

PROPOSITION 120

ANALYSIS BY LEGISLATIVE COUNCIL

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

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

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

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