

DRAFT #1

**AZ Game and Fish Commission Legislation
DEPARTMENT MERCHANDISE**

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

2 Section 1. Section 17-333, Arizona Revised Statutes, is
3 amended to read:

4 41-2752. State competition with private enterprise prohibited;
5 exceptions

6 A. A state agency shall not engage in the manufacturing,
7 processing, sale, offering for sale, rental, leasing, delivery,
8 dispensing, distributing or advertising of goods or services to the
9 public that are also offered by private enterprise unless
10 specifically authorized by law other than administrative law and
11 executive orders.

12 B. A state agency shall not offer or provide goods or services
13 to the public for or through another state agency or a local
14 agency, including by intergovernmental or interagency agreement, in
15 violation of this section or section 41-2753.

16 C. The restrictions on activities that compete with private
17 enterprise contained in this section do not apply to:

18 1. The development, operation and management of state parks,
19 historical monuments and hiking or equestrian trails.

20 2. Correctional industries established and operated by the
21 state department of corrections if the prices charged for products
22 sold by the correctional industries are not less than the actual
23 cost of producing and marketing the product plus a reasonable
24 allowance for overhead and administrative costs.

25 3. The Arizona office of tourism.

26 4. The Arizona highways magazine, operated by the department
27 of transportation.

28 5. Printing and distributing information to the public if the
29 agency is otherwise authorized to do so, and printing or copying
30 public records or other material relating to the public agency's
31 public business and recovering through fees and charges the costs
32 of such printing, copying and distributing.

33 6. The department of public safety.

34 7. The construction, maintenance and operation of state
35 transportation facilities.

36 8. The development, distribution, maintenance, support,
37 licensing, leasing or sale of computer software by the department
38 of transportation.

39 9. Agreements executed by the Arizona health care cost
40 containment system administration with other states to design,
41 develop, install and operate information technology systems and
42 related services or other administrative services pursuant to
43 section 36-2925.

44 10. Agreements executed by the department of economic security
45 with other states to design, develop, install and operate support

1 collection technology systems and related services. The department
2 shall deposit, pursuant to sections 35-146 and 35-147, monies
3 received pursuant to this paragraph in the public assistance
4 collections fund established by section 46-295.

5 11. Educational, vocational, treatment, training or work
6 programs of the department of juvenile corrections and contracts
7 between the department of juvenile corrections and this state, a
8 political subdivision of this state or a private entity in order to
9 provide employment or vocational educational experience.

10 12. The aflatoxin control technologies of the cotton research
11 and protection council.

12 13. The lease or sublease of lands or buildings by the
13 department of economic security pursuant to section 41-1958.

14 14. THE ARIZONA GAME AND FISH COMMISSION AND THE ARIZONA GAME
15 AND FISH DEPARTMENT, INCLUDING SHOOTING RANGES OWNED BY THE ARIZONA
16 GAME AND FISH COMMISSION.

17 D. The restrictions on activities that compete with private
18 enterprise contained in subsection A of this section do not apply
19 to community colleges and universities under the jurisdiction of a
20 governing board.

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