

Minutes of the Telephonic Meeting of the
Arizona Game and Fish Commission
Tuesday, January 10, 2012 – 1:00 p.m.
Arizona Game and Fish Department
5000 W. Carefree Highway
Phoenix, Arizona 85086

PRESENT: (Commission)

(Director's Staff)

In person:
Vice Chair Norman W. Freeman
Commissioner Robert E. Mansell

In person:
Director Larry D. Voyles
Deputy Director Bob Broscheid

Via telephone:
Chairman Robert R. Woodhouse
Commissioner Jack F. Husted
Commissioner John W. Harris

Via telephone:
Assistant Attorney General Jim Odenkirk

Chairman Woodhouse called the meeting to order at 1:00 p.m. Director Voyles conducted roll call and confirmed that all Commissioners were present. Several members of the public and several Department staff were present. This meeting followed an agenda dated January 9, 2012.

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1. Executive Session

The Commission voted to meet in Executive Session in accordance with A.R.S. § 38-431.03(A)(3) and (4) for the purpose of discussing and consulting with legal counsel regarding legislative matters, including HB 2072, sale of big game tags.

Motion: Freeman moved and Mansell seconded THAT THE COMMISSION VOTE TO GO INTO EXECUTIVE SESSION.

Vote: Unanimous

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2. State and Federal Legislation

Presenter: Presenter: Anthony Guiles, Legislative Liaison

Mr. Guiles briefed the Commission on HB 2072, sale of big game tags (attached). This bill was pre-filed on Friday, January 6, 2012. This telephonic Commission meeting was called because HB 2072 was scheduled to be heard in committee tomorrow, but the sponsor of the bill, Representative Weiers, called Mr. Guiles this morning and stated that the bill was not going to be heard in committee tomorrow after all. The bill is going to be held and Representative Weiers would like to get all of the parties together and have some stakeholders meetings beginning next week.

Chairman Woodhouse stated that there is a lot of incorrect information being circulated about this bill and one of those pieces of incorrect information is that the Commission was briefed about it. He doesn't know about the other Commissioners, but for himself, that statement is incorrect. He had not heard anything about HB 2072 from anyone until he was notified late Friday afternoon by a concerned constituent. He has several serious issues with this bill. The Commission has a trust responsibility to manage wildlife for all the citizens of Arizona and this legislation that takes part of that away from the Commission.

Commissioner Freeman stated that he also did not know about this bill. No one attempted to contact him about it and no one informed the Commission at any of the Commission meetings. Commissioner Freeman read the following statement into the record: "In my opinion, this legislation epitomizes why many citizens have a strong dislike for Legislators and Lobbyists. Of the 300,000 hunters in Arizona, only a few hundred belong to a group as defined in this bill. So members of these special interest groups constitute a minority of the hunting population. Yet, this legislation seeks to create a new financial entitlement potentially generating millions of dollars a year for that minority, with no oversight whatsoever. Money derived from government donated tags are to be applied to club parties and club administration, which includes funding political action on at least five political objectives, which is not consistent with the North American Model. These clubs need to stand on their own financially without government subsidy to fund their own political objectives. It is yet another example of government mandated funding of small special interest groups at the expense of the regular guy or gal who cannot afford to be or does not wish to be a member of a group. Awarding some three token Commission tags per year is controversial in itself, but translates into a de minimis reward for the good things done by the volunteers of these groups. Increasing the amount tenfold is another thing altogether. If anything, the Legislature should be reviewing the criteria for the current Commission tag practice to reduce even the appearance of impropriety. There should be language introduced that states eligible groups cannot have political activity as a purpose or activity of their club. This may be the accepted practice of the political elite in Washington who are proud when they find clever ways to funnel cash to the subjects who kiss their rings and donate to their re-election campaigns, but we should resist it here in Arizona. The language of the bill itself is fraught with problems, but the very premise should be discarded in its entirety. I was trying to think of the term that would apply, enacting entitlement legislation that mandates funding of groups who in turn financially support political campaigns does not technically meet the definitions of crony capitalism, nepotism, the patronage system, graft or traditional political corruption for personal gain. I guess it's called business as usual. But it shouldn't be. Public trust assets should not be diverted to private groups, period."

Commissioner Harris commented that he agreed with portions of Commissioner Freeman's comments, but he also takes exception to some pieces of it. The Commission's current special tag system returns every penny that is raised with no administrative costs going to any organization. The organizations out there that are helping to market those tags, put money directly back into the coffers of the State of Arizona for wildlife management of that species. We could probably improve processes, but the system in place does an enormous amount of good for wildlife, and the organizations that help us do that spend their own time and effort in administrative costs with no compensation to help them. With this legislation specifically, there are too many questions about several portions of it. He has been contacted by a number of sportsmen groups and people representing themselves as sportsmen who really have exception to this bill as it is written.

Commissioner Husted stated that he heard about this potential legislation when it was just a concept and he had recommended at that time that the proponents not be too aggressive and that they be sure to build a coalition. The next thing he heard was that the bill had been dropped. He is disappointed

in the way that occurred and he does not support this bill in its current form. However, he is always looking for ways to provide new things and is willing to look outside the box.

Commissioner Mansell stated that he received a briefing, but a briefing is much different than being a part of something and having input. He sees two issues here, 1) the process is flawed and 2) the bill itself is flawed. This bill was written in secret. There was no input from Game and Fish or from the public. This bill is not supported by most sportsmen. With the process, there was no time to study this bill. This bill was presented on a Friday evening with a scheduled committee hearing meeting the following Monday. It allows the sale of a State asset to a third party for the purpose of profit and there is no oversight, no accountability, and no audit by anyone. It is written for a specific group and it removes any type of scientific management of wildlife conservation.

Commissioner Harris added that he too had been given an overview, but there was no process where he was a part of putting this bill together.

Public Comment

Ben Alteneder, Arizona Wildlife Federation (AWF): Spoke in opposition to HB 2072, including the following comments: HB 2072 props up a particular organization using public resources under the guise of making money for wildlife. The bill privatizes wildlife, treating it as a commodity for sale on the open market to the highest bidder, with the revenue being managed and spent by an unaccountable non-public organization. Under this bill the Game and Fish Department is required to set aside tags called "Governor, Legislator, and Sportsmen's tags." These politician tags would otherwise be available through the regular draw process to any Arizona citizen. AWF requests that the Commission oppose this bill.

Steve Clark, President, Arizona Elk Society: Supports the Commission and opposes HB 2072.

Ron Phenicie, concerned hunter representing himself: Opposes HB 2072 in any form that removes tags from the general draw process.

Bob Jacobs, Mule Deer Foundation (MDF): MDF opposes HB 2072.

Tom Mackin, Coconino Sportsmen (Called in from Region II): Supports some of the goals of HB 2072, but does not support it as written. It is too exclusionary in the organizations eligible and there was not enough coordination or collaboration on drafting the language. Also, some of the six approved uses are too far removed from the purposes that, as sportsmen, we feel our hunting tag money should be spent on. This bill flies in the face of the North American Model of Conservation.

Clair Harris, representing self, but member of Rocky Mountain Elk Foundation and Coconino Sportsmen (Called in from Region II): HB 2072 does not help the average hunter; the general public is a loser with this bill; encouraged the Commission to oppose HB 2072.

Doug Beach, President, Yuma Valley Rod and Gun Club (Called in from Region IV): YVRGC agrees with all of Commissioner Freeman's comments and is totally opposed to HB 2072. It is unfair to the general public. YVRGC supports the Commission.

Bill McLean, representing self (former Commissioner): Opposes HB 2072 in its present form and, without exception, any modifications that might be offered to it; agrees with Ben Alteneder's

comments; noted that everyone present at this meeting has spoken in opposition to HB 2072 and that not one proponent of HB 2072 has come to the Commission to support it.

Stephanie Nichols-Young, Animal Defense League of Arizona: Opposes HB 2072 and pointed out that the bill has language that exempts it from rulemaking and it orders the Commission to adopt rules within 30 days of the bill becoming effective. It also has an emergency clause so that it would be operative immediately. So in addition to dropping this bill without notifying the Commission and members of various sportsmen's clubs, if it passed, there would be this ramrod approach to the implementation of commercialization and privatization of wildlife.

Commissioner Mansell noted that with the exemption from rulemaking, if HB 2072 went through, it would be implemented without any input from the public.

Commissioner Freeman stated that the Department was provided with a packet just prior to this meeting from the organization behind this bill. The Department will place this packet on the website for public review. These materials were delivered by Capitol Consulting.

Commissioner Woodhouse commented that he received many constituent calls in opposition to this bill and that he opposes it in its entirety.

Commissioner Mansell commented that he is also strongly opposed to this bill. He thanked all the members of the public that attended this meeting on short notice and provided their comments.

Motion: Freeman moved and Mansell seconded THAT THE COMMISSION VOTE TO OPPOSE HB 2072 AND THAT THE COMMISSION'S REPRESENTATIVES CLEARLY INFORM THE SPONSOR AND SUPPORTERS OF THIS BILL THAT OUR OPPOSITION IS NOT JUST TO THE BILL AS WRITTEN, BUT TO THE ENTIRE CONCEPT OF REMOVING OR ADDING ANY BIG GAME PERMIT TAGS FROM THE POOL OF BIG GAME TAGS AVAILABLE TO THE GENERAL PUBLIC AND TRANSFERRING THEM TO ANY PRIVATE ORGANIZATION.

Vote: Unanimous

Commissioner Husted clarified that the Commission's intent is that the Commission representatives will participate in the stakeholders meetings with the understanding of the Commission's position as stated in the motion. The Commission was in consensus.

Motion: Freeman moved and Husted seconded THAT THE COMMISSION APPOINT CHAIRMAN WOODHOUSE FOR THE REMAINDER OF HIS TERM AS THE LEAD LEGISLATIVE LIAISON.

Vote: Unanimous

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3. Call to the Public

There were no requests to speak to the Commission.

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Motion: Husted moved and Freeman seconded THAT THE COMMISSION VOTE TO ADJOURN THIS MEETING.

Vote: Unanimous

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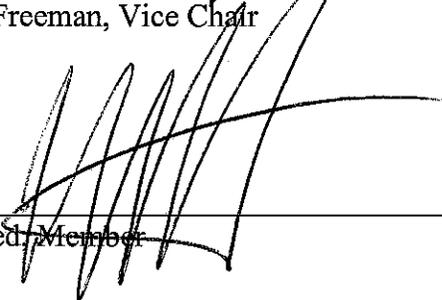
Meeting adjourned at 2:43 p.m.

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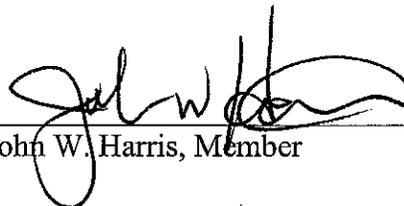
Robert R. Woodhouse, Chairman



Norman W. Freeman, Vice Chair



Jack F. Husted, Member

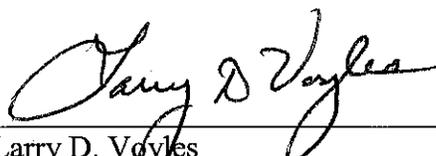


John W. Harris, Member



Robert E. Mansell, Member

ATTEST:



Larry D. Voyles
Secretary and Director

PREFILED JAN 06 2012

REFERENCE TITLE: sale of big game tags

State of Arizona
House of Representatives
Fiftieth Legislature
Second Regular Session
2012

HB 2072

Introduced by
Representative Weiers JP

AN ACT

AMENDING TITLE 17, CHAPTER 3, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 17-347; RELATING TO BIG GAME TAGS AND PERMITS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 17, chapter 3, article 2, Arizona Revised Statutes,
3 is amended by adding section 17-347, to read:

4 17-347. Big game tags; sale in bulk to qualified nonprofit
5 organization; definitions

6 A. EACH YEAR THE DEPARTMENT SHALL RESERVE CERTAIN HUNT TAGS FOR TAKING
7 BIG GAME SPECIES AS SPECIFIED IN SUBSECTION B OF THIS SECTION FOR A QUALIFIED
8 ORGANIZATION TO RESELL RIGHTS TO THE RESERVED TAGS BY AUCTION AND RAFFLE AT
9 AN ANNUAL SPORTSMEN EXPOSITION IN THIS STATE UNDER THE AUSPICES OF THE
10 QUALIFIED ORGANIZATION AND AT ANNUAL BANQUETS IN THIS STATE OF ANY OF ITS
11 CHAPTERS. THE PROCEEDS OF RESALE SHALL BE USED AS AUTHORIZED IN THIS
12 SECTION. WITHIN THIRTY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION, THE
13 DEPARTMENT SHALL CONTRACT WITH THE QUALIFIED ORGANIZATION THAT HAS MADE THE
14 REQUISITE PAYMENT AND ADVANCE DEPOSIT UNDER SUBSECTION C OF THIS SECTION.
15 THE ORIGINAL CONTRACT SHALL SPECIFY THE TERMS AND CONDITIONS CONSISTENT WITH
16 THIS SECTION FOR SALE IN BULK OF RIGHTS TO RESERVED TAGS, FOR THE QUALIFIED
17 ORGANIZATION TO EXERCISE ITS AUTHORITY TO RESELL RIGHTS TO THE TAGS AT THE
18 ANNUAL SPORTSMEN EXPOSITION AND COUNTY BANQUETS AND FOR THE DEPARTMENT TO
19 ISSUE THE RESERVED TAGS AFTER RESALE.

20 B. TAGS WHOSE RIGHTS ARE SOLD FOR RESALE BY AUCTION OR RAFFLE AND THAT
21 ARE RESERVED FOR ISSUE BY THE DEPARTMENT AFTER RESALE SHALL BE KNOWN AS
22 GOVERNOR TAGS, LEGISLATOR TAGS AND SPORTSMEN TAGS AS FOLLOWS:

23 1. GOVERNOR TAGS SHALL BE RESERVED FOR RESALE BY AUCTION, SHALL BE
24 SPECIES SPECIFIC AND SHALL BE VALID FOR THAT SPECIES FOR ANY HUNT AREA WITH
25 ANY LEGAL WEAPON FOR THREE HUNDRED SIXTY-FIVE DAYS BEGINNING AUGUST 15 OF
26 EACH YEAR. GOVERNOR TAGS SHALL BE ISSUED IN THE FOLLOWING NUMBERS FOR ALL OF
27 THE FOLLOWING BIG GAME SPECIES:

28 (a) TWO TAGS FOR EACH OF THE FOLLOWING SPECIES: ELK, MULE DEER,
29 WHITETAIL DEER, BISON (BUFFALO) AND BEAR.

30 (b) ONE TAG FOR EACH OF THE FOLLOWING SPECIES: DESERT BIGHORN SHEEP,
31 ROCKY MOUNTAIN BIGHORN SHEEP, PRONGHORN (ANTELOPE), MERRIAM'S TURKEY, RIO
32 GRANDE TURKEY AND GOULD'S TURKEY.

33 2. LEGISLATOR TAGS SHALL BE RESERVED FOR RESALE BY AUCTION, SHALL BE
34 SPECIES SPECIFIC AND SHALL BE VALID FOR ANY OPEN SEASON FOR THAT SPECIES FOR
35 A SPECIFIC HUNT AREA WITH THE LEGAL WEAPON ALLOWED FOR THAT
36 SEASON. LEGISLATOR TAGS SHALL BE ISSUED IN THE FOLLOWING NUMBERS FOR ALL OF
37 THE FOLLOWING BIG GAME SPECIES AND APPLY TO ALL OF THE FOLLOWING HUNT AREAS:

38 (a) AT LEAST TEN TAGS, AND AT LEAST ONE TAG FOR EACH HUNT AREA, FOR
39 BULL ELK IN HUNT AREAS THAT OFFER ALL OF THE FOLLOWING THREE TYPES OF HUNTS:

40 (i) EARLY ARCHERY BULL ELK HUNTS.

41 (ii) EITHER EARLY MUZZLELOADER BULL ELK HUNTS OR EARLY RIFLE BULL ELK
42 HUNTS.

43 (iii) LATE BULL ELK HUNTS.

44 (b) ONE TAG FOR WHITETAIL DEER FOR EACH HUNT AREA THAT OFFERS LATE
45 HUNTS.

1 (c) ONE TAG FOR MULE DEER FOR EACH HUNT AREA THAT OFFERS A GENERAL
2 SEASON HUNT AND IS LOCATED NORTH OF THE COLORADO RIVER.

3 (d) TWO TAGS FOR ANTELOPE VALID FOR ALL HUNT NUMBERS AS THE COMMISSION
4 SPECIFIES IN ANY OF REGIONS 1, 2, 3 AND 5 AS IN EXISTENCE ON JANUARY 1, 2012,
5 EXCEPT THAT BOTH TAGS SHALL NOT BE FROM THE SAME REGION.

6 3. SPORTSMEN TAGS SHALL BE RESERVED FOR RESALE BY RAFFLE AND SHALL BE
7 VALID FOR A SPECIFIC HUNT NUMBER. SPORTSMEN TAGS SHALL BE ISSUED IN THE
8 FOLLOWING NUMBERS FOR ALL OF THE FOLLOWING BIG GAME SPECIES AND APPLY TO ALL
9 OF THE FOLLOWING HUNT NUMBERS:

10 (a) ONE TAG FOR EACH HUNT NUMBER FOR MULE DEER AND ONE TAG FOR EACH
11 HUNT NUMBER FOR WHITETAIL DEER.

12 (b) AT LEAST TWENTY-ONE BULL ELK TAGS FOR EARLY BULL ELK HUNTS AS
13 FOLLOWS:

14 (i) AT LEAST EIGHT TAGS FOR RIFLE BULL ELK HUNTS WITH AT LEAST ONE TAG
15 FOR EACH HUNT NUMBER.

16 (ii) AT LEAST FIVE TAGS FOR MUZZLELOADER BULL ELK HUNTS COMPRISING AT
17 LEAST ONE TAG FOR EACH BULL ELK HUNT NUMBER.

18 (iii) EIGHT TAGS FOR ARCHERY-ONLY BULL ELK HUNTS COMPRISING ONE TAG
19 FOR EACH OF THE FOLLOWING EIGHT HUNT AREAS AS IN EXISTENCE ON JANUARY 1,
20 2012: 1, 3A/3C, 8, 9, 10, 22, 23 AND 27.

21 (c) TEN TAGS FOR LATE BULL ELK HUNTS FROM THE GENERAL SEASON WITH NOT
22 MORE THAN ONE TAG IN ANY HUNT NUMBER AS THE COMMISSION SPECIFIES.

23 (d) TWO PRONGHORN (ANTELOPE) TAGS FROM THE GENERAL SEASON COMPRISING
24 ONE TAG FOR EACH OF HUNT AREAS 10 AND 19A AS IN EXISTENCE ON JANUARY 1, 2012.

25 (e) FOURTEEN SPRING MERRIAM'S TURKEY TAGS WITH NOT MORE THAN TWO TAGS
26 FOR EACH HUNT AREA AS THE COMMISSION SPECIFIES AND WITH HUNT DATES OCCURRING
27 IN APRIL OR MAY.

28 (f) TWENTY-FIVE PECCARY (JAVELINA) TAGS COMPRISING TEN TAGS FROM THE
29 GENERAL SEASON, TEN TAGS FROM THE ARCHERY SEASON AND FIVE TAGS FROM THE HAM
30 SEASON AS THE COMMISSION SPECIFIES. NOT MORE THAN TWO OF THE TWENTY-FIVE
31 TAGS SHALL BE FOR THE SAME HUNT AREA.

32 (g) FIFTY ANTLERLESS ELK TAGS AS THE COMMISSION SPECIFIES.

33 (h) EXCEPT AS PROVIDED BY SUBDIVISION (f) OF THIS PARAGRAPH, THE
34 DEPARTMENT SHALL RESERVE NO LEGISLATOR OR SPORTSMEN TAGS FOR HUNT NUMBERS
35 THAT ARE EXCLUSIVELY FOR C.H.A.M.P. HUNTS, HAM HUNTS OR JUNIORS HUNTS AS
36 DESIGNATED BY THE DEPARTMENT OR FOR HUNTS ASSIGNED BY THE DEPARTMENT ONLY FOR
37 BONUS POINTS.

38 C. THE DEPARTMENT AND THE QUALIFIED ORGANIZATION MUST ENTER INTO THE
39 ORIGINAL CONTRACT WITHIN THIRTY DAYS AFTER THE EFFECTIVE DATE OF THIS
40 SECTION. THE ORIGINAL CONTRACT SHALL PROVIDE THAT THE DEPARTMENT SHALL SELL
41 IN BULK TO THE QUALIFIED ORGANIZATION THE RIGHTS TO RESELL ALL THE TAGS
42 SPECIFIED IN SUBSECTION B OF THIS SECTION NOT LATER THAN SEPTEMBER 1 OF EACH
43 YEAR BEGINNING IN 2013. THE DATE IN THE ORIGINAL CONTRACT FOR THE FIRST SALE
44 IN BULK SHALL NOT BE LATER THAN OCTOBER 1, 2012, UNLESS THE PARTIES MUTUALLY
45 AGREE ON A LATER DATE. FOR THE ORIGINAL CONTRACT AND EACH CONTRACT

1 THEREAFTER, THE GOVERNOR TAGS SOLD IN BULK SHALL BE FOR THE THREE HUNDRED
2 SIXTY-FIVE DAY PERIOD BEGINNING THE FOLLOWING AUGUST 15, AND THE LEGISLATOR
3 AND SPORTSMEN TAGS SOLD IN BULK SHALL BE FOR HUNT SEASONS AS SPECIFIED BY THE
4 DEPARTMENT THAT ARE IN THE ONE-YEAR PERIOD BEGINNING THE FOLLOWING JULY 1.
5 AS A CONDITION TO NEGOTIATING THE ORIGINAL CONTRACT BETWEEN THE DEPARTMENT
6 AND THE QUALIFIED ORGANIZATION UNDER SUBSECTION A OF THIS SECTION, A
7 QUALIFIED ORGANIZATION SHALL PAY THE DEPARTMENT:

8 1. A NONREFUNDABLE ONE-TIME FEE OF TEN THOUSAND DOLLARS FOR THE COST
9 TO THE DEPARTMENT TO IMPLEMENT AND ADMINISTER THIS SECTION.

10 2. FOR THE FIRST BULK SALE OF RIGHTS TO RESELL TAGS AN ADVANCE DEPOSIT
11 OF TWENTY-FIVE THOUSAND DOLLARS, WHICH SHALL BE APPLIED AS A CREDIT TOWARD
12 THE AMOUNT DUE FROM THE QUALIFIED ORGANIZATION UNDER SUBSECTION D, PARAGRAPH
13 2 OF THIS SECTION.

14 D. NOT LATER THAN SEPTEMBER 1 OF EACH YEAR BEGINNING IN 2013, THE
15 DEPARTMENT AND THE QUALIFIED ORGANIZATION SHALL ENTER INTO AN ADDENDUM TO THE
16 ORIGINAL CONTRACT TO CONFORM THE CONTRACT TO THE CURRENT FEES FOR TAGS. THE
17 ORIGINAL CONTRACT AND THE ANNUAL ADDENDA ARE SUBJECT TO THE FOLLOWING
18 CONDITIONS:

19 1. THE RIGHTS TO THE TAGS SHALL BE SOLD TO THE QUALIFIED ORGANIZATION
20 AT THE GENERALLY APPLICABLE RESIDENT FEE FOR THOSE HUNT TAGS AS SPECIFIED AND
21 PUBLISHED FOR THE APPLICABLE SEASON.

22 2. THE RIGHT TO RESELL THE RIGHTS TO THE TAGS FOR ISSUANCE BY THE
23 DEPARTMENT AFTER RESALE VESTS IN THE QUALIFIED ORGANIZATION ON PAYMENT IN
24 FULL OF THE TOTAL RESIDENT FEES FOR ALL TAGS RIGHTS TO WHICH ARE SOLD TO IT
25 IN BULK.

26 E. NOTWITHSTANDING SECTION 17-332, SUBSECTION D, THE RIGHTS TO TAGS
27 MAY BE RESOLD BY AUCTION AND RAFFLE AS PROVIDED BY THIS SECTION. THE
28 QUALIFIED ORGANIZATION SHALL ONLY DESIGNATE TO THE DEPARTMENT FOR ISSUANCE OF
29 A TAG INDIVIDUALS WHO HAVE PRESENTED TO THE QUALIFIED ORGANIZATION A VALID
30 HUNTING OR COMBINATION LICENSE, EXCEPT A THREE-DAY CLASS H LICENSE.

31 F. UNDER THE RULES OF THE DEPARTMENT AND AS PROVIDED BY THE ORIGINAL
32 CONTRACT BETWEEN THE DEPARTMENT AND QUALIFIED ORGANIZATION, THE DEPARTMENT
33 SHALL ISSUE THE RESERVED TAGS TO INDIVIDUALS WHOM THE QUALIFIED ORGANIZATION
34 DESIGNATES AS HAVING PURCHASED THE RIGHT TO A SPECIFIC RESERVED TAG BY
35 AUCTION OR RAFFLE, SUBJECT TO THE FOLLOWING CONDITIONS:

36 1. NOTHING IN THIS SECTION, INCLUDING SUBSECTION D, PARAGRAPH 2 OF
37 THIS SECTION, REQUIRES THE DEPARTMENT TO ISSUE A LEGISLATOR OR SPORTSMEN TAG
38 IF A HUNT IS NOT ESTABLISHED FOR THE SPECIES AND HUNT AREA FOR WHICH THE TAG
39 WAS RESERVED.

40 2. IF A NONRESIDENT INDIVIDUAL PURCHASES THE RIGHTS TO A TAG BY
41 AUCTION OR RAFFLE, THE DEPARTMENT SHALL NOT ISSUE THE TAG UNTIL THE
42 NONRESIDENT PAYS TO THE DEPARTMENT THE DIFFERENCE BETWEEN THE PUBLISHED
43 RESIDENT FEE AND PUBLISHED NONRESIDENT FEE FOR THE TAG.

44 3. EXCEPT FOR PAYMENT AS REQUIRED BY PARAGRAPH 2 OF THIS SUBSECTION, A
45 NONRESIDENT WHO PURCHASES A TAG BY AUCTION OR RAFFLE AT THE ANNUAL SPORTSMEN

1 EXPOSITION IS NOT SUBJECT TO ANY OTHERWISE APPLICABLE RESTRICTION ON ISSUANCE
2 OF THE TAG TO A NONRESIDENT.

3 4. AN INDIVIDUAL TO WHOM THE DEPARTMENT ISSUES A TAG MAY LATER
4 TRANSFER THE TAG ONLY AS DEPARTMENT ALLOWS BY RULE.

5 G. THE TAG IS VALID FOR THE YEAR AND SEASON OF THE HUNT THAT THE
6 COMMISSION PRESCRIBES, EXCEPT FOR GOVERNOR AND LEGISLATOR TAGS AS PRESCRIBED
7 IN SUBSECTION B, PARAGRAPHS 1 AND 2 OF THIS SECTION. THE QUALIFIED
8 ORGANIZATION SHALL NOT RE-SELL TO AN INDIVIDUAL BY RAFFLE THE RIGHTS TO MORE
9 THAN ONE TAG PER SPECIES PER YEAR, EXCEPT THAT FOR THE PURPOSES OF THIS
10 LIMITATION MULE DEER AND WHITETAIL DEER ARE CONSIDERED SEPARATE SPECIES. BIG
11 GAME TAKEN UNDER TAGS ISSUED UNDER THIS SECTION DO NOT COUNT TOWARD NORMAL
12 BAG LIMITS FOR THE SPECIES THAT THE COMMISSION ESTABLISHES. THE DEPARTMENT
13 SHALL NOT IN ANY MANNER RESTRICT PARTICIPATION BY ANY INDIVIDUAL IN THE
14 DEPARTMENT'S ANNUAL DRAWS FOR TAGS BASED ON THE INDIVIDUAL'S POSSESSION OF,
15 OR PARTICIPATION IN THE PROCESS TO PURCHASE RIGHTS TO RESERVED TAGS UNDER
16 THIS SECTION.

17 H. THE QUALIFIED ORGANIZATION SHALL FIRST APPLY THE PROCEEDS FROM THE
18 RESALE BY AUCTION AND RAFFLE OF THE RIGHTS TO TAGS TO COVER ALL COSTS
19 ASSOCIATED WITH THE ANNUAL SPORTSMEN EXPOSITION IN THIS STATE AND ANY COUNTY
20 CHAPTER BANQUETS AT WHICH RIGHTS TO TAGS ARE AUCTIONED OR RAFFLED. THE
21 QUALIFIED ORGANIZATION SHALL APPLY THE REMAINING PROCEEDS FROM THE RESALE BY
22 AUCTION AND RAFFLE OF THE RIGHTS TO TAGS IN THIS STATE FOR PROGRAMS TO
23 ACHIEVE ANY OF THE FOLLOWING PURPOSES, INCLUDING THE QUALIFIED ORGANIZATION'S
24 COSTS OF ADMINISTRATION:

25 1. TO SUSTAIN OR CREATE SPORTSMEN EDUCATION AND OUTDOOR PROGRAMS FOR
26 YOUTH OF THIS STATE.

27 2. TO FACILITATE ACCESS FOR SPORTSMEN TO CROSS PRIVATE LANDS ONTO
28 PUBLIC LANDS.

29 3. TO SUSTAIN OR ENHANCE HABITAT IN THIS STATE AND TO INCREASE
30 TARGETED SPECIES POPULATIONS FOR DEER, SHEEP, ELK, PRONGHORN (ANTELOPE) AND
31 TURKEY IN THIS STATE.

32 4. TO FACILITATE PUBLIC EDUCATION AND COMMUNICATIONS PROGRAMS RELATING
33 TO SPORTSMEN AND WILDLIFE ISSUES.

34 5. TO PROTECT SPORTSMEN HERITAGE.

35 6. TO CONDUCT OTHER PROGRAMS OR ACTIVITIES THAT PROMOTE CONCEPTS
36 CONSISTENT WITH THE NORTH AMERICAN MODEL OF WILDLIFE CONSERVATION.

37 I. THE LEGISLATURE FINDS THAT ALL OF THE PURPOSES IN SUBSECTION H,
38 PARAGRAPHS 1 THROUGH 6 OF THIS SECTION COMPLEMENT AND ENHANCE THE
39 DEPARTMENT'S MANAGEMENT OF WILDLIFE IN THE PUBLIC TRUST UNDER THIS TITLE TO
40 INCLUDE CURRENT AND FUTURE PROGRAMS IN THE DEPARTMENT'S STRATEGIC PLAN AND
41 COMPREHENSIVE WILDLIFE CONSERVATION STRATEGY. FOR THE PURPOSES LISTED IN
42 SUBSECTION H OF THIS SECTION, THE QUALIFIED ORGANIZATION MAY USE THE
43 PROCEEDS, SOLELY OR IN CONJUNCTION WITH OTHER ORGANIZATIONS, TO MAKE MATCHING
44 OR OTHER GRANTS TO THE DEPARTMENT AND TO ORGANIZATIONS THAT ARE QUALIFIED
45 PURSUANT TO SECTION 501(c)(3) OF THE INTERNAL REVENUE CODE AND WHOSE ARTICLES

1 OF INCORPORATION OR BYLAWS STIPULATE THAT THE MISSION OR PURPOSE OF THE
2 ORGANIZATION IS TO INCREASE, SUSTAIN OR OTHERWISE CONSERVE SPECIFIC SPECIES
3 OF WILDLIFE. BEGINNING IN 2014, NOT LATER THAN MARCH 31 OF EACH YEAR THE
4 QUALIFIED ORGANIZATION SHALL FILE WITH THE DEPARTMENT A REPORT ADOPTED BY
5 RESOLUTION OF ITS BOARD OF DIRECTORS THAT SPECIFIES FOR THE PRECEDING
6 CALENDAR YEAR THE AMOUNTS OF THE PROCEEDS FROM THE SALE BY AUCTION AND RAFFLE
7 OF RIGHTS TO TAGS AT THE EXPOSITION AND ANNUAL BANQUETS, OF THE COSTS
8 ASSOCIATED WITH THE EXPOSITION AND ANNUAL BANQUETS, OF THE MONIES PAID FOR
9 EACH OF THE SIX PURPOSES LISTED UNDER SUBSECTION H OF THIS SECTION AND OF THE
10 COSTS OF ADMINISTRATION. FOR THE PURPOSES OF THIS SUBSECTION, "STRATEGIC
11 PLAN AND COMPREHENSIVE WILDLIFE CONSERVATION STRATEGY" MEANS THE DEPARTMENT'S
12 "WILDLIFE 2012: STRATEGIC PLAN FOR THE YEARS 2007-2012" AND "ARIZONA'S
13 COMPREHENSIVE WILDLIFE CONSERVATION STRATEGY: 2005-2015" AND THEIR RESPECTIVE
14 SUCCESSOR AND MODIFIED PLANS AND STRATEGIES.

15 J. UNLESS DEFINED IN THIS SUBSECTION OR FOR THE PURPOSES OF THIS
16 TITLE, THE TERMS USED IN THIS SECTION HAVE THE MEANINGS PRESCRIBED BY THE
17 DEPARTMENT BY RULE. FOR THE PURPOSES OF THIS SECTION:

18 1. "EARLY BULL ELK HUNTS" MEANS HUNTS FOR ELK WITH HUNT DATES
19 OCCURRING DURING WEEKS 37, 38, 39 OR 40.

20 2. "HUNT AREA" MEANS AN AREA AS DEFINED BY THE COMMISSION AS OF
21 JANUARY 1, 2012 OR AS LATER REDEFINED BUT PERTAINING TO THE SAME OR SIMILAR
22 AREA.

23 3. "HUNT NUMBER" MEANS THE NUMBER ASSIGNED BY COMMISSION ORDER TO ANY
24 HUNT AREA WHERE A LIMITED NUMBER OF HUNT TAGS IS AVAILABLE.

25 4. "LATE BULL ELK HUNTS" MEANS HUNTS FOR BULL ELK WITH HUNT DATES
26 OCCURRING DURING WEEKS 47, 48 OR 49.

27 5. "LATE WHITETAIL DEER HUNTS" MEANS HUNTS FOR WHITETAIL DEER WITH
28 HUNT DATES OCCURRING DURING WEEKS 50, 51 OR 52.

29 6. "QUALIFIED ORGANIZATION" MEANS AN ORGANIZATION THAT IS QUALIFIED
30 PURSUANT TO SECTION 501(c)(3) OF THE INTERNAL REVENUE CODE AND THAT MEETS ALL
31 OF THE FOLLOWING CONDITIONS:

32 (a) ITS MEMBERSHIP INCLUDES A SIGNIFICANT CROSS-SECTION OF
33 SPECIES-SPECIFIC WILDLIFE CONSERVATION AND SPORTSMEN ORGANIZATIONS FROM
34 THROUGHOUT THIS STATE.

35 (b) IT IS NOT A MEMBER OF, DOES NOT HOLD A CHARTER FROM AND IS NOT A
36 CHAPTER OF A NATIONAL WILDLIFE CONSERVATION OR SPORTSMEN ORGANIZATION.

37 (c) IT HAS BEEN IN EXISTENCE FOR AT LEAST FIVE YEARS.

38 7. "TAG" MEANS THE APPLICABLE HUNT PERMIT-TAG AS DEFINED BY RULE.

39 Sec. 2. Implementation; exemption from rule making

40 A. Within thirty days after the effective date of this act, the
41 Arizona game and fish commission shall adopt any rules that are necessary for
42 the department to timely enter into the original contract and make the sale
43 in bulk of rights to tags for the hunt seasons beginning July 1, 2013 for
44 legislator and sportsmen tags and for the hunting period beginning August 15,
45 2013 for governor tags.

1 B. Except as provided by subsection A of this section, for the
2 purposes of this act the Arizona game and fish commission is exempt from the
3 rule making requirements of title 41, chapter 6, Arizona Revised Statutes,
4 for six months after the effective date of this act.

5 Sec. 3. Emergency

6 This act is an emergency measure that is necessary to preserve the
7 public peace, health or safety and is operative immediately as provided by
8 law.