

State of Arizona
Senate
Fiftieth Legislature
First Regular Session
2011

SENATE BILL 1406

AN ACT

AMENDING TITLE 41, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-108; RELATING TO THE GOVERNOR.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 41, chapter 1, article 1, Arizona Revised Statutes,
3 is amended by adding section 41-108, to read:
4 41-108. Interstate compact to build border fence; requirements
5 THE GOVERNOR MAY ENTER INTO A COMPACT WITH OTHER STATES TO PROVIDE FOR
6 THE CONSTRUCTION AND MAINTENANCE OF A SECURE FENCE ALONG THE ARIZONA-MEXICO
7 BORDER LINE THAT IS LOCATED ON PRIVATE PROPERTY IF LANDOWNERS CONSENT. THE
8 GOVERNOR MAY ENTER INTO SUCH A COMPACT AS PART OF ANY BROADER COMPACT
9 RELATING TO THE SAME OR SIMILAR ISSUE. A COMPACT ENTERED INTO PURSUANT TO
10 THIS SECTION SHALL CONTAIN AT LEAST THE FOLLOWING:
11 1. A PROVISION MAKING IT AVAILABLE FOR JOINDER BY ALL STATES.
12 2. A PROVISION FOR WITHDRAWAL FROM THE COMPACT ON WRITTEN NOTICE TO
13 THE PARTIES NO SOONER THAN ONE YEAR AFTER THE DATE OF THE NOTICE.
14 3. A PROVISION FOR THE ESTABLISHMENT OF AN ORGANIZATION TO ADMINISTER
15 AND MANAGE THE CONSTRUCTION AND MAINTENANCE OF THE BORDER FENCE.
16 4. A PROVISION THAT ALLOWS STATES TO ELECT NOT TO USE STATE MONIES TO
17 CONSTRUCT AND MANAGE THE BORDER FENCE.
18 5. A PROVISION THAT PROVIDES FOR A STATE TO DEVELOP THE STATE'S OWN
19 FUNDING MECHANISM TO CONSTRUCT AND MAINTAIN THE BORDER FENCE THROUGH PRIVATE
20 DONATIONS FROM WHATEVER SOURCE.
21 6. A REQUIREMENT THAT A STATE USE CORRECTIONAL INMATES AS WELL AS
22 PRIVATE CONTRACTORS TO CONSTRUCT AND MAINTAIN THE BORDER FENCE.
23 7. THE OPTION TO CONSTRUCT AND MAINTAIN THE SECURE FENCE ON STATE OR
24 FEDERAL LAND.
25 8. OTHER PROVISIONS NECESSARY TO IMPLEMENT THE COMPACT.