureau Federation, Gilbert

Paid for by Arizona Farm Bureau Federation

James W. Klinker, Chief Administrative Officer, Arizona Farm Bureau Federation, Gilbert

Freedom requires being sovereign. Our federal Constitution established two systems for separation of powers to preserve our liberty. Unfortunately only the separation of the three branches of government is reported. Equally important is the separation of powers between federal government and sovereign states. States gave limited authority for the federal government under our Constitution. All powers not specifically granted to the federal government are reserved for the states and the people.

Prop 120 is an Arizona constitutional amendment to re-establish this necessary constitutional separation/balance of power to protect our liberty and civil rights. It declares our public lands and natural resources, are under our sovereign control, as provided in the NW Ordinance of 1787 and SW Ordinance of 1790 for the admission of states, excluding Indian lands and lands under Article I, Section 8 of the Constitution.

Over the last century, the separation between federal and state powers has been eviscerated. Without Senate accountability to our legislatures we are the recipients of unfunded federal mandates and restrictions which take our civil constitutionally guaranteed rights under the guise of giving us a faux benefit we can't pay for. This abuse is demonstrated by; the denial of century old water rights for Tombstone; denial for Arizona to manage Arizona forest lands resulting in devastating fires; denial of Arizonans to commercially and environmentally regulate our own natural resources; and denial to protect our citizens at the border. In 2009 we caught 29,000 illegals from terrorist designated countries! What better stewards are there of our land and safety, than the citizens that live with their decisions? When the Feds screw up – they have no consequences – but we do!

The feds propose "anti-bully" rules for our schools but what we need is an anti-federal bully rule. We the people Vote for Prop 120!

William Sandry, Mesa

ARGUMENTS "FOR" PROPOSITION 120

Proposition 120: A measure to establish Arizona's Sovereignty over its natural resources

If passed, this proposition will provide Arizona with the same authority over its own natural resources enjoyed by other states. It will grant the state the ability to more effectively protect and harness the economic potential stored in the air, water, public lands, minerals, wildlife and other natural resources within the state.

Proposition 120 will increase Arizona's ability to use federally held land: Currently, Arizona exercises control of only 29% of the land held in our state. This puts the state at a disadvantage compared to other states as we seek to fund public services that are essential to ensuring our economic solvency and infrastructure needs. The proposition contains a declaration of full sovereignty over lands and resources within Arizona as a new section to the Arizona Constitution, on the basis of maintaining "Equal Footing" with other states.

Proposition 120 will allow the state to improve the management of Arizona's natural resources: Since 2001, over two million acres of Arizona's forests have burned due to irresponsible federal management. (Recently, federal land management has threatened the future water supply and very existence of the historic town of Tombstone.) The proposition gives Arizona exclusive sovereignty over all state territories and resources, except for Indian reservations and lands ceded to the United States, such as military forts and installations.

As Arizona's population continues to grow, it is imperative that the state be allowed to manage its own land and benefit from the wealth of its resources. The continued vitality of our state will depend heavily on our ability to exercise our authority over the natural wealth currently being denied us.

Chester Crandell, State Representative, Arizona House of Representatives, Heber

Ranching Families Support Prop 120

The federal government has already failed Arizona...if the catastrophic forest fires have not been enough....Just watch what they have planned for the water in Arizona. The federal government claims jurisdiction over everything it desires in Arizona - the animals, the water, and the lands. Proposition 120 provides all of Arizona's citizens the opportunity to assert their opinion of whether or not we in Arizona or the federal government bureaucrats in Washington care more about our animals, water and lands. The fact is - we in Arizona care more.

Please vote YES on Proposition 120!

Norman J. Hinz, President, Arizona Cattle Feeders' Association, Phoenix

Paid for by Arizona Cattlemen's Association

Patrick Bray, Executive Vice President, Arizona Cattlemen's Association, Phoenix

ARGUMENTS "AGAINST" PROPOSITION 120

The Arizona Wilderness Coalition is a statewide non-profit organization dedicated to the protection and restoration of Arizona's wildlands and free-flowing rivers.

Proposition 120 destroys Arizona's iconic public lands heritage. The Legislature not only wants to grab "exclusive authority" over all parks, forests and public lands – including Grand Canyon and Saguaro National Parks, Superstition Wilderness Area, and millions of acres that Arizonans cherish and enjoy – it has indicated that once it has them, it will sell them off to private interests. Our public lands are Arizona's heritage. They provide us with clean water, clean air, wildlife habitat and unsurpassed recreation opportunities. The Legislature wants to sell our freedom to hike, camp, hunt, fish, view wildlife and enjoy unsurpassed scenery to whomever they wish, for whatever reason.

Proposition 120 is a budget disaster. Until the state manages to auction off your lands – and in a century they've managed to sell less than 10% of lands it already owns – Arizonans will pay to manage them. All Americans now pay that bill. Proposition 120 puts the entire bill on the tab of Arizona taxpayers. You are being asked to pay more for what you already have.

The recent *State of the Rockies Project's* non-partisan poll found that Arizonans across the political spectrum – from supporters of the Tea Party to Occupy Wall Street and voters in-between – view parks and public lands "as essential to our state's economy (90%)."

Our public lands embody our freedom and are essential to the quality of life we enjoy. Please - let's come together in telling the legislature that our parks, forests, and public lands are not for sale. Vote NO on Proposition 120.

Michael Quinlan, Vice President, Arizona Wilderness Coalition, Kelly Burke, Treasurer, Arizona Wilderness Coalition, Flagstaff

Tempe

Paid for by Arizona Wilderness Coalition

The Coalition for Sonoran Desert Protection urges you to **VOTE NO on Proposition 120.**

This proposition was referred to you, the voters, by the Arizona Legislature, and would amend the Arizona constitution to assert state sovereignty over federal public lands in Arizona. As if this attempted legislative land grab were not enough, the proposition would also establish that the state has exclusive authority and jurisdiction over air, water, minerals, wildlife, and other natural resources in the state.

The goal is to assert state control of **public lands of national importance** – forests, parks, monuments, wilderness areas, wildlife refuges and more – lands that are a defining feature of Arizona, which **fuel our economy, support our wildlife heritage, and sustain our quality of life.** Federal laws providing for critical environmental protections would also be undermined – laws like the Clean Air Act, the Endangered Species Act, and the Clean Water Act.

For years now, our state parks have struggled to stay afloat, relying on the generosity and stewardship of communities for support rather than the state. **How can we expect our legislature to care for vast public lands such as the Grand Canyon and Saguaro National Park when they can hardly take care of their own?**

Furthermore, **this proposition is unconstitutional.** When we became a state 100 years ago, we made a contractual obligation with the rest of the nation regarding these federal public lands. These lands belong to all Americans.

Here in Pima County, as throughout the rest of this great state, we are surrounded by a mosaic of lands: federal, state, tribal, local, and private. It is this diversity of lands that provides vitality for both people and wildlife.

We encourage you to VOTE NO on Proposition 120.

Carolyn Campbell, Executive Director, Coalition for Sonoran Desert Protection, Tucson

Trevor Hare, Conservation Science Chair, Coalition for Sonoran Desert Protection, Tucson

Paid for by Sky Island Alliance Coalition for Sonoran Desert Protection

The Wilderness Society opposes Proposition 120.

This measure has been labeled a state sovereignty measure when it is actually an attempt to seize control of federal public lands and eliminate the application of many environmental preservation and health protection laws. As a bill previously passed by the State legislature, this bad idea was vetoed by Governor Brewer, who noted its "significant and unaccounted for fiscal impact" and the potential liability and compliance costs that would become Arizona's burden.

Approximately 25 million acres of federal public land—land that is currently available and particularly good for recreation, hunting, spiritual renewal, and species and habitat preservation— would be put at risk. Lands that currently draw more than 5 million tourist visitors—and their dollars—to Arizona each year, and that provide direct payments from the federal government to Arizona counties ("payments in lieu of taxes") in excess of \$31 million, would have ownership demanded transferred to the State.

Arizona's legislature has proven itself unable and unwilling to properly steward the land we already control - - having closed State Parks and underfunded land and environmental preservation agencies of the State government. One must ask how Arizona would handle the increased burden of an additional 25 million acres of land to manage and properly steward. Rather than emphasize Arizona's sovereignty, Proposition 120 would take public lands that provide for the enjoyment of all Americans and make them vulnerable to sale and exploitation for private gain.

The Wilderness Society recommends a "NO" vote on Proposition 120.

Mike Quigley, Arizona Representative, The Wilderness Society, Tucson

Jeremy Garncarz, Senior Director, The Wilderness Society, Durango, CO

Paid for by The Wilderness Society

Save Grand Canyon from the Arizona Legislature
Vote NO on Proposition 120

The Grand Canyon Trust urges you to vote NO on Proposition 120, an unconstitutional measure that would give Arizona sovereignty over federal public lands in Arizona, including Grand Canyon National Park. Its intent is to gain state control over national parks, forests, monuments, and wildlife refuges in Arizona, get rid of the federal land managing agencies, and undermine protections provided by federal laws that guide public land management.

Asserting state sovereignty over federal lands makes no sense. Foremost, it could be a massive waste of Arizona taxpayer dollars given that the American people and the federal government are not simply going to allow lands they currently own be taken away by Arizona. In addition, the state already has difficulty funding its own state park system and managing state trust lands, let alone trying to pay for management and care of all of the federal lands within its borders. And finally, the ownership of lands within the state by the federal government was part of the legislation allowing Arizona to become a state. Reneging on that promise could cause a cascade of unknown legal issues, having the potential to affect virtually every local government in the state.

This proposition is fatally flawed. We ask you to please vote NO on Proposition 120!

Nikolai Lash, Program Director, Grand Canyon Trust, Flagstaff

Rick Moore, Senior Director of Programs, Grand Canyon Trust, Flagstaff

Paid for by Grand Canyon Trust

ARGUMENTS "AGAINST" PROPOSITION 120

**Stop Legislative Land Grab
Protect Grand Canyon and other Public Lands
Vote "No" on Proposition 120**

Proposition 120 is a proposed constitutional amendment referred to the ballot by the Arizona Legislature. It asserts state sovereignty over federal public lands in Arizona and establishes that the state has **exclusive** authority and jurisdiction over air, water, public lands, minerals, wildlife, and other natural resources in the state. The intent is to gain control of national parks, forests, monuments, and wildlife refuges in Arizona and undermine protections provided by federal laws, such as the Clean Air Act, the Endangered Species Act, and the Clean Water Act.

The state cannot properly fund and care for its own state park system. Several parks have had to close in recent years. It has not adequately funded the State Land Department to manage state trust lands, so how could it even consider managing federal public lands? The fiscal impact to the state and the tax burden on state taxpayers would be enormous.

How could we trust the Arizona Legislature with Grand Canyon National Park?

Our national parks, forests, and monuments belong to **all** Americans. The Legislature's attempt to grab these public lands violates Arizona's Constitution, and the U.S. Constitution. It also violates the law that granted Arizona Statehood, the Arizona-New Mexico Enabling Act.

Finally, the Arizona Legislature through Proposition 120 is actually seeking to repeal the consent given by people of Arizona to the provisions under which Arizona became a state. This would bring into question Arizona's status as a state, and as part of the United States of America. That is extreme and irresponsible.

We urge all Arizonans to vote no on Proposition 120.

Ken Langton, Chairperson, Sierra Club – Grand Canyon Chapter, Tucson

Don Steuter, Conservation Chair, Sierra Club – Grand Canyon Chapter, Phoenix

Paid for by Sierra Club Grand Canyon Chapter

Proposition 120 – Just say NO!

The Tucson Audubon Society, a non-profit group that represents around 5000 households, promotes the protection and stewardship of southern Arizona's biological diversity through the study and enjoyment of birds and the places they live.

Proposition 120, a Constitutional Amendment, seeks to give our State Legislature exclusive sovereignty over all air, land and water and control of federal public lands and waters, plus supersede federal laws protecting public health and safety, such as the Clean Air and Water Acts, and the management of public lands. We oppose Proposition 120 and encourage all Arizonans to VOTE NO!

The Clean Water Act recognizes that clean water is of national importance. Before passage of the Clean Water Act little had been achieved by relying on states to keep our water clean. Proposition 120 could expose our wetlands and river systems to polluters and developers. Do we really want to return to the days of the Love Canal, when our rivers were on fire?

The Clean Air Act, through regulating smokestack emissions, protects us and our wildlife from acid rain, and mercury in our fish and fish-eating birds.

Proposition 120 would endanger the air we breathe, the water we drink, and the wildlife and lands we all cherish.

All Americans have an interest in the national parks, forests, and monuments within Arizona. Our state legislature has demonstrated how it is unable to manage the resources currently under its jurisdiction for the public benefit in a fiscally responsible manner. How would it manage and care for all of federal lands within its borders?

Do you trust the future of our birds, wildlife, and natural areas to the Arizona Legislature? We do not and we urge you to please vote no on Proposition 120.

Dr. Paul Green, Executive Director, Tucson Audubon Society, Tucson

Ruth Russell, Secretary to the Board, Tucson Audubon Society, Tucson

Paid for by Tucson Audubon Society

**Prop. 120
Vote "No" on Proposition 120**

Protect the Sonoran Desert National Monument and America's Other Public Lands in Arizona

Proposition 120 would amend the Arizona Constitution to declare Arizona's sovereign and exclusive authority and jurisdiction over the air, water, public lands, minerals, wildlife and other natural resources within the Arizona's boundaries.

The objective of Proposition 120 is to attain exclusive control of federal public land, i.e. national parks, forests, monuments, and wildlife refuges in Arizona and undermine protections provided by federal laws, such as the Antiquities Act, Clean Air Act, the Endangered Species Act, and the Clean Water Act.

Arizona is not adequately funding and caring for its own state lands. Many state parks have closed and there are plans to privatize others. The land department is miserably under-funded, so how can our state possibly manage federal public lands?

Our national parks, forests, and monuments, including the Sonoran Desert National Monument, belong to all Americans. The Legislature's attempt to grab these public lands violates both the Arizona Constitution and the U.S. Constitution. Proposition 120 also violates the Arizona-New Mexico Enabling Act, the law that granted Arizona Statehood in 1912.

Stand up for our public land. Vote No on Proposition 120!

Laine Seaton, President, Friends of the Sonoran Desert National Monument, Phoenix

Thomas Hulén, Executive Director, Friends of the Sonoran Desert National Monument, Tempe

Paid for by Friends of the Sonoran Desert National Monument

Vote "NO" on Prop 120!

Arizona is already struggling to manage its natural resources in the wake of budget cuts to agencies charged with oversight of our public lands, wildlife, air quality and water. To suggest that we disregard federal environmental laws is not only unconstitutional, it's unconscionable.

Our Legislature is asking us to amend the state constitution to give Arizona exclusive authority over its natural resources. Legislators seek to eliminate environmental protections provided by federal laws and thus negate the Clean Air Act, Endangered Species Act, and Clean Water Act.

Valley Forward strongly opposes Prop. 120 and encourages your "NO" vote on this misguided measure. Our 43-year-old, non-profit business-based organization represents a diverse membership of public and private sector entities sharing a mission to improve Arizona's environment and sustainability.

Arizona is not in a position to ensure the environmental safety and protection of residents on its own, plain and simple. The legislature has gutted funding for the Arizona Department of Environmental Quality, Arizona Department of Water Resources, Arizona State Parks and countless other agencies. We can barely enforce our existing laws, manage our parks system and safeguard the health and well-being of our citizenry.

Prop. 120 is wrong on many levels, not the least of which is that it seems to directly violate the U.S. Constitution and is contrary to our state's Enabling Act. In Arizona's centennial year, this measure explicitly disregards the very act that allowed our state to enter the union.

Let's not set ourselves up for more inevitable lawsuits at taxpayers' expense. We can ill afford it. Our monies would be far better spent on education, transportation, and the protection of Arizona's natural assets.

Vote "NO" vote on Prop. 120.

Diane Brossart, President & CEO, Valley Forward Association, Phoenix

Paid for by Valley Forward Association

North Country Conservancy (NCC) is a non-profit land trust dedicated to preserving natural resources primarily in Arizona for the enjoyment of current and future generations.

NCC opposes Proposition 120 which would give "exclusive authority" over all parks, forests and public lands – including Grand Canyon National Park, Agua Fria National Monument, and millions of acres that Arizonans enjoy. Legislators have indicated that once Arizona has all these lands, it will sell them off to private interests. Our public lands are not only Arizona's; they belong to ALL citizens of the United States. These lands provide us with clean water, clean air, wildlife habitat, and unsurpassed recreation opportunities. Trying to assert control of them would be stealing from the American people and future generations.

The state cannot fund and care for its state park system or state trust lands. Where are the funds and staff to take control of and even consider managing federal public lands?

Additionally, the impact on individuals and corporations that have leases on these lands has not been considered and could be devastating.

This proposition appears to conflict with the US Constitution and the Arizona Enabling Act. The court costs to defend this measure will be enormous. How would Arizona pay for that?

Additionally, Arizona would lose the Payments in Lieu of Taxes that Arizona currently receives from the public lands managed federal government with no responsibility for management, protection, law enforcement, etc. In Fiscal Year 2011, Arizona received \$31,546,890 in Payments in Lieu of Taxes payments.

We urge all Arizonans to vote no on Proposition 120.

Sara Vannucci, President, North Country Conservancy, Cave Creek

Paid for by No on Prop 120 Committee

Ann Hutchinson, Executive Vice President & Secretary, North Country Conservancy, Phoenix

The Arizona League of Conservation Voters is a non-partisan organization working to mobilize voters, endorse and elect leaders, advocate on behalf of conservation measures, hold elected officials accountable and ensure a sustainable and high quality of life for all Arizonans.

Proposition 120 is bad for Arizona and bad for our nation. This proposition, referred to the voters by the Arizona State Legislature, would amend the Arizona constitution to assert state sovereignty over Arizona's air, water, wildlife and natural resources in our state. What the legislature will not tell you is that this initiative undermines landmark and bi-partisan environmental laws like the Clean Air Act, the Clean Water Act and the Endangered Species Act. These critical protections have brought back dozens of species like the Florida Panther, the Bald Eagle and the California Condor from the brink of extinction and ensure that our water is free from pollutants and our air is healthy for all Americans to breathe. These standards simply must be implemented nationwide rather than piecemeal by the states as air, water and endangered species do not recognize state boundaries.

Proposition 120 is simply unworkable. Our state has struggled in recent years to balance our budget and our state land department simply does not have the resources to care for the existing lands that it manages much less managing the vast tracts of federal land in our state.

Proposition 120 is unconstitutional. This measure, if implemented, is bad for Arizona but primarily it is a waste of time for our state lawmakers to try to renegotiate a century old agreement regarding federal lands when they should be concentrating on solving Arizona's problems.

The Arizona League of Conservation Voters opposed this resolution in the Legislature and we continue to oppose it on the ballot.

Vote NO on proposition 120!

Steve Arnquist, Chairman, AZ League of Conservation Voters Committee For the Environment, Tucson

Paid for by AZ League of Conservation Voters Committee For the Environment

Local Arizona communities have long battled the federal government regarding management of our public lands. The Arizona Legislature is now unwisely adding fuel to this long-smoldering fire with a scheme to seize control of Grand Canyon National Park and other public lands in Arizona. They call it Prop 120.

Governor Jan Brewer prudently vetoed the bill that accompanied Prop 120, but the legislature nevertheless is putting this measure before the voters. Prop 120 is not an Arizona crafted solution to Arizona challenges, but rather a measure created in Washington D.C. by the special interest group American Legislative Exchange Council (ALEC), which spoon fed it to the Arizona Legislature.

ALEC doesn't understand the needs of Arizona. In recent years, the Arizona Legislature shuttered many of our state parks. Now, ALEC wants that same legislature to control the Grand Canyon, Sonoran Desert National Monument, Saguaro National Park, and our other beloved national forests and public lands. Although we occasionally chafe at federal oversight of Arizona's public lands, the rangers, foresters, and other public land managers are better equipped to care for our natural and cultural treasures. Additionally, an already underfunded state does not have the resources to take on the responsibility of managing these lands.

The Sonoran Institute is inspired by the premise that conserving these iconic places provides enduring prosperity to Arizona and improves the quality of life of residents. We believe that Arizona communities should have a more active voice in decisions affecting public lands. Prop 120 would undermine the voice Arizona communities have in the management of these lands and leave our most treasured places vulnerable to distant special interest groups.

Please join us in saying no to Prop 120!

Luther Propst, Executive Director, Sonoran Institute, Tucson

Paid for by Sonoran Institute

Dave Richins, Policy Director, Sonoran Institute, Mesa

Say NO to this Legislature's Public Land Grab – Vote NO On Proposition 120!

Prop 120 is before you today because our state Legislature has gone too far. They are asking you, the voters of this great state, to tell the rest of the nation that federal public lands in Arizona are solely Arizonans'. **They want you to say, "Sorry my fellow Americans, lands that you have enjoyed since before Arizona was even a state are now ours, and ours alone." How preposterous is this?**

As if this request were not ridiculous enough, the state Legislature also wants to declare its sovereign and exclusive authority and jurisdiction over the air, water, minerals, wildlife and other natural resources of this state. If actually implemented, this would put federal environmental protections – laws like the Clean Air Act, the Endangered Species Act, and the Clean Water Act – in serious jeopardy!

This proposition is clearly unconstitutional. When Arizona became a state 100 years ago, we made a contractual obligation with the rest of the nation regarding these lands and resources. How far does **our** Legislature want to go to undo the conditions we accepted when we became a state?

These **public lands of national importance** – forests, parks, monuments, wilderness areas, wildlife refuges and more – **fuel our economy, support our wildlife heritage, and sustain our quality of life.**

It's ludicrous to think that our state could properly manage these vast public lands. For years now, the state has been slashing funding for state parks; **would they close the Grand Canyon when times got tough?**

We urge you to VOTE NO on Proposition 120 – Stop this Legislature's Land Grab!

Carolyn Campbell, Chair, No on Prop 120 – Stop Legislature's Land Grab, Tucson

Paid for by No on Prop 120 Committee



PROPOSITION 120 ~ BALLOT FORMAT



PROPOSITION 120

PROPOSED AMENDMENT TO THE CONSTITUTION BY THE LEGISLATURE RELATING TO STATE SOVEREIGNTY [HCR 2004]

<p>PROPOSITION 120 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.</p>
<p>DESCRIPTIVE TITLE REPEALS ARIZONA'S DISCLAIMER OF ALL RIGHT AND TITLE TO FEDERAL PUBLIC LANDS WITHIN THE STATE AND DECLARES ARIZONA'S SOVEREIGNTY OVER PUBLIC LANDS AND ALL NATURAL RESOURCES WITHIN ITS BOUNDARIES.</p>

<p>A "yes" vote shall have the effect of repealing Arizona's disclaimer of all right and title to federal public lands within the state and declaring Arizona's sovereignty over public lands and all natural resources within its boundaries. This excludes Indian reservations, lands of the United States, and lands over which jurisdiction has been ceded by the state of Arizona.</p>	<p>YES <input type="checkbox"/></p>
<p>A "no" vote shall have the effect of keeping current constitutional law related to public lands and natural resources within Arizona's boundaries.</p>	<p>NO <input type="checkbox"/></p>

BALLOT FORMAT FOR PROPOSITION 120