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### CHANGES PUSHED FOR SALE OF STATE LAND

*PROPOSED MEASURE WOULD ALLOW GOVERNMENTS TO BUY WITHOUT AUCTION*

*Mary Jo Pitzl, The Arizona Republic*

With two "no" votes still ringing in their ears, state lawmakers on Monday agreed to make another run at putting a state trust land issue to voters, this time on the 2008 ballot.

Nearly 200,000 acres of state land could be sold for conservation purposes without going to public auction, an exception to the state process for disposing of state lands held in trust for a variety of causes, primarily education.

In addition, the rights of way for certain public roads could be purchased, also without auction.

Auctions generally drive up prices. The exemptions would help protect cities and other government agencies that want to buy land for conservation from the competition that a deep-pocketed investor can provide.

The idea is to tackle in small steps the long-running problem of which state trust land can be sold for conservation instead of the sweeping reforms proposed in last fall's Propositions 105 and 106. Voters rejected both of those measures.

"It's a simpler piece of pie, instead of trying to sell the whole pie," said Rep. John Nelson, R-Litchfield Park, sponsor of House Concurrent Resolution 2039.

The bill focuses narrowly on state trust lands that could be sold for conservation rather than development, primarily in cities and on the fringes of urban areas. It would allow the sale without a public auction as long as the purchase is for its appraised value, a funding source is identified and the purchase is completed within 25 years.

Nelson estimates that such sales could bring \$3 billion to \$6 billion into state coffers from sale of the 196,000 acres addressed in the bill.

The law would allow the McDowell Sonoran Preserve in Scottsdale to expand and additions to the Phoenix Mountains Preserve and conservation lands in Pima County. In all, trust land in 13 counties would be covered.

Keeping with its narrow focus, the bill leaves rural lands out of the equation, a move that brought the support of the Arizona Cattle Growers Association.

The bill also has the backing of conservation activist Caria, who goes by one name, and the northeast Valley's Desert Foothills Land Trust. Other conservation groups have taken a neutral stance because the bill doesn't involve the rural lands in which they are interested.

Caria called it a "sensible solution" because it has a narrower focus than the dueling ballot measures that faced voters in November.

"Let's get these most controversial lands out of the way," Caria said, noting that the urban state lands are under development pressure the most. They also have the best opportunity to earn the most for the land trust.

"We're basically pulling last year's opponents together," Nelson said.

A notable exception is the Arizona Education Association, which registered its disapproval after meeting with Nelson late last week.

John Wright, president of the teachers union, said the bill needs to provide more protections for the schools and other programs that benefit from the sale of trust lands.

Because the measure lifts the requirement that the land be sold for "best and highest value" when it comes to conservation, Wright said an extra layer of oversight, such as a board of trustees, is needed to ensure a good return.

If approved by voters in 2008, the measure also would free up about \$200 million in public funds that were earmarked in earlier legislation as matching funds to help cities acquire conservation lands. That money has been frozen while state lawmakers look for a way to move forward on conservation lands.

The bill passed the House on a 41-19 vote. Democrats led the opposition, arguing that the bill was not crafted in an open fashion and saying the fix should be made by lawmakers instead of going to the ballot.

Rep. Eddie Farnsworth, R-Gilbert, voted against it because he said he fears the exemption from the auction requirement could produce less-than-optimal value for the state trust.

"That may be millions of dollars that we are taking off the table," Farnsworth said.

If the bill passes the Senate, it would be sent to the November 2008 ballot. Voter approval is needed because it proposes changes to the state Constitution.

#### Early jump on 2008

The Legislature has written, debated and voted on dozens of resolutions this year. But not much, if anything, will materialize from the 77 resolutions filed in this year's session, according to legislative leaders. They want to wait until next year before loading up the 2008 ballot.

One exception is likely to be House Concurrent Resolution 2039, which deals with the sale of state trust lands for conservation. It passed the House on Monday, and, if approved by the state Senate, would head for the ballot.

House Speaker Jim Weiers earlier had said that most resolutions would be held until next year. But since this measure has managed to find support from formerly warring parties, there's an argument to put it on the ballot while an agreement is in place.

Plus, the Senate has agreed to move forward with the trust-land issue.

Weiers said there's a method to the seeming madness of having lawmakers introduce measures only to sit on them for a year.

Putting a resolution through a public hearing or two, with all of the debate it brings, helps to clarify an issue. That can highlight weaknesses in a proposal and give lawmakers a chance to fix it before putting it before voters.

Once a measure wins voter approval, it can be very difficult to change.

-- Mary Jo Pitzl

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