

# State of Arizona

2013  
Legislative Summary

**51ST LEGISLATURE**  
**1st Regular Session**



**Sine Die Hard**  
**With A Vengeance**

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The 1<sup>st</sup> Regular Session of the 51<sup>st</sup> Legislature consisted of long political stalemates, ending with decisive action by Governor Brewer. The legislative session was the longest since 2009, with *sine die* approaching the July 1<sup>st</sup> Constitutional deadline.

The highlight of the session was Governor Brewer's key legislation, the Affordable Care Act Medicaid Expansion. After negotiations stalled, the Governor called the Legislature into a Special Session. Teaming with all Democratic members and several key Republicans in both Chambers, legislative rules were suspended allowing Medicaid Expansion, along with the FY 2014 budget, to bypass Committees and Rules, ensuring its passage. Brewer's key legislation, along with the FY 2014 budget passed, ending the 1<sup>st</sup> Special Session only one day before the Legislature adjourned *sine die* for the First Regular Session of the 51<sup>st</sup> Legislature.

The session was a very impressive one for the Arizona Game & Fish Department. Although there weren't many bills that affected the Department this session, the Department did manage to pass SB 1223, giving the Department the authority to set its own fees and establish its own license structure. This bill allows the Department to act more like a business and be more accommodating to the customers by simplifying the license process, while driving revenue.

After a long 151 days, the First Regular Session of the 51<sup>st</sup> Legislature adjourned *sine die* on June 14<sup>th</sup>, 2013.

### Game and Fish Commission Legislative Representatives

**John W. Harris, Commissioner**  
Chairman

**Kurt Davis, Commissioner**  
Member

### Session Highlights

51st Legislature Convenes  
1st Regular Session      January 14th

Legislature Adjourns  
*sine die*      June 14th 12:59 AM

Days of Session	151
Bills Introduced	1158
Bills Signed	256
Bills Vetoed	26

General Effective Date: **September 13, 2013**

- Budget General Effective Date  
**September 12, 2013**

### AGFD Legislative/Government Affairs

Tony Guiles  
Assistant Director of IERD

Jorge Canaca  
Asst. Legislative Liaison/Government Affairs

Michael Madden  
Legislative/Government Affairs Intern





## 2013 LEGISLATIVE ACCOMPLISHMENTS

- ⊕ Protected the Department funds from legislative transfer (sweeps) into the General Fund. Retained all Heritage funding, and received full appropriation request for FY14.
- ⊕ All 3 bills supported by the Arizona Game and Fish Commission (Commission) were passed and signed into law by the Governor.
- ⊕ Worked diligently with Legislators to pass the Department's key legislation S.B. 1223 (*license classification; fees*), expanding Commission authority.
- ⊕ Succeeded in repealing statutory language regarding license classifications and associated fees, allowing the Commission to establish these by rule.
- ⊕ Worked with Legislators and staff to prevent the passage of H.B. 2654 (*full-time students; hunting licenses*), which if passed, could have greatly complicated the Department's license simplification process.
- ⊕ Worked with the sponsor of H.B. 2468 (*discounted hunting licenses; veterans; soldiers*) to minimize impacts to the Department's license simplification process.
- ⊕ Worked to guarantee the future reintroduction of native fish populations and implemented safeguards in the application of fish piscicides, allowing the Commission to support with the passage of S.B. 1469 (*applying aquatic poisons*), a measure which mirrored current Department standard operating procedures.
- ⊕ With the passage H.B. 2551 (*off-highway vehicles; use; authority; enforcement*), reaffirmed the Department's leading role in protecting wildlife habitat, while ensuring that the use of our law enforcement resources were not spent on efforts that, in some instances, unreasonably reduced the opportunities for Arizona's families to fish, hunt, camp or enjoy wildlife viewing or responsible off-highway vehicle recreation, by giving officers discretion when enforcing travel management rule.
- ⊕ Successfully reassembled and hosted "The Arizona Legislators for Wildlife Cast & Blast" event at Ben Avery Shooting Facility, in which legislators and their staff were able to enjoy clay target shooting and fly fishing instructions from various sportsmen organizations while learning more about the goals and mission of the Department.
- ⊕ Chosen as an honoree of the *Arizona Capitol Times* 2013 Best of the Capitol program for the lunch and activities provided by the Department on the Capitol lawn this session.



## *FY-2014 Department Approved Budget*

CALCULATION FOR TOTAL	HB2001 General
FY 2014 Appropriation HB 2001 General Approp:	\$39,287,200
FY 2014 Capital Outlay Approp:	\$874,800
Total FY 2013-2014 Appropriation:	\$40,162,000

On June 17<sup>th</sup>, 2013 the Governor signed the Fiscal Year 2014 budget into law. Considering Arizona's continued economic struggles, the Arizona Game and Fish Department received no unexpected or unanticipated budget reductions for the 2014 fiscal year.

### Department-Related Budget Bills:

HB 2001: general appropriations; 2013-2014.

HB 2008: capital outlay; 2013-2014.

### Detailed Bill Language (HB 2001)

#### SEC. 40 GAME AND FISH DEPARTMENT 2013-14

FTE Positions	273.5
Operating Lump Sum Approp	\$33,533,100
Pittman-Robertson/Dingell-Johnson Act	\$3,808,000
Performance Incentive Pay Program	\$346,100
Lower Colorado Multippecies Conservation	\$350,000
Watercraft Grant Program	\$1,000,000
<u>Watercraft Safety Education Program</u>	<u>\$250,000</u>
<b>Total AGFD Appropriation</b>	<b>\$39,287,200</b>

#### Fund Sources:

Capital Improvement Fund	\$1,000,000
Game & Fish Fund	\$33,342,100
Waterfowl Conservation Fund	\$80,000
Wildlife Endowment Fund	\$16,000
Watercraft Licensing Fund	\$4,510,500
Game, Nongame, Fish and	
<u>Endangered Species Fund</u>	<u>\$338,600</u>
<b>Total</b>	<b>\$39,287,200</b>



## *Commissioner Confirmation*

### **Edward 'Pat' Madden, Flagstaff**

#### **Senate Confirmation – January 29, 2013**

Edward "Pat" Madden of Flagstaff was confirmed as a member of the Arizona Game and Fish Commission by the Arizona Senate on Jan. 29, 2013, following his appointment by Governor Jan Brewer. An avid outdoors enthusiast, Mr. Madden has an extensive law enforcement background. He joined the Arizona Department of Gaming in 1999 and is currently in his 14th year as a special investigator. Earlier, he spent more than three decades working for the Flagstaff Police Department – beginning his career in 1966 as a patrolman and retiring as chief of police in 1999. He has been an active member of the Flagstaff community and has served on multiple boards and committees, including: Flagstaff Big Brothers; Flagstaff Route 66 Rotary Club; Northern Arizona Fallen Officers Memorial Committee; Flagstaff Leadership; and Citizens Against Substance Abuse. He has received numerous awards and commendations for his work and community service, including the Officer of the Year award from the Flagstaff Police Department, Outstanding Service Award from Big Brothers Flagstaff, and the Paul Harris Foundation Award from Rotary International. Mr. Madden received his Master of Science degree in criminal justice and his Bachelor of Science degree from Northern Arizona University. He is also a graduate of the Northwestern Traffic Institute in Evanston, Ill., and the FBI National Academy in Quantico, Va.





## 51ST LEGISLATURE 1ST REGULAR SESSION

One hundred and fifty-one days after convening on January 14<sup>th</sup>, the Legislature adjourned *sine die* on June 14<sup>th</sup>. In total, 1158 bills were introduced, 282 bills were passed, 256 bills were signed, and 26 bills were vetoed. The Legislature was full of freshman members this session, especially in the House of Representatives. There were more than twenty first-time members in the House, making up more than a third of all Representatives, as well as two in the Senate. The session was also the first to reflect the recent redistricting process, with all members now representing new districts. The session was full of political maneuvering, stalemates, controversies and even unprecedented actions.

Although, this session lacked a large number of bills amending Title 17. The three bills of most significance and impact to the Game & Fish Department were S.B. 1223, H.B. 2551, and S.B. 1469. These bills targeted issues such as simplifying the license structure, addressing the authority of Game & Fish officers on Federal roads and cross-country land, and also the expected Department actions during usage of piscicides in Arizona waters. The enactment of SB1223 was a monumental undertaking and a measure allowing the Commission and Department to proactively enhance and develop critical wildlife management tools, streamline processes while providing an improved product to our customers in a timely manner.

Undoubtedly, the biggest highlight of the session was Governor Brewer's Affordable Care Act expansion of Medicaid. The Governor called the Legislature into Special Session on June 11<sup>th</sup> to introduce and pass Medicaid expansion, along with the heavily debated Fiscal Year 2014 budget. Even with a Republican majority in both chambers, opponents couldn't stop the passage of the budget or the Medicaid expansion legislation, supported by a bipartisan coalition. The Special Session adjourned *sine die* on June 13<sup>th</sup>, only hours before the 1<sup>st</sup> Regular Session would adjourn as well.

The session ended with two members resigning their post, as well as several other members forming exploratory committees to run for other offices. Sen. Rich Crandall (R-16) has resigned and has accepted an appointment as the Director of the Wyoming Department of Education. Sen. Jack Jackson Jr. (D-7) has also resigned, and has accepted a White House appointment to serve as an advisor and liaison for the U.S. State Department. Sen. Al Melvin (R-11) has announced he intends to run for Governor, along with Rep. Chad Campbell (D-24). Senator Michelle Reagan (R-23) has announced she intends to run for Secretary of State, along with Rep. Steve Montenegro (R-13). Also, Rep. Frank Pratt (R-8), along with Rep. Tom Forese (R-17) are considering a run for Corporation Commission. With these losses considered, and several leadership positions in the balance after the Medicaid battle, it is possible the next session could have a rather different look.

# 2013 LEGISLATIVE DISTRICTS

**DISTRICT 1**  
 S Steve Pierce  
 R Karen Fann, Andy Tobin  
 M Carefree, Cave Creek, Chino Valley, Dewey-Humboldt, Peoria, Phoenix, Prescott, Prescott Valley, Wickenburg

**DISTRICT 2**  
 S Linda Lopez  
 R Andrea Dalessandro, Rosanna Gabaldon  
 M Nogales, Patagonia, Sahuarita, South Tucson, Tucson

**DISTRICT 3**  
 S Olivia Cajero Bedford  
 R Sally Ann Gonzales, Macario Saldate  
 M Tucson

**DISTRICT 4**  
 S Lynne Pancrazi  
 R Juan Carlos Escamilla, Lisa Otondo  
 M Buckeye, Gila Bend, Goodyear, San Luis, Somerton, Tucson, Yuma

**DISTRICT 5**  
 S Kelli Ward  
 R Sonny Borrelli, Doris Goodale  
 M Bullhead City, Colorado City, Kingman, Lake Havasu City, Parker, Quartzsite

**DISTRICT 6**  
 S Chester Crandell  
 R Brenda Barton, Robert Thorpe  
 M Camp Verde, Clarkdale, Cottonwood, Flagstaff, Holbrook, Jerome, Payson, Sedona, Snowflake, Star Valley, Taylor, Tusayan, Williams

**DISTRICT 7**  
 S Jack Jackson Jr.  
 R Albert Hale, Jamescita Peshlakai  
 M Eagar, Fredonia, Page, Pinetop-Lakeside, Show Low, Springerville, St. Johns, Winslow

**DISTRICT 8**  
 S Barbara McGuire  
 R Frank Pratt, T.J. Shope  
 M Casa Grande, Coolidge, Eloy, Florence, Globe, Hayden, Kearny, Mammoth, Miami, Superior, Winkelman

**DISTRICT 9**  
 S Steve Farley  
 R Ethan Orr, Victoria Steele  
 M Marana, Tucson

**DISTRICT 10**  
 S David Bradley  
 R Stefanie Mach, Bruce Wheeler  
 M Tucson

**DISTRICT 11**  
 S Al Melvin  
 R Adam Kwasmann, Steve Smith  
 M Casa Grande, Eloy, Marana, Maricopa, Oro Valley, Tucson

**DISTRICT 12**  
 S Andy Biggs  
 R Eddie Farnsworth, Warren Petersen  
 M Chandler, Gilbert, Queen Creek

**DISTRICT 13**  
 S Don Shooter  
 R Darin Mitchell, Steve Montenegro  
 M Buckeye, El Mirage, Glendale, Goodyear, Litchfield Park, Surprise, Wellton, Wickenburg, Yuma

**DISTRICT 14**  
 S Gail Griffin  
 R David Gowan, David Stevens  
 M Benson, Bisbee, Clifton, Douglas, Duncan, Huachuca City, Pima, Safford, Sierra Vista, Thatcher, Tombstone, Tucson, Willcox

**DISTRICT 15**  
 S Nancy Barto  
 R John Allen, Heather Carter  
 M Cave Creek, Phoenix

**DISTRICT 16**  
 S Rich Crandall  
 R Doug Coleman, Kelly Townsend  
 M Apache Junction, Mesa, Queen Creek

**DISTRICT 17**  
 S Steve Yarbrough  
 R Tom Forese, J.D. Mesnard  
 M Chandler, Gilbert

**DISTRICT 18**  
 S John McComish  
 R Jeff Dial, Bob Robson  
 M Chandler, Guadalupe, Mesa, Phoenix, Tempe

**DISTRICT 19**  
 S Anna Tovar  
 R Mark Cardenas, Lupe Chavira Contreras  
 M Avondale, Phoenix, Tolleson

**DISTRICT 20**  
 S Kimberly Yee  
 R Paul Boyer, Carl Seel  
 M Glendale, Phoenix

**DISTRICT 21**  
 S Rick Murphy  
 R Rick Gray, Debbie Lesko  
 M El Mirage, Peoria, Surprise, Youngtown

**DISTRICT 22**  
 S Judy Burges  
 R David Livingston, Phil Lovas  
 M Glendale, Peoria, Surprise

**DISTRICT 23**  
 S Michele Reagan  
 R John Kavanagh, Michelle Ugenti  
 M Fountain Hills, Paradise Valley, Scottsdale

**DISTRICT 24**  
 S Katie Hobbs  
 R Lela Alston, Chad Campbell  
 M Phoenix, Scottsdale, Tempe

**DISTRICT 25**  
 S Bob Worsley  
 R Justin Olson, Justin Pierce  
 M Mesa

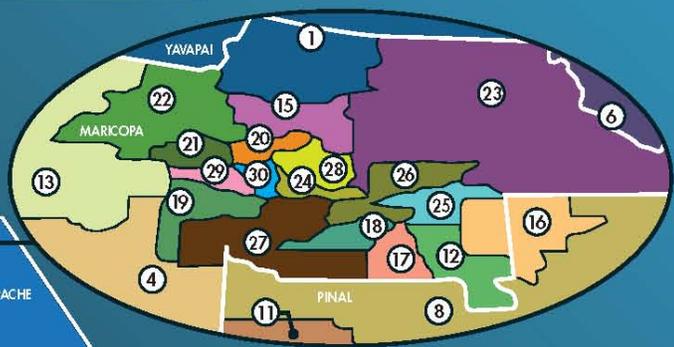
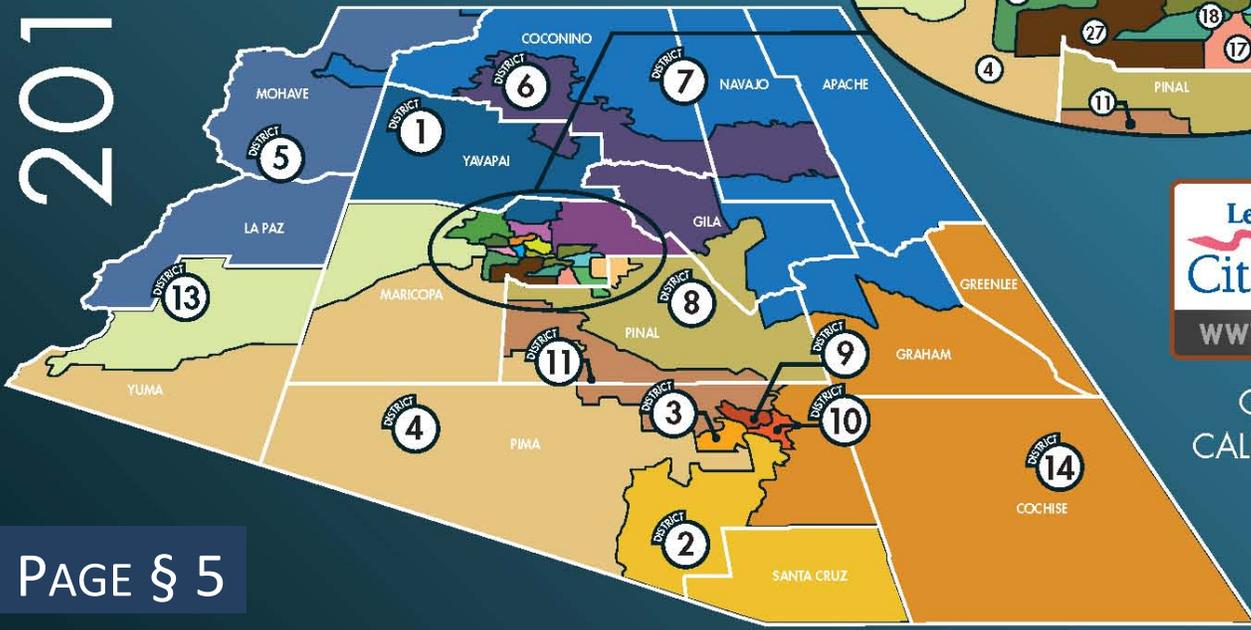
**DISTRICT 26**  
 S Ed Ableser  
 R Juan Mendez, Andrew Sherwood  
 M Mesa, Phoenix, Tempe

**DISTRICT 27**  
 S Leah Landrum Taylor  
 R Ruben Gallego, Catherine Miranda  
 M Guadalupe, Phoenix, Tempe

**DISTRICT 28**  
 S Adam Driggs  
 R Kate Brophy McGee, Eric Meyer  
 M Paradise Valley, Phoenix, Scottsdale

**DISTRICT 29**  
 S Steve Gallardo  
 R Lydia Hernandez, Martin Quezada  
 M El Mirage, Glendale, Phoenix

**DISTRICT 30**  
 S Robert Meza  
 R Jonathan Larkin, Debbie McCune Davis  
 M Glendale, Phoenix



League of Arizona  
**Cities AND Towns**  
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QUESTIONS?  
 CALL 602-258-5786



## 2013 COMMISSION SUPPORTED LEGISLATION

### **SB1223: license classifications; fees**

#### **Disposition:**

Transmitted to Governor – May 2, 2013

Signed by the Governor – May 7, 2013

Filed in the Secretary of State's Office – May 8, 2013: *Chapter 197*

*Effective Date – May 8, 2013*

#### **Prime Sponsors:**

Sen. Pierce, Sen. Pancrazi, Sen. Shooter, Rep. Pratt

#### **Background:**

Before S.B. 1223, if the Arizona Game & Fish Commission (Commission) wanted to alter the license structure or any associated fees, the Department had to pass legislation to modify statute and go through a very complicated rule making process that, at times, may have taken 3-4 years. The process prevented timely reaction to changing conditions and customer needs.

In 2012 the Commission initiated a course of action to propose legislation to allow the Commission to set future license structure and fees (including all licenses types, permits, tags, stamps and watercraft registrations) directly through a streamlined, customer focused process as opposed to the existing complex legislative and rulemaking processes. The resulting legislation, Senate Bill 1223, was intended to allow the Commission to simplify the license structure, allow the Department to operate more like a business, and provide the Commission the flexibility to respond to customer demand and market conditions in a timely manner.

The legislation was supported unanimously by the Commission, as well as 24 various sportsmens groups. The bill authorized the Commission to greatly simplify the structure by reducing and combining the 40+ types of licenses. This allowed the Commission to increase the value of each license by adding privileges and making each license valid for 365 days, rather than a calendar year. The legislation also allowed the Commission to eliminate the 13 different complicated definitions of youth and create one simple definition. Gov. Jan Brewer signed SB 1223 into law on May 7<sup>th</sup>, 2013. The Department presented its proposed public outreach process to the Commission at the commission's meeting on Saturday, May 11<sup>th</sup>, 2013 in Kingman, Ariz. The commission approved the process, and directed the department engaged in a public outreach effort, including statewide public meetings held in May and early June 2013, and to solicit input on a conceptual license structure and fees. After taking and considering



public input on the conceptual structure, the Department presented the new proposed license structure and fees to the Commission on June 15<sup>th</sup>, 2013. The Department accepted public input on the proposed structure through the summer, up until the Commission meeting in Flagstaff in early August, at which point the Commission will approve the final structure and fees. Once finalized, the goal is to have a new structure and fees implemented by Jan. 1, 2014.

## Provisions:

1. Requires, through July 1, 2019, the Commission to establish, by rule, license classifications for the taking or handling of wildlife, as well as fees for licenses, permits, applications for licensure, tags and stamps.
2. Specifies that the total amount of fees collected by the Department for motorized watercrafts fees in any fiscal year may not exceed 50 percent more than the amount appropriated from the Watercraft Licensing Fund in fiscal year 2013. *The appropriation in FY 2013 was \$4,504,200.*
3. Stipulates that the total amount of fees collected by the Department for hunting and fishing licenses, permits, tags and stamps in any fiscal year may not exceed 50 percent more than the amount appropriated from the Game & Fish Fund in fiscal year 2013. *The appropriation in FY 2013 was \$33,277,100.*
4. Gives the Commission the authority to temporarily reduce or waive any fee, upon recommendation of the Director of the Department.
5. Specifies that all monies collected by the Commission be deposited in the Game & Fish Fund established by current statute.
6. Requires the Commission to establish, by rule, the following for motorized watercrafts:
  - a) A registration fee,
  - b) A transfer of certificate of number fee,
  - c) A replacement certificate of number fee,
  - d) A penalty fee for late renewal, and
  - e) A nonresident boating safety infrastructure fee.



7. Requires the Commission to submit a report each calendar year regarding information relating to license classifications and any established fees to each of the following:
  - a) the President of the Senate,
  - b) the Speaker of the House of Representatives,
  - c) the Chairperson of the Senate Natural Resources & Rural Affairs Committee, or its successor committee, and
  - d) the Chairperson of the House of Representatives Energy, Environment, & Natural Resources Committee, or its successor committee.
8. Requires the Commission to hold at least two public meetings before establishing any fees.
9. Establishes that on or before July 1, 2019, and each fifth year following, the Joint Legislative Audit Committee must assign a committee of reference to hold a public hearing and review the annual report submitted by the Commission.
10. Repeals the statutory language regarding all current game and fish fees and guidelines for licenses, permits, tags, stamps and regulations regarding hunting and fishing without a license for children under 14.
11. Stipulates that all current licenses, stamps, tags, and permits issued by the Commission for hunting and fishing are valid until the expiration date designated on the license, stamp, tag, or permit.
12. States that all Commission rules effective on the effective date of this act are valid until the Commission establishes new rules.
13. Specifies that all current licensure fees established for motorized watercrafts are continued until either July 1, 2015, or the date that the new rules are adopted by the Commission, whichever comes first.
14. Specifies that all current fees for licenses, tags, permits, stamps and surcharges established for hunting and fishing are continued until either July 1, 2015, or the date that the new rules are adopted by the Commission, whichever comes first.

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16. Allows, instead of requires, the Department to furnish licenses and license materials to dealers authorized to issue licenses.
17. Requires the Commission to set a deadline, by rule, for license dealers to transmit all collected license and permit fees to the Department.
18. Modifies the time of validity for Arizona-Colorado River special use permits and California-Colorado River special use permits from calendar year to any 12-month period established by rule by the Commission.
19. Repeals the Waterfowl Conservation Fund, the state waterfowl stamp, and the state migratory bird stamp.
20. Transfers all money remaining in the Waterfowl Conservation Fund to the Game & Fish Fund.
21. Defines *license classification* as a type of license, permit, tag or stamp authorized by statute and prescribed by the Commission by rule to take, handle or possess wildlife.
22. Modifies the definition of *license year* by allowing the Commission to establish a different 12-month period by rule.
23. Defines *youth* as a person who is under the age of 18.
26. Requires for enactment the affirmative vote of at least two-thirds of the members of each house of the Legislature (Proposition 108).
27. Becomes effective on the signature of the Governor.

## Action History:

SENATE FIRST READ: 01/29/13

SENATE SECOND READ: 01/30/13

**ARIZONA GAME AND FISH DEPARTMENT**

5000 West Carefree Highway, Phoenix, Arizona 85086

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## COMMITTEES: ASSIGNED COMMITTEES ACTION

**Vote Detail** 01/29/13 **NRRA** 02/06/13 (6-0-1-0) **DP**  
**Vote Detail** 01/29/13 **APPROP** 02/19/13 (8-0-1-0) **DPA**  
01/29/13 **RULES** 03/04/13 **PFC**

MAJORITY CAUCUS: 03/05/13 Y

MINORITY CAUCUS: 03/05/13 Y

COW ACTION 1: DATE ACTION AYES NAYS NV EXC VAC  
03/06/13 **DPA** 0 0 0 0

THIRD READ: DATE AYES NAYS NV EXC VAC EMER AMEND RFE 2/3 VOTE RESULT  
**Vote Detail** 03/06/13 26 2 2 0 Y Y PASSED

TRANSMIT TO HOUSE: 03/06/13

HOUSE FIRST READ: 03/07/13

## COMMITTEES: ASSIGNED COMMITTEES ACTION

**Vote Detail** 03/07/13 **EENR** 03/11/13 (8-0-0-0-0) **DP**  
**Vote Detail** 03/07/13 **RULES** 04/08/13 (8-0-0-1-0) **C&P**

HOUSE SECOND READ: 03/11/13

CONSENT CALENDAR: 04/08/13 4:37 PM

MAJORITY CAUCUS 04/09/13 Y

MINORITY CAUCUS: 04/09/13 Y

THIRD READ: DATE AYES NAYS NV EXC VAC EMER AMEND RFE 2/3 VOTE RESULT  
**Vote Detail** 04/15/13 43 10 7 0 Y PASSED

TRANSMIT TO SENATE: 04/15/13

TRANSMITTED TO: GOVERNOR 05/02/13

ACTION: SIGNED 05/07/13

CHAPTER: **197** RFE

CHAPTERED VERSION: Senate Engrossed Version



## **SB1469: applying aquatic poisons**

### **Disposition:**

Transmitted to Governor – April 15, 2013

Signed by the Governor – April 16, 2013

Filed in the Secretary of State's Office – April 17, 2013: *Chapter 117*

**Effective Date** – September 13, 2013

### **Prime Sponsors:**

Sen. Griffin

### **Background:**

Fishery managers rely on a variety of tools to test and control fish populations. Aquatic poisons used to kill fish, or *piscicides*, are a commonly employed tool. The U.S. Environmental Protection Agency (EPA) and the states register or license piscicides for use. The EPA is authorized to register piscicides pursuant to the Federal Insecticide, Fungicide and Rodenticide Act. Rotenone is registered for use by the EPA in the U.S. and it is one of the most commonly used chemicals to kill aquatic life.

S.B. 1469 requires the Arizona Game & Fish Department to conduct an impact analysis, approved by the Arizona Game & Fish Commission, prior to using rotenone or antimycin A.

In June 2011, the Arizona Game & Fish Department (Department) Director established the Rotenone Review Advisory Committee (Committee) to advise and make recommendations to the Director, and Commission, with respect to matters within the areas of its members' experience and expertise, provide a science based assessment and recommendations regarding the use of rotenone and other piscicides for Arizona fisheries and aquatic wildlife management.

The Committee was comprised of over 2 dozen participants representing state and federal agencies, legislative members and staff, Universities, municipalities, and NGOs. The Committee:

- Used the best available science to evaluate the use of rotenone and the potential impacts to human health and the environment.
- Provided a thorough review of alternatives to the use of piscicides and a review of current state and federal regulations, internal policy, public involvement, and best management practices involved in the Department's use of piscicides and,
- Produced a final report and the Commission accepted all recommendations and adopted a rotenone policy in January 2012 that incorporated these recommendations.



The only difference between the recommendations of the Committee and SB1469 are the exceptions for application under 2(C) and the requirements listed below:

1. S.B. 1469 requires soil and water analysis before and after a piscicide treatment. Currently, the Department conducts water analysis samples only.
2. S.B. 1469 also requires the Department to publish two general notices of an impending treatment in a daily or weekly newspaper of general circulation in the general project area. Currently before a piscicide treatment, the Department issues a press release that may be picked up by news sources.

If the legislation is signed into law, the Department will incorporate the additional requirements (1 & 2 listed above) into the existing Department full impact analysis.

### **Provisions:**

1. Prohibits the Department from using rotenone or antimycin A until conducting and submitting a full impact analysis of any risks posed to the environment and downstream potable water supplies and livestock water resources.
2. Requires the Arizona Game and Fish Commission to issue written approval or disapproval of the analysis.
3. Requires the Department to provide at least 10 days advance written notice to all owners, lessees and permittees of real property, including federal and state public lands that are contiguous with the treatment area defined in the impact analysis.
4. Requires the Department to publish notice in two publications in a daily or weekly newspaper of general circulation within the area of application.
5. Instructs the Department to conduct soil and water analyses before applying rotenone or antimycin A to establish baseline levels.
6. Requires, after application, continuous monitoring of downstream levels in soil, potable water supplies and livestock water resources until pre-treatment baseline levels are achieved.

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7. Excludes applications that meet both of the following requirements:
  - a) occur to a reservoir or to a water body for the purposes of operating a reservoir or delivering water from a reservoir with a capacity of at least 10,000 acre feet, or to the Colorado River below and including Lake Mead; and
  - b) are authorized under a federally issued ITP.
  
8. Becomes effective on the general effective date.

## Action History:

SENATE FIRST READ: 02/05/13

SENATE SECOND READ: 02/06/13

### COMMITTEES: ASSIGNED COMMITTEES ACTION

[Vote Detail](#) 02/06/13 **GE** 02/21/13 (4-3-0-0) **DP**  
02/06/13 **RULES** 02/25/13 **PFC**

MAJORITY CAUCUS: 02/26/13 Y

MINORITY CAUCUS: 02/26/13 Y

CONSENT CALENDAR: 02/25/13 1:15 PM Object

### COW ACTION 1: DATE ACTION AYES NAYS NV EXC VAC

02/28/13 **DP** 0 0 0 0

### THIRD READ: DATE AYES NAYS NV EXC VAC EMER AMEND RFE 2/3 VOTE RESULT

[Vote Detail](#) 02/28/13 17 11 2 0 PASSED

TRANSMIT TO HOUSE: 03/01/13

HOUSE FIRST READ: 03/05/13

### COMMITTEES: ASSIGNED COMMITTEES ACTION

[Vote Detail](#) 03/05/13 **EENR** 03/18/13 (6-2-0-0-0) **DP**

[Vote Detail](#) 03/05/13 **RULES** 04/01/13 (7-0-0-2-0) **C&P**

HOUSE SECOND READ: 03/06/13

MAJORITY CAUCUS 04/02/13 Y

MINORITY CAUCUS: 04/02/13 Y

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CONSENT CALENDAR: 04/01/13 2:16 PM Object

COW ACTION 1: DATE ACTION AYES NAYS NV EXC VAC

04/04/13 **DP** 0 0 0 0

THIRD READ: DATE AYES NAYS NV EXC VAC EMER AMEND RFE 2/3 VOTE RESULT

[Vote Detail](#) 04/08/13 41 17 2 0 PASSED

TRANSMIT TO SENATE: 04/08/13

TRANSMITTED TO: GOVERNOR 04/15/13

ACTION: SIGNED 04/16/13

CHAPTER: **117**

CHAPTERED VERSION: Senate Engrossed Version



**HB2551: ~~financial institution records; disclosure; notice~~  
**(NOW:off-highway vehicles; use; authority; enforcement)****

**Disposition:**

Transmitted to Governor – June 13, 2013

Signed by the Governor – June 19, 2013

Filed in the Secretary of State's Office – June 19, 2013: *Chapter 231*

**Effective Date** – September 13, 2013

**Prime Sponsors:**

Rep. Gowan

**Background:**

Several years ago, the Forest Service in Washington D.C. sent a directive to all forests in the country, requiring them to implement 'Travel Management Rules'. The purpose of the directive was for each forest to create its own transportation system and to minimize cross-country travel and dispersed camping. Unfortunately, the rules forced National Forests across the country to close hundreds of miles of forest roads that have been used by families, hunters, fisherman, campers, etc. for generations.

The effect of these rules has been a significant diminishment in the public's ability to access the forest. The rules affect:

- Access (closed roads)
- Camping (limits dispersed camping to within a certain distance of an open road)
- Big-game retrieval (limits hunters' ability to retrieve game)
- Wood-gathering (which some low-income people depend on for heating their homes)

The Arizona Game and Commission (Commission) took a unanimous position to support *HB2551: off-highway vehicles; use; authority; enforcement*. The Commission's support stems from the Commission's long-standing concerns that new U.S. Forest Service travel management Plans (TMP) exceed science-based protection of wildlife habitat, and place undue constraints on

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reasonable public access to federally-managed lands as well as the Commission's and Department's ability to meet wildlife management objectives.

The Arizona Game and Fish Commission is concerned about the unintended limitations on officers' ability to enforce resource damage laws or road closures for public safety purposes, such as during forest fires. The new forest Travel Management Rules are inconsistent across the different forests and therefore confusing to outdoor recreationists.

The legislation permits Game and Fish officers to enforce laws related to habitat damage and other duties important to the Department's mission, while giving officers discretion in enforcing federal travel management rules that are lower priority or that might impede achieving wildlife management objectives.

This legislation has been endorsed by

- County sheriffs
- Department of Public Safety
- Game and Fish Department
- Several County Supervisors

## Provisions:

1. Provides permissive authority for peace officers of this state or a county, city or town and other duly authorized state and federal authorities to enforce the provisions of the wildlife habitat protection statutes.

2. Provides permissive authority for peace officers of this state or a county, city or town and other duly authorized state employees to enforce off-highway vehicle statutes on land under jurisdiction of this state or a county, city or town, or on an open federal road.

3. Makes technical and conforming changes.

4. Becomes effective on the general effective date.

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## Action History:

HOUSE FIRST READ: 02/06/13

COMMITTEES: ASSIGNED COMMITTEES ACTION

02/06/13 **FI** 02/19/13 **W/D**

[Vote Detail](#) 02/18/13 **RHS** 02/21/13 (5-3-0-0-0) **DP**

[Vote Detail](#) 02/06/13 **RULES** 03/07/13 (7-0-0-2-0) **C&P**

HOUSE SECOND READ: 02/07/13

MAJORITY CAUCUS 03/07/13 Y

MINORITY CAUCUS: 03/07/13 Y

COW ACTION 1: DATE ACTION AYES NAYS NV EXC VAC

03/11/13 **DPA** 0 0 0 0

## AMENDMENTS

Floor Amend to Bill - Gowan - passed

THIRD READ: DATE AYES NAYS NV EXC VAC EMER AMEND RFE 2/3 VOTE RESULT

[Vote Detail](#) 03/11/13 33 24 3 0 Y PASSED

TRANSMIT TO SENATE: 03/11/13

SENATE FIRST READ: 03/12/13

SENATE SECOND READ: 03/13/13

COMMITTEES: ASSIGNED COMMITTEES ACTION

[Vote Detail](#) 03/12/13 **GE** 03/21/13 (4-3-0-0) **DPA/SE**

03/12/13 **RULES** 03/25/13 **PFC**

MAJORITY CAUCUS: 03/26/13 Y

MINORITY CAUCUS: 03/26/13 Y

COW ACTION 1: DATE ACTION AYES NAYS NV EXC VAC

04/11/13 **DPA** 0 0 0 0



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TRANSMIT TO SENATE: 05/14/13

SENATE FINAL READ: DATE	AYES	NAYS	NV	EXC	VAC	EMER	RFE	2/3	VOTE	RESULT
<a href="#">Vote Detail</a>	05/21/13	19	10	1	0					PASSED

TRANSMIT TO HOUSE: 05/21/13

TRANSMITTED TO: GOVERNOR 06/13/13

ACTION: SIGNED 06/19/13

CHAPTER: **231**

CHAPTERED VERSION: Conference Engrossed Version



## 2013 COMMISSION BILLS OF INTEREST

### **HB2172: ADOT administration**

H.B. 2172 stipulates that on a monthly basis, the Director of the Department of Transportation is required to deposit 1.6 percent of motor vehicle fuel tax monies in the State Lake Improvement Fund. The bill also Repeals statute requiring the Department to conduct a survey to determine the taxes paid on fuel for watercraft in order to determine the amount put in the Fund. HB2172 passed out of the House (60-0). It received a do pass recommendation (7-0) from the Senate Transportation, as well as the Appropriations Committee (7-0-2). An Amendment adopted by the Appropriations Committee lowered the maximum value of a bond ADOT may require a motor fuel vehicle supplier to obtain from \$25 million to \$5 million. This bill was signed by the Governor on April 11th and will become effective on September 13th.

### **HB2299: all-terrain vehicles; definition**

Modifies the definition of "all-terrain vehicles" is to include vehicles with bench or bucket seats, exclude vehicles that were originally manufactured for use on a public highway, and to increase the maximum width of the vehicles to 65 inches, from 64,. Currently, language in the statute is somewhat vague (or open for interpretation) when referring to golf cart, sand rail or home-made off road machines. The proposed change captures these vehicles and consequently brings greater clarity to how all other associated OHV regulations bear regarding those machines. The bill was signed by the Governor on April 11th and will become effective on September 13th.

### **HB2468: discounted hunting licenses; veterans; soldiers**

H.B. 2468 seeks to allow the Commission the authority to issue a class A fishing license or a class G general hunting license for a reduced fee to a veteran. The Commission is allowed to reduce the fee by ten percent for every four years of the veteran's service in the U.S. armed forces. Although this bill was referred to the House Public Safety and Military Affairs Committee, it did not receive a hearing.

### **HB2654: full-time students; hunting licenses**

H.B. 2654 states that a nonresident "full-time student" (defined as a student registered for at least 12 credit hours per semester at a post secondary educational institution in Arizona) is permitted to purchase a resident hunting license. HB2654 passed the A&W committee (8-0) and received a 52-4 vote by the full House. The bill was held in the Senate Natural Resources and Rural Affairs Committee on 3/13 due to members' concerns that non-residents would be competing for resident hunting tags and permits. It was subsequently removed from the agenda on 3/20 during the last week for committee hearings.

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**Table 1. 2013 House Legislative Scorecard based on Commission position**

Member	Party/ District	S.B. 1223 Support	H.B. 2551 Support	S.B. 1469 Support	No. of Favorable Votes	Favorable Percentage	Total NV or Absent
John Allen	R - 15	X	✓	✓	2	67%	0
Lela Alston	D - 24	✓	X	X	1	33%	0
Brenda Barton	R - 6	✓	✓	✓	3	100%	0
Sonny Borrelli	R - 5	X	✓	✓	2	67%	0
Paul Boyer	R - 20	✓	✓	✓	3	100%	0
Kate Brophy McGee	R - 28	✓	X	✓	2	67%	0
Chad Campbell	D - 24	✓	X	X	1	33%	0
Mark A. Cardenas	D - 19	✓	X	✓	2	67%	0
Heather Carter	R - 15	✓	✓	✓	3	100%	0
Doug Coleman	R - 16	✓	✓	✓	3	100%	0
Lupe Chavira Contreras	D - 19	NV	X	X	0	0%	1
Andrea Dalessandro	D - 2	✓	X	X	1	33%	0
Jeff Dial	R - 18	✓	✓	✓	3	100%	0
Juan Carlos Escamilla	D - 4	✓	X	✓	2	67%	0
Karen Fann	R - 1	✓	✓	✓	3	100%	0
Eddie Farnsworth	R - 12	X	✓	✓	2	67%	0
Tom Forese	R - 17	✓	NV	✓	2	100%	1
Rosanna Gabaldon	D - 2	✓	X	NV	1	50%	1
Ruben Gallego	D - 27	✓	X	X	1	33%	0
Sally Ann Gonzales	D - 3	NV	X	NV	0	0%	2
Doris Goodale	R - 5	✓	✓	✓	3	100%	0
David Gowan	R - 14	✓	✓	✓	3	100%	0
Rick Gray	R - 21	✓	✓	✓	3	100%	0
Albert Hale	D - 7	✓	X	X	1	33%	0
Lydia Hernandez	D - 29	✓	X	X	1	33%	0
John Kavanagh	R - 23	X	✓	✓	2	67%	0
Adam Kwasman	R - 11	✓	✓	✓	3	100%	0
Johnathan Larkin	D - 30	✓	X	X	1	33%	0
Debbie Lesko	R - 21	✓	✓	✓	3	100%	0
David Livingston	R - 22	✓	✓	✓	3	100%	0
Phil Lovas	R - 22	✓	✓	✓	3	100%	0
Stefanie Mach	D - 10	✓	X	X	1	33%	0

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**Table 1. 2013 House Legislative Scorecard based on Commission position**

Member	Party/ District	S.B. 1223 Support	H.B. 2551 Support	S.B. 1469 Support	No. of Favorable Votes	Favorable Percentage	Total NV or Absent
Debbie McCune Davis	D - 30	✓	X	X	1	33%	0
Juan Mendez	D - 26	✓	X	✓	2	67%	0
Javan "J.D." Mesnard	R - 17	✓	✓	✓	3	100%	0
Eric Meyer	D - 28	✓	X	X	1	33%	0
Catherine H. Miranda	D - 27	✓	X	X	1	33%	0
Darin Mitchell	R - 13	X	✓	✓	2	67%	0
Steve Montenegro	R - 13	X	✓	✓	2	67%	0
Justin Olson	R - 25	X	✓	✓	1	33%	0
Ethan Orr	R - 9	NV	✓	✓	2	100%	1
Lisa Otondo	D - 4	✓	X	✓	2	67%	0
Jamescita Peshlakai	D - 7	✓	X	X	1	33%	0
Warren Petersen	R - 12	X	✓	✓	2	67%	0
Justin Pierce	R - 25	✓	✓	✓	3	100%	0
Frank Pratt	R - 8	NV	✓	✓	2	100%	1
Martin J. Quezada	D - 29	NV	X	X	0	0%	1
Bob Robson	R - 18	✓	✓	✓	3	100%	0
Malcario Saldate IV	D - 3	✓	X	X	1	33%	0
Carl Seel	R - 20	✓	✓	✓	3	100%	0
Andrew Sherwood	D - 26	✓	X	✓	2	67%	0
T.J. Shope	R - 8	✓	✓	✓	3	100%	0
Steve Smith	R - 11	X	✓	✓	2	67%	0
Victoria Steele	D - 9	✓	X	X	1	33%	0
David W. Stevens	R - 14	NV	✓	✓	2	100%	1
Bob Thorpe	R - 6	✓	✓	✓	3	100%	0
Andy Tobin	R - 1	✓	✓	✓	3	100%	0
Kelly Townsend	R - 16	✓	✓	✓	3	100%	0
Michelle Ugenti	R - 23	X	✓	✓	2	67%	0
Bruce Wheeler	D - 10	NV	X	X	0	0%	1
<b>Totals/Avgs.</b>		<b>43</b>	<b>34</b>	<b>41</b>	<b>2</b>	<b>68%</b>	<b>10</b>
✓ =Voted in favor of Commission's Position		X=Voted in Opposition to Commission's Position			NV=Did not cast a vote or was absent		

25 Voted with Commission 100%  
 42% % of House Voting With Commission 100%

## ARIZONA GAME AND FISH DEPARTMENT

5000 West Carefree Highway, Phoenix, Arizona 85086

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**Table 2. 2013 Senate Legislative Scorecard based on Commission position**

Member	Party/ District	S.B. 1223 Support	H.B. 2551 Support	S.B. 1469 Support	No. of Favorable Votes	Favorable Percentage	Total NV or Absent
Ed Ableser	D - 26	✓	X	X	1	33%	0
Nancy Barto	R - 15	X	✓	✓	2	67%	0
Andy Biggs	R - 12	✓	✓	✓	3	100%	0
David Bradley	D - 10	✓	X	X	1	33%	0
Judy Burges	R - 22	X	✓	✓	2	67%	0
Olivia Cajero Beford	D - 3	✓	X	X	1	33%	0
Rich Crandall	R - 16	✓	NV	✓	2	100%	1
Chester Crandell	R - 6	✓	✓	✓	3	100%	0
Adam Driggs	R - 28	✓	✓	✓	3	100%	0
Steve Farley	D - 9	✓	NV	X	1	50%	1
Steve Gallardo	D - 29	✓	X	X	1	33%	0
Gail Griffin	R - 14	✓	✓	✓	3	100%	0
Katie Hobbs	D - 24	✓	X	X	1	33%	0
Jack Jackson Jr.	D - 7	✓	NV	X	1	50%	1
Leah Landrum Taylor	D - 27	✓	X	X	1	33%	0
Linda Lopez	D - 2	✓	X	X	1	33%	0
John McComish	R - 18	✓	X	✓	2	67%	0
Barbara Mcguire	D - 8	✓	✓	✓	3	100%	0
Al Melvin	R - 11	✓	✓	✓	3	100%	0
Robert Meza	D - 30	✓	X	X	1	33%	0
Rick Murphy	R - 21	✓	✓	✓	3	100%	0
Lyne Pancrazi	D - 4	NV	✓	NV	1	100%	2
Steve Pierce	R - 1	✓	✓	✓	3	100%	0
Michele Reagan	R - 23	NV	✓	✓	2	100%	1
Don Shooter	R - 13	✓	✓	✓	3	100%	0
Anna Tovar	D - 19	✓	X	X	1	33%	0
Kelli Ward	R - 5	✓	✓	NV	2	100%	1
Bob Worsley	R - 25	✓	✓	✓	3	100%	0
Steve Yarbrough	R - 17	✓	✓	✓	3	100%	0
Kimberly Yee	R - 20	✓	✓	✓	3	100%	0
<b>Totals/Avgs.</b>		<b>26</b>	<b>17</b>	<b>17</b>	<b>2</b>	<b>73%</b>	<b>7</b>
✓ =Voted in favor of Commission's Position		X=Voted in Opposition to Commission's Position		NV=Did not cast a vote or was absent			

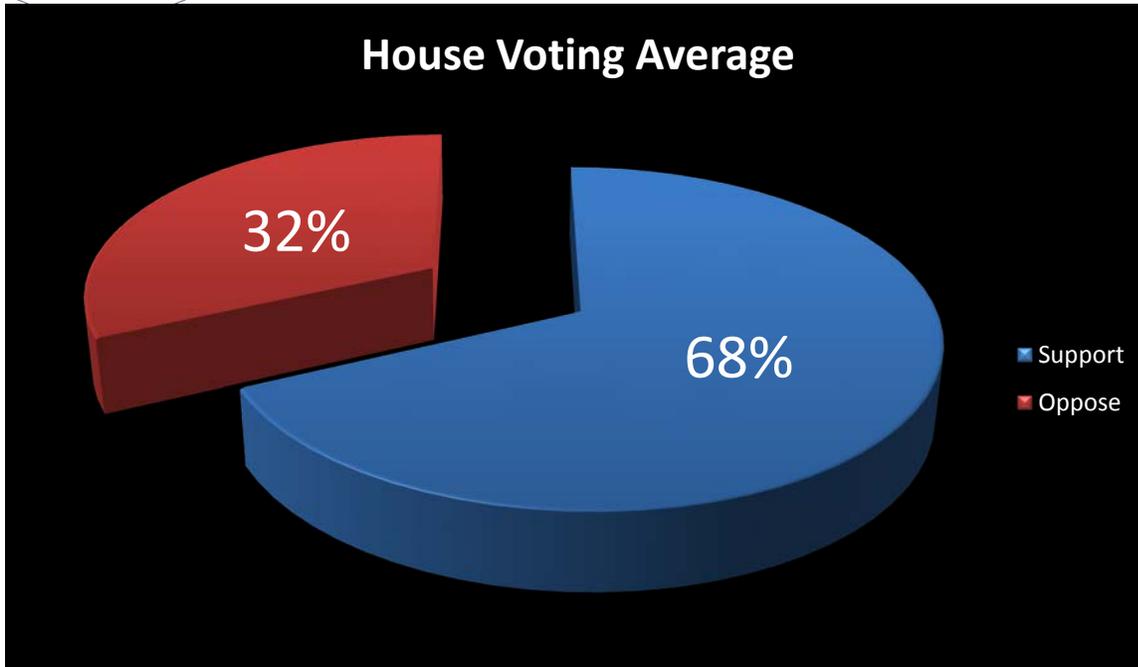
14 Voted with Commission 100%  
47% % of Senate Voting With Commission 100%

## ARIZONA GAME AND FISH DEPARTMENT

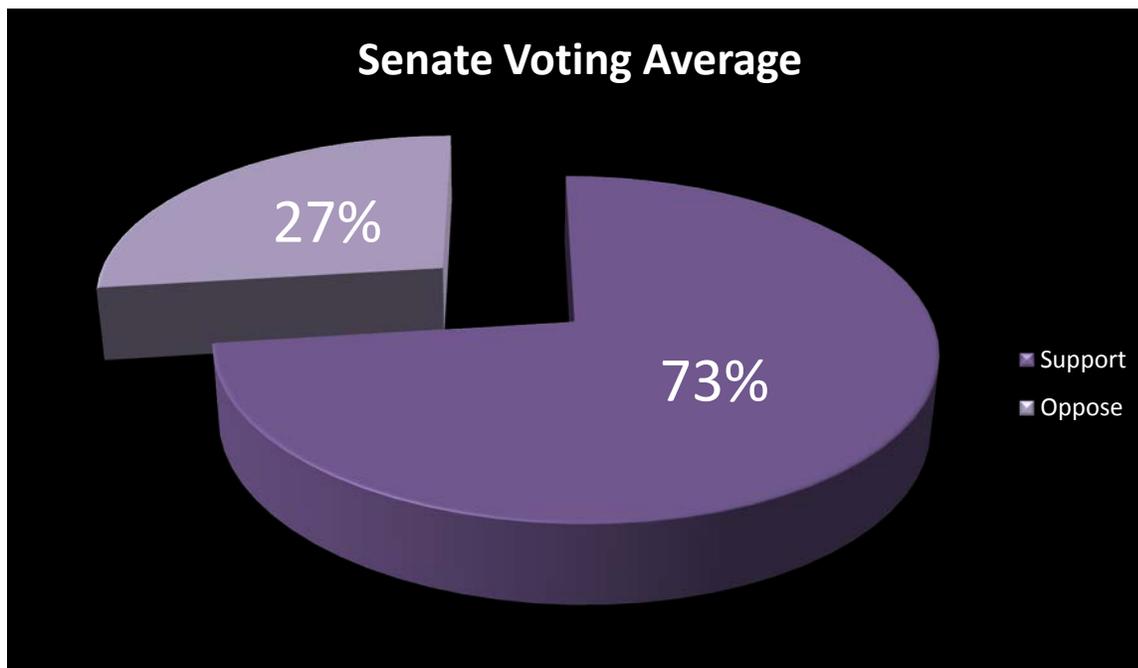
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Pie Chart 1: Voting Average of all House Members based on Commission Position



Pie Chart 2: Voting Average of All Senate Members based on Commission Position

**ARIZONA GAME AND FISH DEPARTMENT**

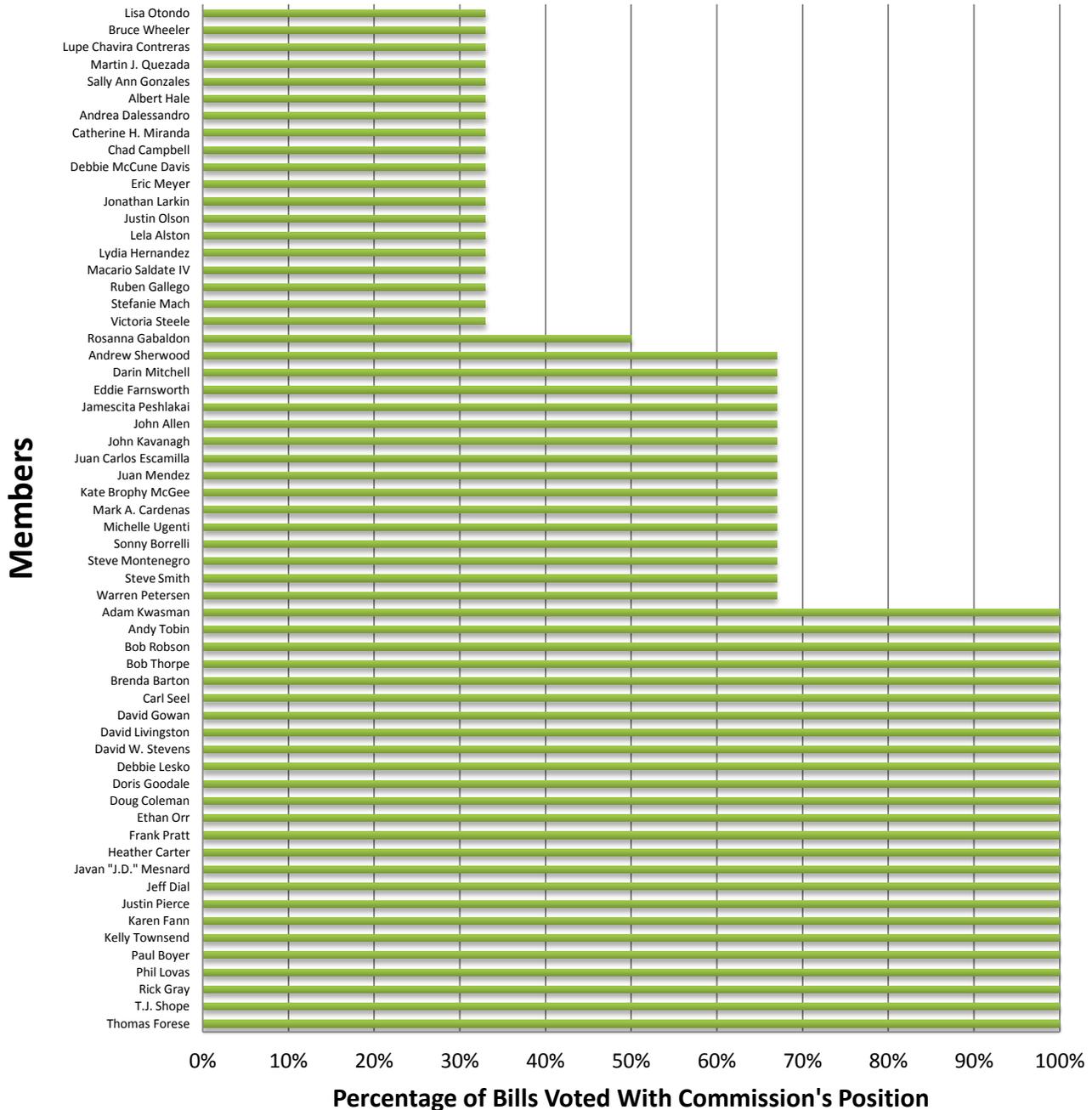
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# Legislative Summary

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## House Voting Favorability



Bar Graph 1: Percentage of Favorable Votes from all 60 Members of the House of Representatives

**ARIZONA GAME AND FISH DEPARTMENT**

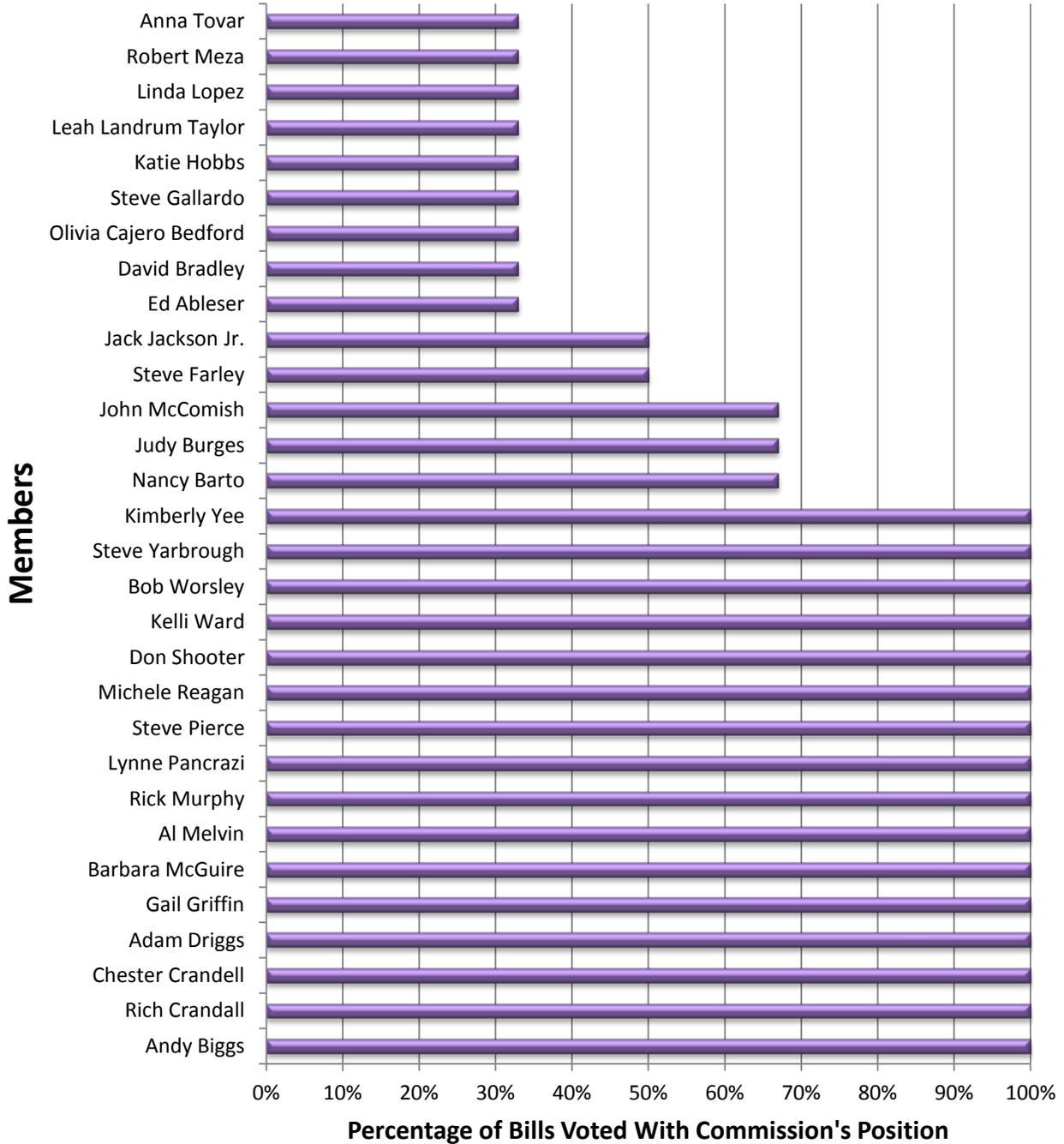
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# Legislative Summary

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## Senate Voting Favorability



Bar Graph 2: Percentage of favorable votes for all 30 Members of the Senate

**ARIZONA GAME AND FISH DEPARTMENT**

5000 West Carefree Highway, Phoenix, Arizona 85086



## “QUOTABLE QUOTES”

**“I never thought the value of sports tickets would be part of the argument of substantive justice.”** -- US District Court Judge Frederick Martone to federal prosecutors at Arredondo’s sentencing.

**“I think the concern is which comes first, the duck or the egg?”** -- Brewer on the tension between border security and a pathway to citizenship.

**“Few would have picked Arizona to host one of the nation’s nastiest and most partisan redistricting debacles.”** -- The Cook Political Report’s “Arizona: 2014 House Baselines.”

**“We weren’t going to blast legislators and the governor for dealing with a state budget that was way out of whack with the revenues that were coming in.”** -- Arizona Chamber of Commerce President and CEO Glenn Hamer on why the organization didn’t aggressively oppose cuts to Medicaid two years ago.

**“Her moves have proved Brewer to be a far less predictable politician than the caricature – accidental governor, ditzy ideologue – would have it.”** -- Los Angeles Times article on Brewer’s move to expand Medicaid.

**“Why would they cut off their nose to hurt their face? It just doesn’t make any sense. Do the math.”** -- Brewer on why she is confident lawmakers will pass her Medicaid expansion plan.

**“I was thinking of putting Arizona first and America second.”** -- LD28 Chairman Scott O’Connor on his vote against the Maricopa County Republican Party resolution opposing Medicaid expansion.

**“The Dark Sith, reporting for duty.”** -- Chuck Coughlin on Antenori’s characterization of his role in pushing Brewer’s Medicaid expansion plan.

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**"I am willing to consider a one BILLION point bonus and a free pooper scooper if you would denounce and call for an apology and the resignation of the RHINO Maricopa County Chairman's attack on Governor Brewer."** -- Tobin to the Arizona Conservative Coalition in an email tiff over the organization's lawmaker ranking system.

**"I'm not that devious. I didn't think of this, I promise."** -- Campbell on whether he orchestrated the recall effort filed against him yesterday.

**"Poor John [Kavanagh] , he was standing there, squirming. Not about the cowboy bill. He was just trying to figure out which bathroom to use."** -- Brewer in her roast-style speech at the Arizona Republican Party's Legislative Salute fundraiser last night.

**"Governor Brewer's threat is as hollow as Baghdad Bob's threat to push the Americans out of Baghdad."** -- Railbird on Brewer's declaration that she won't sign any more bills until progress is made on the budget.

**"The two record holders for the most vetoes – we get to veto the governor. This doesn't happen every day. Talk about karma. Karma, karma, karma."** -- Antenori on the possibility of him and Gould leading an effort to put a Medicaid referendum on the ballot.

**"I think we all felt giddy inside"** -- Tovar on the mood of the Dem caucus as a handful of Republicans banded together to support Dem amendments and pass a budget plan.

**"She is George Bush in a skirt. She loves to spend money."** -- Antenori to Salon on Brewer's conservative credentials.

**"Who at the beginning of the session would've thought that not only would I be getting one pen from the governor, but two pens? "** -- Campbell on teaming up with Brewer on Medicaid expansion and CPS funding.

**ARIZONA GAME AND FISH DEPARTMENT**

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