

WESTERN UNION TELEGRAM

PD. WILLIAMS AIR FORCE BASE  
CHANDLER, ARIZONA

11 8 P M M 1955

MARCH 11, 1955 PM 729

ERNEST W. McFARLAND  
GOVERNOR OF ARIZONA  
FAX PHOENIX ARIZONA 31531

IT HAS JUST COME TO THE ATTENTION OF THE DEPARTMENT OF THE AIR FORCE THAT SUBSTITUTE SENATE BILL 45 ENTITLED "AN ACT RELATING TO PUBLIC LANDS, GRANTING JURISDICTION OVER LAND RESERVED FROM THE PUBLIC DOMAIN FOR MILITARY PURPOSES AND AMENDING SECTION 11-603, ARIZONA CODE OF 1939" IS PRESENTLY UNDER CONSIDERATION FOR ENACTMENT BY THE 22ND LEGISLATURE OF THE STATE OF ARIZONA. IT IS NOTED THAT THE PROPOSED AMENDMENT SUBSTITUTES THE LANGUAGE "CONCURRENT JURISDICTION" FOR THE LANGUAGE "EXCLUSIVE JURISDICTION" APPEARING IN THE EXISTING LAW. THE SECURING OF EXCLUSIVE FEDERAL JURISDICTION IS A PREREQUISITE TO THE DESIGNATION OF A MILITARY RESERVATION AS A PERMANENT AIR FORCE INSTALLATION. THE PROPOSED AMENDMENT OF SECTION 11-603 OF THE ARIZONA CODE OF 1939, IS ENACTED, COULD POSSIBLY AFFECT THE PERMANENT DESIGNATION OF AIR FORCE INSTALLATIONS LOCATED WITHIN THE STATE OF ARIZONA. IN ADDITION, THE UNITED STATES HAS ACCEPTED EXCLUSIVE JURISDICTION OVER PORTIONS OF DAVIS-MONTHAN AIR FORCE BASE, AND LUKE AIR FORCE BASE, PHOENIX. IF THE PROPOSED S. B. 45 IS ENACTED, AND THE AIR FORCE ACCEPTS CONCURRENT JURISDICTION OVER THE BALANCE OF THESE INSTALLATIONS PURSUANT TO THAT LAW, A SITUATION WILL BE CREATED WHEREBY PORTIONS OF THESE INSTALLATIONS WILL BE UNDER EXCLUSIVE FEDERAL JURISDICTION WHILE OTHER PORTIONS WILL BE UNDER THE CONCURRENT JURISDICTION OF THE FEDERAL GOVERNMENT AND THE STATE

OF ARIZONA. BECAUSE OF THE DIFFICULTY OF DETERMINING THE EXACT DIVIDING LINE BETWEEN THE EXCLUSIVE AND CONCURRENT JURISDICTION AREAS, SUCH A SITUATION PRESENTS PROBLEMS IN ADMINISTRATION AND IS CONSIDERED UNDESIRABLE. THE DEPARTMENT OF THE AIR FORCE IS PREPARED TO ACCEPT EXCLUSIVE JURISDICTION OVER AIR FORCE INSTALLATIONS WITHIN THE STATE OF ARIZONA PURSUANT TO CHAPTER 96, HOUSE BILL 246, APPROVED 27 MARCH 1951 UPON AMENDMENT OF THAT ACT MAKING CLEAR IT'S APPLICATION TO LANDS ACQUIRED BY THE UNITED STATES PRIOR TO 27 MARCH 1951.

HEADQUARTERS, USAF WASHDC

*Signed & despatched  
11 Mar 55*

*by Mr. John H. Ferry  
Sp. Asst. for Installation  
to the Secy of the AF*