



# WEEKLY REPORT

## ARIZONA GAME AND FISH DEPARTMENT

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## Arizona Game and Fish Commission

Kurt R. Davis, Chairman-Phoenix  
Edward "Pat" Madden, Vice Chair-Flagstaff  
James R. Ammons, Yuma  
James S. Zieler, St. Johns  
Eric S. Sparks, Tucson

**Publish Date: Friday, January 29, 2016**

Day of Session:	19
Bills Posted:	1006
Bills Passed:	0
Bills Vetoed:	0
Bills Signed:	0
Mem, Res Posted:	83
Mem, Res Passed:	0

**Weekly Report** is published by the Arizona Game and Fish Department's Legislative and Government Affairs Division. While the state's Legislature is in session, legislative staff provides a summary of bills that pertain to the Department, or that the Arizona Game and Fish Commission has voted to support or oppose, and a tracking list of bills that may have potential impacts to the state's wildlife resources. The Legislative and Government Affairs staff also actively monitors and reports on Congressional Legislation with potential impacts to the Department, and those reports (Congressional Courant) are also available online at: [AZGFD Government Affairs](#)

**Legislative News:** With the third week of the 52<sup>nd</sup> Legislature, 2<sup>nd</sup> Regular Session under our belt, focus now turns toward tracking and analyzing bills for impacts to the Commission's and Department's statutory authorities. So far, 1006 bills have been introduced.

### Hearings

Monday 2/1/16

Senate Natural Resources 9:00 AM, SHR 109

The confirmation hearing for James H. Unmacht, Stephen Clark and Sarahmarge Crigler to the Livestock Loss Board and William Hayes Gilstrap to the Arizona Game and Fish Appointment Recommendation Board will be heard by the Senate Natural Resources committee.

### News/Notes:

Mr. Eric Sparks was confirmed by the full Senate on Tuesday, January 26, 2016.

## Commission Legislative Agenda

**HB 2305:** *G&F; assessments; law enforcement; omnibus*

**Summary:** A Game and Fish Commission bill including various changes relating to game and fish regulations. Requires stand-up paddleboards to carry one U.S. Coast Guard approved personal flotation device for each person on board. The fines for unlawfully taking, wounding or killing specified animals are applied to any person convicted of unlawfully feeding wildlife that results in the lethal removal of that wildlife. Monies in the Wildlife Theft Prevention Fund may be used for investigations of fraud related to licenses, permits, tags or stamps.

**Sponsor:** Rep. Cobb

**Disposition:** Not yet assigned

**HB 2465:** *G&F; in-lieu fee; trust fund*

**Summary:** A Game and Fish Commission bill establishing the Game and Fish In-Lieu Fee Program Restoration Endowment Trust Fund to be used to fulfill the Game and Fish Department's obligations as an in-lieu fee sponsor under the federal Clean Water Act. The Fund consists of monies deposited from proceeds received by the Department as an in-lieu fee sponsor. Monies in the Fund are continuously appropriated. The beneficiaries of the trust are the in-lieu fee projects sponsored by the Department under the Clean Water Act.

**Sponsor:** Rep. Brophy McGee

**Disposition:** House Energy, Environment & Natural Resources (Monday 2/1/16 at 2:00 PM, House Rm. 1)

**SB 1361:** *G&F; heritage fund; expenditures*

**Summary:** At least 20 percent, decreased from 40 percent, of monies in the Game and Fish Commission Heritage Fund that are available for property with sensitive habitat must be spent to acquire property to acquire property with sensitive habitat used by endangered, threatened and candidate species. Not more than 20 percent of those monies may be spent on the operation and maintenance of the acquired property, including infrastructure.

**Sponsor:** Sen. Griffin

**Disposition:** Referred to Senate Natural Resources  
Further referred to Senate Appropriations

### **Commission Supported Legislation**

**HB 2324:** *G&F; military spouses; resident licenses*

**Summary:** The spouse of a member of the U.S. Armed Forces who is on active duty and stationed in Arizona is allowed to purchase a resident license permitting the taking of wildlife.

**Sponsor:** Rep. Pratt

**Disposition:** House Military Affairs & Public Safety Thurs. 01/28/16 - **DO PASS 7-0-0-1**

### **Other Bills of Interest**

**HB2105:** *veterans with disabilities; benefits*

**Summary:** The Game and Fish Commission is authorized to issue a complimentary license to a veteran of the U.S. armed forces who has been an Arizona resident for at least one year and who is receiving compensation from the U.S. government for permanent service-connected disabilities rated as at least 25 percent disabling, instead of 100 percent disabling. A veteran certified by the U.S. Department of Veterans Affairs as having at least a 25 percent disability, instead of 100 percent, is exempt from vehicle license taxes and registration fees for a personally owned vehicle. The Arizona State Parks Board is required to issue at no charge a parks pass that grants park entrance to all Arizona state parks and to waive camping and overnight parking fees for up to 10 days per month for a veteran with a service-connected disability of at least 25 percent.

**Sponsor:** Rep. Lovas

**Disposition:** Hearing: House Military Affairs & Public Safety (Thurs. 2/4/16 at 9:00AM, House Rm. 5)

**HB 2024:** *sovereign authority; federal actions*

**Summary:** The state of Arizona and all political subdivisions are prohibited from using any personnel or financial resources to enforce, administer or cooperate with an executive order issued by the President of the

U.S., a policy directive issued by an agency of the U.S., or an opinion of the U.S. Supreme Court that is not in pursuance of the U.S. Constitution and that has not been affirmed by a vote of the U.S. Congress and signed into law as prescribed by the U.S. Constitution.

**Sponsor:** Rep. Finchem

**Disposition:** Referred to House Federalism and States' Rights

**HB 2051:** *catastrophic public nuisance; determination; abatement*

**Summary:** The mayor of a municipality may determine that a "catastrophic public nuisance" (defined) exists on state or federal land located within the municipal borders, and the chairman of the county board of supervisors or the county sheriff may determine that a catastrophic public nuisance exists on state or federal land located within the county borders. Factors that may be considered in evaluating whether a catastrophic public nuisance exists are listed. On determining that a catastrophic public nuisance exists, the official must notify the federal or state agency that manages the land, and the notice must include specified information, including a demand that the agency either abate or make a plan to abate the catastrophic public nuisance by a specified date at least 30 days after the date the notice is received. If the agency does not respond by that date or otherwise does not take action, and if the nuisance constitutes a threat to public health, safety and welfare, the official must pursue all remedies allowed by law.

**Sponsor:** Rep. Ugenti-Rita

**Disposition:** Referred to House County and Municipal Affairs

**HB 2073:** *unmanned aircraft systems; unlawful use*

**Summary:** It is an unspecified class of felony (blank in original) for a person to operate or use an "unmanned aircraft system" (defined) to intentionally photograph, electronically record, collect information, conduct surveillance or gather evidence on a "critical facility" (defined) without the prior written consent of the facility owner or operator, or on a person or the person's property without the prior written consent of the person. Some exceptions.

**Sponsor:** Rep. Borrelli

**Disposition:** Referred to House Judiciary

**HB 2176:** *ivory; rhinoceros horn; sales; prohibition.*

**Summary:** A person is prohibited from importing, selling, purchasing, bartering or possessing with intent to sell any ivory, ivory product, rhinoceros horn or rhinoceros horn product unless the person receives a permit from the Game and Fish Commission to do so for educational or scientific purposes. Some exceptions. A first violation is punishable by a civil penalty of at least \$1,000 or an amount equal to two times the total value of the products involved in the offense, whichever is greater. A second or subsequent violation is punishable by a civil penalty of at least \$5,000 or an amount equal to two times the total value of the products involved in the offense, whichever is greater.

**Sponsor:** Rep. Andrade

**Disposition:** Referred to House Commerce

**HB 2201:** *sovereign authority; commandeering; prohibition; exception*

The state and all political subdivisions are prohibited from using any personnel or financial resources to enforce, administer or cooperate with any "action" (defined) of the U.S. government that constitutes "commandeering," defined as any action that is not in pursuance of the U.S. Constitution and that has not been affirmed by a vote of the U.S. Congress and signed into law as prescribed in the U.S. Constitution, or any action that exceeds the powers of the U.S. Congress enumerated in the U.S. Constitution, unless specifically authorized by state legislation.

**Sponsor:** Rep. Thorpe

**Disposition:** Referred to House Federalism and States' Rights

**HB 2340:** *wild horses; management prohibition*

**Summary:** The Salt River wild horse herd is property of the state of Arizona under the jurisdiction of the Animal Services Division of the Department of Agriculture. A person is prohibited from actively managing, taking, slaughtering or euthanizing a horse that is part of the herd without written authorization from the Division. The state is not obligated to pay for the management of the herd. Violations are a class 1 misdemeanor. Emergency clause.

**Sponsor:** Rep. Townsend

**Disposition:** Referred to House Federalism & States' Rights

**SB 1013:** *lottery; funding; LTAF; restoration*

Establishes the Local Transportation Assistance Fund (LTAF) and requires the Legislature to appropriate an amount necessary to provide that the total monies available in LTAF for each fiscal year (FY) equal \$20.5 million. The State Treasurer is required to pay municipalities a maximum of \$23 million each FY from the available monies in LTAF in proportion to the population of each municipality, except that each municipality is entitled to receive at least \$10,000. The State Treasurer is also required to distribute up to \$18 million each FY to counties. Establishes the County Assistance Fund and specifies distributions from the Fund. Establishes the State Parks Board Heritage Fund, and requires the Heritage Fund to be administered by the State Parks Board for specified purposes. State Lottery Fund (SLF) monies must be used to reimburse the general fund for payment to LTAF of \$18 million each FY. Of the monies remaining in the SLF, up to a maximum of \$23 million each FY must be deposited in the general fund to be used to offset reimbursements to LTAF and up to a maximum of \$7.65 million each FY must be deposited in the general fund to be used to offset reimbursements to the County Assistance Fund. Of the monies remaining in SLF, \$10 million must be deposited in the Heritage Fund. Monies equivalent to the amount of SLF monies specified must be transferred from the general fund to the other funds specified at the beginning of each Fiscal Year.

**Sponsor:** Sen. Farley

**Disposition:** Referred to Senate Transportation  
Further referred to Senate Appropriations

**SB 1164:** *G&F; licenses; veterans*

The Game and Fish Department is required to award a bonus point to a person who submits satisfactory proof to the Department that the person is an honorably discharged veteran of the U.S. Armed Forces.

**Sponsor:** Rep. McGuire

**Disposition:** Referred to Senate Natural Resources  
Further Referred to Senate Public Safety, Military & Technology

**SB1243:** *Mexican wolf; G&F approval; reporting*

**Summary:** Before a Mexican gray wolf is released, translocated or cross-fostered in Arizona, the Game and Fish Commission is required to approve the release, translocation or cross-fostering. The Commission is prohibited from approving these actions within three miles of state trust land or without a full DNA profile on each Mexican gray wolf. The Game and Fish Department is required to report to the Commission at every Commission meeting a list of specified information relating to Mexican gray wolves.

**Sponsor:** Sen. Griffin

**Disposition:** Hearing: Senate Water & Energy (Monday 02/01/16 at 2:00PM, Senate Rm. 3)  
Hearing: Senate Natural Resources (Monday 02/01/16 at 9:00AM, Senate Rm. 109)

**SB 1268:** *adequate water supply requirements; municipalities*

The Department of Water Resources is no longer required to give written notice of county adequate water supply ordinances to the mayors of all municipalities in the county, and municipalities that receive the notice are no longer required to comply with specified adequate water supply requirements. Applies to any municipality that received a notice from the Dept before the effective date of this act that the county in which the municipality is located enacted an adequate water supply ordinance affecting the municipality, and those municipalities are no longer bound by that county's adequate water supply ordinance. Does not apply to any municipality that adopts its own adequate water supply ordinance before, on or after the effective date of this act.

**Sponsor:** Sen. Griffin

**Disposition:** Hearing: Senate Water & Energy (Monday 02/01/16 at 2:00 PM, Senate Rm. 3)

**SCM1014:** *administratively recommended wilderness; urging Congress*

(Summary to come)

**Sponsor:** Sen. Griffin

**Disposition:** Not yet assigned

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**For a Quick Reference to the Commission's  
Position on legislation, please click the links below.**

**[SUPPORT](#)**

**[MONITOR](#)**

**[OPPOSE](#)**

- Support – The Arizona Game and Fish Commission has voted to support these bills
- Monitor – The Game and Fish Department is monitoring the progress of these measures, and the Arizona Game and Fish Commission has not taken a position.
- Oppose – The Arizona Game and Fish Commission has voted to oppose these bills.

**If you have questions relating to legislation, please contact:**

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**This publication may be found online: [www.azgfd.gov](http://www.azgfd.gov)**