

State of Arizona
Senate
Forty-fifth Legislature
First Regular Session
2001

CHAPTER 318

SENATE BILL 1120

AN ACT

AMENDING SECTION 48-5706, ARIZONA REVISED STATUTES; MAKING APPROPRIATIONS;
RELATING TO AGRICULTURAL PRESERVATION DISTRICTS; PROVIDING FOR CONDITIONAL
ENACTMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 48-5706, Arizona Revised Statutes, is amended to
3 read:

4 48-5706. Powers of agriculture preservation district

5 A. An agriculture preservation district, acting through its board of
6 directors, may:

7 1. Acquire in the name of the district any real or personal property
8 or interest in property by gift, purchase, lease, including long-term lease,
9 transfer or otherwise and own, control, manage or dispose of this property
10 or interest if necessary or convenient to further the purposes of the
11 district. A district may spend private monies, contributions, appropriations
12 or grants received by the district in compliance with the terms and
13 conditions under which the monies are received, if the terms and conditions
14 meet the approval of the board and are within the scope of the statutory
15 powers and duties of the district.

16 2. Join with any other political subdivision, municipality or federal
17 or state agency, any private entity or any combination of public and private
18 entities to cooperate and assist in the acquisition, operation and management
19 of land in the district, including the acquisition of an interest in land
20 that is less than a full ownership interest.

21 3. Sell, lease or otherwise dispose of any property of the district
22 or interest in the property if the property is no longer required for the
23 purposes of the district or if use of the property may be permitted without
24 interfering with the use to which it is put by the district.

25 4. Lease or otherwise acquire development rights to undeveloped real
26 property in the district for renewable periods of not more than five
27 TWENTY-FIVE years WITH A REVIEW OF THE TERMS OF THE LEASE OR OTHER
28 ACQUISITION EVERY FIVE YEARS AT A PUBLIC MEETING OF THE BOARD.

29 5. Sell or otherwise dispose of any by-product resulting from the
30 maintenance of the district.

31 6. Pay expenses incidental to the exercise of its powers.

32 7. Employ staff to assist in performing the duties of the district.

33 8. Propose regulatory and taxation based incentives for participation
34 in the district.

35 9. Formulate and adopt rules necessary to operate the district.

36 B. An agriculture preservation district may not levy or assess a tax,
37 issue bonds or exercise any power of eminent domain. An agriculture
38 preservation district furthers a public purpose and the property owned by the
39 district is thereby exempt from taxation.

40 C. An agriculture preservation district is subject to title 38,
41 chapter 3, ARTICLE 3.1 relating to open meetings and title 39, chapter 1
42 relating to public records.

1 Sec. 2. Appropriation; purpose; exemption

2 A. The sum of \$2,000,000 is appropriated from the state general fund
3 in fiscal year 2002-2003 to the department of agriculture for long term
4 support of agriculture preservation districts.

5 B. The appropriation made in subsection A of this section is exempt
6 from the provisions of section 35-190, Arizona Revised Statutes, relating to
7 lapsing of appropriations.

8 Sec. 3. Appropriation; purpose; exemption

9 A. A sum not to exceed \$1,000,000 is appropriated from the state
10 general fund in fiscal year 2001-2002 to the department of commerce to
11 develop comprehensive land use plans in the noise and accident potential
12 zones surrounding active military airports. The department of commerce shall
13 procure the services of one or more private planning agencies and consultants
14 to identify uses that are acceptable and feasible uses of land surrounding
15 military airports, taking into account the economic viability of those land
16 uses. The agencies and consultants engaged by the director of the department
17 of commerce shall:

18 1. Give priority attention to military airports in counties with a
19 population exceeding two million persons.

20 2. Communicate and consult with affected landowners, affected county
21 and municipal governmental agencies and other interested parties.

22 B. The appropriation made in subsection A of this section is exempt
23 from the provisions of section 35-190, Arizona Revised Statutes, relating to
24 lapsing of appropriations.

25 Sec. 4. Conditional enactment

26 Section 3 of this act does not become effective unless section 2 of
27 this act is enacted.

APPROVED BY THE GOVERNOR MAY 4, 2001.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 4, 2001.

Passed the House April 25, 20 01,

by the following vote: 47 Ayes,

9 Nays, 4 Not Voting

Jake Flake
Speaker of the House
Pro Tempore
Norman L. Moore
Chief Clerk of the House

Passed the Senate March 15, 20 01,

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting

Randall Smith
President of the Senate
Charmian Ballington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

~~_____ day of _____, 20 _____,~~

~~at _____ o'clock _____ M.~~

~~_____ Secretary to the Governor~~

Approved this _____ day of

~~_____ , 20 _____,~~

~~at _____ o'clock _____ M.~~

~~_____ Governor of Arizona~~

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EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

~~this _____ day of _____, 20 _____,~~

~~at _____ o'clock _____ M.~~

~~_____ Secretary of State~~

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate May 1, 2001,

by the following vote: 20 Ayes,

9 Nays, 1 Not Voting

Randall Smith
President of the Senate

Charmian Bellenton
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

1 day of May, 2001,

at 10:54 o'clock A M.

Sandra Ramirez
Secretary to the Governor

APPROVED THIS 4th day of

May, 2001,

at 10:10 o'clock A M.

Janice K. Hull
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 4 day of May, 2001,

at 4:34 o'clock P M.

Betsy Bayless
Secretary of State

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