

**MEMORIALS AND RESOLUTIONS****H.C.R. 2027**

Throughout his career, Officer Knutson faced many risks in his efforts to enforce the law and maintain a safe and orderly community. While working to remove a vehicle that was abandoned on the highway, he was struck and killed by another vehicle on January 2, 1998. The citizens of this state owe Officer Knutson an extraordinary debt of gratitude for his tremendous service and ultimate sacrifice.

A man who was dedicated to his family, Douglas Knutson is survived by his wife, Sharon, son, Justin, daughter, Misty, parents, sisters, brothers and grandmother, and was preceded in death by his son, Ricky. He will be greatly missed by his family, his colleagues at the Arizona Department of Public Safety and his many friends.

Therefore

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

That the members of the Legislature sincerely regret the passing of Officer Douglas E. Knutson and extend their deepest sympathies and condolences to his family and many friends.

Adopted by the House February 25, 1998.

Adopted by the Senate February 25, 1998.

Filed in the Office of the Secretary of State February 26, 1998.

**GROWING SMARTER—APPROPRIATION****HOUSE CONCURRENT RESOLUTION 2027**

**A CONCURRENT RESOLUTION ENACTING AND ORDERING THE SUBMISSION TO THE VOTERS A MEASURE RELATING TO LAND USE AND CONSERVATION APPROPRIATIONS.**

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

1. Under the power of the referendum, as vested in the Legislature, the following measure, relating to land use and conservation appropriations, is enacted to become valid as a law if approved by the voters, and if the initiative styled "The Citizens Growth Management Act" fails to be approved by the voters, at the general election held November 3, 1998:

**AN ACT**

**AMENDING SECTION 41-511.23, ARIZONA REVISED STATUTES; RELATING TO LAND USE AND CONSERVATION APPROPRIATIONS.**

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

**Section 1. The growing smarter act; description; intent**

A. The legislature has enacted "The Growing Smarter Act" consisting of comprehensive municipal, county and state land department land use planning and zoning reforms, providing for the acquisition and preservation of open spaces and establishing a program for continuing study and consideration of pertinent issues relating to public land use policies.

B. This proposition presents to the voters a key component of the Growing Smarter Act. It funds grants of money from existing state revenues to conserve open spaces in or near urban areas and other areas experiencing high growth pressures. Combined with more specific and more detailed community plans, greater public participation in creating and amending community plans, mandatory rezoning conformity with adopted plans, state trust land planning and an urban and rural growth study commission, this funding furthers the best interests of our citizens by protecting our natural heritage and wisely managing the growth of our communities.

C. These comprehensive reforms conflict with the initiative styled "The Citizens Growth Management Act" which mandates the establishment of urban growth areas, growth management plans and limits the expansion of public services. The proposals in The Citizens Growth Management Act are inconsistent with state funded acquisition and preservation of open space within urban growth areas and with providing affordable housing and other urban land use needs. Moreover, local tax bases may be eroded by the acquisition of urban open space property by government entities under this act unless local governments are allowed to continue to annex new territory.

D. The voters are thus presented a clear choice in the direction they want counties and municipalities to follow in planning and managing the growth that is inevitable in this state. The Growing Smarter Act and the Citizens Growth Management Act are not compatible. This proposition, the Growing Smarter Act, can take effect and work successfully only if the Citizens Growth Management Act is not approved by the voters and does not become effective.

**Sec. 2.** Section 41-511.23, Arizona Revised Statutes, is amended to read:

Additions are indicated by UPPER CASE; deletions by ~~strikeout~~

**2141**

## H.C.R. 2027

## MEMORIALS AND RESOLUTIONS

**41-511.23. Conservation acquisition board; land conservation fund; conservation donation and public conservation accounts; exemption from lapsing**

A. The conservation acquisition board is established, as an advisory body to the Arizona state parks board, consisting of the following members who are appointed by the governor, at least one of whom shall be experienced in soliciting money from private sources:

1. One state land lessee.
2. One member who is qualified by experience in managing large holdings of private land for income production or conservation purposes.
3. One member of the state bar of Arizona who is experienced in the practice of private real estate law.
4. One real estate appraiser who is licensed or certified under title 32, chapter 36.
5. One member who is qualified by experience in marketing real estate.
6. One representative of a conservation organization.
7. One representative of a state public educational institution.

B. The governor shall designate a presiding member of the board. The term of office is five years except that initial members shall assign themselves by lot to terms of one, two, three, two members for four and two members for five years in office.

C. The conservation acquisition board shall:

1. Solicit donations to the conservation donation account.
2. Consult with entities such as private land trusts, state land lessees, the state land department, the Arizona state parks board and others to identify conservation areas reclassified pursuant to section 37-312 that are suitable for funding.
3. Recommend to the Arizona state parks board appropriate grants from the land conservation fund.

D. The land conservation fund is established consisting of the following accounts:

1. The conservation donation account consisting of monies received as donations. Monies in the account are exempt from the provisions of section 35-190 relating to lapsing of appropriations.

2. The public conservation account consisting of monies appropriated by the legislature from the state general fund. ~~Subject to legislative appropriation, IN FISCAL YEARS 2000-2001 THROUGH 2010-2011, THE SUM OF TWENTY MILLION DOLLARS IS APPROPRIATED EACH FISCAL YEAR FROM THE STATE GENERAL FUND TO THE PUBLIC CONSERVATION ACCOUNT IN THE LAND CONSERVATION FUND FOR THE PURPOSES OF THIS SECTION. Beginning in fiscal year 1998-1999, each expenditure of monies from the public conservation account shall be matched by an equal expenditure of monies from the conservation donation account and any amount that is so appropriated in a fiscal year and that is not matched at the end of the fiscal year reverts to the state general fund. The matched monies in the fund are exempt from the provisions of section 35-190 relating to lapsing of appropriations. Monies in the public conservation account, with matching monies from the conservation donation account, are appropriated to the Arizona state parks board for the exclusive purpose of granting monies to the state or any of its political subdivisions for the purchase or lease of state trust lands that are classified as suitable for conservation purposes pursuant to section 37-312. If the legislature fails to appropriate monies to the public conservation account in a fiscal year, the Arizona state parks board may either grant nothing from the fund in that year or, on recommendation by the conservation acquisition board, grant available monies in the conservation donation account for purposes authorized in this paragraph.~~

E. The Arizona state parks board shall administer the land conservation fund. On notice from the board, the state treasurer shall invest and divest monies in either account in the fund as provided by section 35-313, and monies earned from investments shall be credited to the appropriate account in the fund.

**MEMORIALS AND RESOLUTIONS****H.C.R. 2028****Sec. 3. Prohibited urban growth management requirements**

A. There shall not be a state mandate that a city, charter city, town or county:

1. Adopt by ordinance or otherwise any "growth management" plan, however denominated, containing any provisions relating to such issues as mandatory development fees, mandatory air and water quality controls and street and highway environmental impacts, and requiring that, before adoption, the growth management plan, amendments and exceptions be automatically referred to the voters for approval.

2. Establish or recognize, formally or informally, urban growth boundaries, however denominated, that effectively prevent new urban development and extension of public services outside those boundaries.

3. Apply or attempt to apply urban growth management restrictions or boundaries to lands owned or held in trust by this state, unless specifically authorized by act of the legislature.

B. There shall not be a state mandate that the attorney general file any action in any court in this state against any local government or official to enforce any provision prohibited by this section.

**Sec. 4. Conditional repeal**

Section 2 of this act is repealed if the initiative styled "The Citizens Growth Management Act" and designated by the secretary of state as 12-I-98 is approved by the voters at the general election held November 3, 1998 and becomes effective pursuant to article IV, part 1, section 1, Constitution of Arizona.

2. The Secretary of State shall submit this proposition to the voters at the next general election as provided by article IV, part 1, section 1, Constitution of Arizona.

Passed the House March 5, 1998.

Passed the Senate May 20, 1998.

Filed in the Office of the Secretary of State May 22, 1998.

**ELISE SALINGER—DEATH RESOLUTION****HOUSE CONCURRENT RESOLUTION 2028****A CONCURRENT RESOLUTION ON THE DEATH OF THE HONORABLE ELISE SALINGER.**

The Honorable Elise Salinger passed away suddenly and unexpectedly on March 16, 1998.

Born on March 5, 1942, in Freeport, Illinois, Elise Salinger was named for her grandmother, Elsa Blaske, who dearly loved her first grandchild. She graduated from high school and attended Hiram College for two years before going on to earn her B.A. degree from Ohio State University in 1964. Elise Salinger became engaged to Henry Farwell, but before they could be married he was killed in an Air Force training accident.

Following Henry's death, Elise Salinger enrolled in the Middlebury College Spanish program in Madrid, Spain, where she met and became engaged to Jose Labrador. After the two returned to the United States and married, they made their home in Ohio where Elise taught at the University School for Boys. The couple had their only child, Paco, in 1973 and after the marriage ended in 1977, she moved with her son to Phoenix. She enrolled at the American Graduate School of International Management and quickly obtained her M.I.M. degree. In 1980, Elise Salinger married Terry Salinger, a friend she had first met while living in Ohio.

Elise Salinger spent her time fostering her son's many interests, attending church, helping her neighbors and teaching at Rancho Solano schools and later at Glendale Community College. After her son left home to attend college and her husband passed away in 1992, she became even more involved in civic and community endeavors, serving as a moderator at her church, a board member of the Respite Shelter for Homeless Men and an active member of the National Organization for Women.