WEEKLY REPORT

ARIZONA GAME AND FISH DEPARTMENT
Larry D. Voyles, Director
5000 W. Carefree Highway Phoenix, AZ 85086
www.azgfd.gov

Arizona Game and Fish Commission
William H. McLean- Chair
Bob Hernbrode
Jennifer L. Martin
Robert Woodhouse
Michael M. Golightly

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Weekly Report is published by the Arizona Game and Fish Department Legislative Affairs Division. During the Legislative Session, we provide a summary of legislation that pertains to the Department. If there are issues you would like to address, please let us know. Send an email to: aguiles@azgfd.gov

Legislative News:

- HB2395: DUI/OUI was heard in House Transportation and received a unanimous concurrence whereupon it was sent to the floor for final read and passed. It was then transmitted to the Governor who vetoed the bill with a message as follows:

  "Today I vetoed House Bill 2395, the bill that proposed numerous changes to Arizona's driving and boating under the influence laws. One of the key changes would reduce the length of time a person must use an ignition interlock device after a conviction for driving while impaired by alcohol or drugs. House Bill 2395 would reduce that time period from 12 months to six months.
  It has been less than a year since Arizona enacted the current interlock device law. I join with Mothers Against Drunk Drivers and Students Against Drunk Drivers in their belief that requirements to use ignition interlock devices have a deterrent effect on decisions to drive under the influence. Some disagree and believe the penalty is too harsh and the benefit to public safety is too low. No one can be sure because the law is so new. Under these circumstances, it would be premature to change the law, before we have had a chance to examine its effects.
  For these and other reasons, I have vetoed House Bill 2395. "

- SB1167: off-highway vehicle user fee was held in Senate Republican Caucus.

POSTED CALENDARS AND COMMITTEE HEARINGS

Posted Calendars and Committee Hearings

No Committee Hearings Posted

Quick Reference
AGFD Related Legislation
(For Period Ending Friday, May 2, 2008)

Oppose

New Report

48th Legislature - 2nd Regular Session, 2008 | Friday, May 2 2008 10:39 AM

Oppose: Posted Calendars and Committee Hearings

No hearings, calendars, or amendments posted.

Oppose: Bill Summaries

H2256: GAME AND FISH; SENIOR HUNTERS

The Game and Fish Commission can issue a complimentary license to a person 65 or older who has held a class G general hunting license (Pioneer license) consecutively for the 5 preceding years. Previously, the Commission could issue complimentary licenses to a person 70 or older who had been an Arizona resident for 25 years or more. This bill has no effect on previously issued complimentary licenses.

First sponsor: Rep. Jerry Weiers

H2256:GAME AND FISH; SENIOR HUNTERS *2/6* House nat res-pub held.

HCR2004: APPROPRIATION OF FEDERAL MONIES

The 2008 general election ballot is to carry the question of whether to amend statutes to specify that "noncustodial federal monies" be appropriated by the Legislature. "Noncustodial federal monies" is defined as block grants, revenue sharing, all monies that are the federal portion of a federal program requiring a local match, and monies provided for which the federal government gives the state "broad authority to make spending decisions." Exemptions are provided for research grants to universities and to the Dept of Emergency and Military Affairs, and federal money awarded directly to school districts.

First sponsor: Rep. Biggs

HCR2004:APPROPRIATION OF FEDERAL MONIES *2/13* from House appro do pass.

HCR2037: CONSTITUTIONAL RIGHTS; GAME & FISH

The 2008 general election ballot is to carry the question of whether to amend the state Constitution

to state that hunting and fishing are the preferred means of managing nonthreatened wildlife and that the rights of citizens to hunt and fish on public and private property, consistent with the laws of trespass, shall not be impaired.

First sponsor: Rep. Jerry Weiers

HCR2037:CONSTITUTIONAL RIGHTS; GAME & FISH *3/24* House COW FAILED to approve after adopting amend #4522. Roll call 27-28.

SCR1009: PUBLIC AGENCY LOBBYISTS

The 2008 general election ballot is to carry the question of whether to amend statutes to prohibit public officials, government employees, or contractors retained by a public body from lobbying the Legislature on behalf of that public entity. Also prohibited is the spending of public resources for lobbying the Legislature.

First sponsor: Sen. Linda Gray

SCR1009:PUBLIC AGENCY LOBBYISTS *2/4* Senate gov held.

Support

New Report

48th Legislature - 2nd Regular Session, 2008 Friday, May 2 2008 10:39 AM

Support: Posted Calendars and Committee Hearings

No hearings, calendars, or amendments posted.

Support: Bill Summaries

H2024: MEGAN EVANS' LAW

All new and used motorized watercraft sold in the state shall display carbon monoxide warning stickers, and a carbon monoxide brochure shall be provided to new owners of a new or used motorized watercraft. While the engine of a motorized watercraft is in operations, a person shall not do any of the following behind the craft: 1) occupy the swim platform, ladder or step; 2) swim near the craft's exhaust ports; 3) Hang on the craft's swim platform, ladder or step if the craft is in motion; or 4) Body surf in the wake of the craft. This act is to be called Megan Evans' Law (named for a 7-year old girl from Flagstaff who died at Lake Powell from carbon monoxide poisoning in July 2007). Emergency clause.

First sponsor: Rep. Tom

H2024: MEGAN EVANS' LAW *2/18* additionally referred to House jud.

H2067: GAME AND FISH; GUIDE LICENSES

The penalties the Dept of Game and Fish may imposed upon a licensed guide are statutorily prescribed.

First sponsor: Rep. Jerry Weiers

H2067:GAME AND FISH; GUIDE LICENSES *4/22* withdrawn from Senate trans.

H2068: GAME AND FISH; PRIVATE ENTERPRISE; FUND

Establishes the Youth and Women's Shooting Sports Fund, consisting of the net profits from the sale of goods or services (excluding firearms) at shooting ranges owned by the Game and Fish Commission. The fund is administered by the Commission and used to encourage youth and women to participate in shooting sports. AS PASSED HOUSE.

First sponsor: Rep. Jerry Weiers

H2068:GAME AND FISH; PRIVATE ENTERPRISE; FUND *3/24* from Senate nat res-rural do pass.

H2251: GAME & FISH OMNIBUS

Various changes to statutes relating to game and fish, including rewriting language pertaining to voluntary and mandatory training courses offered by the Game and Fish Commission; expanding the types of licenses a child is permitted to hold that will enable the child to take big game on the permit or tag granted to the child's parent/guardian or grandparent. Also establishes an apprentice hunting license valid for two days. The license is granted to a mentor with certain limitations (an apprentice is limited to one such license per year; a mentor may not apply for more than two apprentice licenses per year). Punishments for violation of regulations related to licensed guides are rewritten to state that a first time violation may result in a 5-year suspension of the right of the person to secure a guide license; a second violation increases the suspension to 10 years; a third may result in a permanent denial of license. Removes migratory birds from the list of game permitted to be taken by holders of certain classes of license. Effective January 1, 2009. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Jerry Weiers

H2251: GAME & FISH OMNIBUS *4/15* signed by governor. Chap. 37, Laws 2008.

H2395: DUI; OUI (~~RETIREMENT; PSPRS; INVESTMENTS; MANAGEMENT~~)

Makes numerous changes to statutes governing operating a watercraft while intoxicated (OUI) and driving while intoxicated (DUI), including increasing penalties for OUI, requiring persons whose licenses have been suspended to complete an alcohol or drug screening, education or treatment program before the license may be reinstated, and changing the period of required use of an ignition interlock device to 6 months from one year if the person successfully completes a drug or alcohol treatment or education program. More. AS PASSED SENATE.

First sponsor: Rep. Jim Weiers

H2395: DUI; OUI *4/29* VETOED message.

H2573: OFF-HIGHWAY VEHICLES; USER FEE

Effective January 1, 2009, changes in various statutes related to operation and regulation of off-highway vehicles, including a requirement that off-highway vehicles display a sticker (or indicia) issued by the Department of Transportation which shall establish a fee for the indicia. Proceeds from the sale of indicia will be used by the State Land Department to mitigate the impact of vehicles on its land. Off-highway vehicles must have certain equipment, and minors operating an off-highway vehicle must wear helmets. Violations are considered civil traffic violations. New license plates to be designed by the Dept of Transportation will replace current plates and are no longer valid for the life of the vehicle. Off-highway vehicles are subject to a vehicle license tax of $3 instead of the regular VLT rate. It is a class 3 (lowest) misdemeanor to drive an off-highway vehicle in a manner that damages the environment where it is prohibited by rule, regulation, ordinance or code. AS PASSED HOUSE.

First sponsor: Rep. Jerry Weiers

H2573:OFF-HIGHWAY VEHICLES; USER FEE *3/19* Senate nat res-rural FAILED 3-3.

S1080: OPERATING UNDER THE INFLUENCE; WATERCRAFT

Makes numerous changes to statutes regarding operating a watercraft while intoxicated, including establishing sentences of incarceration for convicted persons; making a convicted person ineligible for work/school release or home detention; eliminating the civil penalty for refusing to submit to blood alcohol testing; and increasing additional assessments for convictions of operating a watercraft while intoxicated. The time period within which a second or subsequent offense may trigger enhanced punishment is lengthened to 84 months from 60 months. AS PASSED SENATE.

First sponsor: Sen. Linda Gray

S1080:OPERATING UNDER THE INFLUENCE; WATERCRAFT *3/25* referred to House gov, com, trans.

S1167: OFF-HIGHWAY VEHICLES; USER FEE (~~FUNERAL ESCORT VEHICLES~~)

Effective January 1, 2009, changes in various statutes related to operation and regulation of off-highway vehicles, including a requirement that off-highway vehicles display a sticker (or indicia) issued by the Department of Transportation, which shall establish a fee for the indicia.

Proceeds from the sale of indicia are deposited in the off-highway vehicle recreation fund, monies in which are re-allocated by provisions of this act. Five percent is to be used by the State Land Department to mitigate the impact of vehicles on its land. Thirty-five percent (formerly 30%) are to be used for programs related to the safe and environmentally responsible use of off-highway vehicles. The share distributed to state parks is reduced to 60% from 70% with a 12% cap (formerly 18%) to fund staff support to administer the fund. The list of permitted uses of monies in the fund by the Parks Board is expanded. Off-highway vehicles must have stipulated equipment, and minors operating an off-highway vehicle must wear helmets. It is a class 3 (lowest) misdemeanor to drive an off-highway vehicle in a manner that damages the environment where it is prohibited by rule, regulation, ordinance or code. Violations not otherwise classified are considered civil traffic violations. New license plates to be designed by the Dept of Transportation will replace current plates, and the $8 fee is no longer valid for the life of the vehicle. Off-highway vehicles are subject to a vehicle license tax of $3 instead of the regular VLT rate. AS PASSED HOUSE.

First sponsor: Sen. Linda Gray

S1167:OFF-HIGHWAY VEHICLES; USER FEE *4/3* passed House 42-13; ready for Senate action on House amendments.

Monitor

New Report

48th Legislature - 2nd Regular Session, 2008 Friday, May 2 2008 10:39 AM

Monitor: Posted Calendars and Committee Hearings

No hearings, calendars, or amendments posted.

Monitor: Bill Summaries

H2010: LEGISLATURE; BILL LIMITATION

Legislators may not introduce more than 10 bills in any session of the Legislature. Exemptions are provided for memorials, resolutions, the general appropriations bill, budget ORBs, and bills relating to state agency reviews and continuations. Permission to exceed the 10-bill limit may be granted for "emergency introduction" purposes only by a two-thirds vote of the chamber.

First sponsor: Rep. Chad Campbell

H2010:LEGISLATURE; BILL LIMITATION *1/14* referred to House gov, jud.

H2011: VICIOUS ANIMALS; ATTACKS

Expands the applicability of the current vicious dog statute to include attacks on domestic animals, and increases a second violation from a class 1 (highest) misdemeanor to a class 6 (lowest) felony. Requires that a person convicted of a violation of this statute must have a microchip placed in each dog or vicious animal owned by every resident of his/her home, as well as have each dog or vicious animal spayed or neutered.

First sponsor: Rep. Lujan

H2011:VICIOUS ANIMALS; ATTACKS *1/14* referred to House jud.

H2026: VETERANS; GAME AND FISH LICENSES

Expands eligibility requirements for veterans of the armed forces with permanent service-related disabilities to qualify for complimentary game and fish licenses.

First sponsor: Rep. Tom

H2026:VETERANS; GAME AND FISH LICENSES *1/14* referred to House nat res-pub.

H2042: SCHOOLS; EMPLOYEES; SERIOUS CRIMES (~~DOA; ENERGY CONSERVATION~~

~~STANDARDS~~)

A school employee that is convicted of an offense that would preclude the person from receiving a fingerprint clearance card or an offense of unprofessional conduct must surrender his/her teaching certificate and fingerprint clearance card, and must notify employers and the Department of Public Safety. Violators are prohibited from teacher certification for at least 10 years. A school employee or applicant for employment with a school who has been arrested for or charged with a crime that would preclude the person from receiving a fingerprint clearance card who does not immediately report the arrest or charge to a supervisor or potential employer is guilty of unprofessional conduct and will be immediately dismissed or excluded from potential employment. AS PASSED HOUSE.

First sponsor: Rep. Robson

H2042:SCHOOLS; EMPLOYEES; SERIOUS CRIMES *4/30* Senate COW approved with amend #5169 and floor amend #5371.

H2043: FY 07-08 HIRING & PROMOTION FREEZE (~~AIR QUALITY; IDLING; STUDY COMMITTEE~~)

Imposes a hiring and promotion freeze on all state budget units for the remainder of the fiscal year. Exceptions for "critical positions." Monthly reports are required from all budget units related to number of vacant positions filled and changes to the salary classification of any employees. Emergency clause. GOVERNOR'S VETO MESSAGE SAID: the bill is "wholly unnecessary" since all executive branch agencies have been under a hiring freeze since her directive issued February 21, 2008. The judicial branch and state universities have likewise instituted policies to restrict hiring. She said the bill was an unwarranted intrusion into the constitutionally protected separation of powers among the three branches of government. The bill "adds nothing to the comprehensive, bipartisan approach" required to solve the budget deficit.

First sponsor: Rep. Robson

H2043:FY 07-08 HIRING & PROMOTION FREEZE *3/14* VETOED message

H2069: GAME AND FISH COMMISSION; BISON

The language authorizing the Game and Fish Commission to purchase, sell, barter or donate bison or bison meat is changed from "buffalo" to "bison."

First sponsor: Rep. Jerry Weiers

H2069:GAME AND FISH COMMISSION; BISON *1/14* referred to House nat res-pub.

H2070: STAGGERED WATERCRAFT REGISTRATION; 24 MONTHS

The Game & Fish Commission is authorized to register watercraft for a period of up to 24 months (previously, 18 months) in order to implement a staggered registrations system so the work of registering watercraft is uniformly distributed throughout the year. [Capitol Reports note: current statute provides for pro rata fees to be charged for registrations that exceed 12 months.]

First sponsor: Rep. Jerry Weiers

H2070:STAGGERED WATERCRAFT REGISTRATION; 24 MONTHS *1/14* referred to House nat res-pub, appro.

H2090: EXTREME DUI; VIOLATION

The section of Laws 2007, Chapter 195, that dealt with extreme DUI are repealed. New language in this bill does not seem to make any substantive changes in extreme DUI statutes (ARS 28-1382) that were valid before the 2007 law went into effect. [Capitol Reports note: lost from the 2007 bill are references to continuous alcohol monitoring and the elimination of some judicial discretion in sentencing.]

First sponsor: Rep. Biggs

H2090:EXTREME DUI; VIOLATION *1/31* from House trans do pass.

H2095: EXTREME DUI; SENTENCE

The section of Laws 2007, Chapter 195, that dealt with extreme DUI are repealed. [Capitol Reports note: lost from the 2007 bill are references to continuous alcohol monitoring and the elimination of some judicial discretion in sentencing.]

First sponsor: Rep. Biggs

H2095:EXTREME DUI; SENTENCE *2/21* referred to House trans, com.

H2105: TAX REFUND CHECK-OFF BOXES

The voluntary tax reduction check-off boxes for contributions made to the clean elections fund; the child abuse prevention fund; the domestic violence shelter fund; and the game, nongame, fish and endangered species fund may be located on any page of the state tax return form (formerly, the boxes had to be on the first page of the form). Language permitting the Dept of Revenue to charge the recipient agencies an initial administrative fee to set up the various check-off funds is deleted. This bill requires a 3/4 majority for passage (per Prop 105), because it makes changes to a voter approved initiative. Effective January 1, 2009.

First sponsor: Rep. Yarbrough

H2105:TAX REFUND CHECK-OFF BOXES *5/1* passed Senate 22-5 (lost section 1, which required a 3/4 vote); ready for House action on Senate amendments.

H2110: DISCLOSURE OF CONFIDENTIAL INFORMATION

A current or former state employee or agent of any state agency, office or department (formerly only those of the Dept of Revenue or the Office of Administrative Hearings) is prohibited from disclosing confidential information acquired during discharge of the person's official duties. An exception is provided for court orders or compliance with other laws. A violation of this duty of confidentiality is grounds for immediate dismissal if the person is employed by the state. AS PASSED HOUSE.

First sponsor: Rep. Yarbrough

H2110:DISCLOSURE OF CONFIDENTIAL INFORMATION *4/10* from Senate fin with amend #5183. Further referred to Senate fin-ins-ret.

H2132: COUNTY WATER AUTHORITY; COLORADO RIVER

References to water from the Colorado River being apportioned for "industrial users" is deleted. Effect is to eliminate requirement that the Mohave County Water Authority use 3,500 acre-feet of its Colorado River water allotment exclusively for industrial uses, thereby reserving the entire allotment (18,500 acre feet per year) for municipal uses.

First sponsor: Rep. McLain

H2132:COUNTY WATER AUTHORITY; COLORADO RIVER *3/25* From Senate rules okay.

H2137: LOBBYISTS; GIFT BAN

Lobbyist gift ban laws are re-written, deleting language prohibiting gifts of more than $10. Various exceptions are provided, including an education event (defined), non-recreational travel (defined), a special function, food and beverage not exceeding $25, and services rendered on matters pertaining to holding or being a candidate for public office. The secretary of state must biennially adjust the per-meal limit on food and beverage according to the percentage change in the consumer price index for the preceding two years.

First sponsor: Rep. Ableser

H2137: LOBBYISTS; GIFT BAN *1/16* referred to House gov, jud.

H2143: ANIMAL TESTING; LIMITATIONS

Product testing on animals is prohibited in this state if an appropriate alternative test method has been scientifically validated and recommended by the Interagency Coordinating Committee for the Validation of Alternative Methods and adopted by the relevant federal agency or program.

First sponsor: Rep. Ableser

H2143:ANIMAL TESTING; LIMITATIONS *1/22* referred to House water-agri, com.

H2153: ANIMALS; FIGHTING

Expands the criminal dog fighting statute to include animal fighting of any kind, except animals that are trained to protect livestock from prey and that engage in actions to protect livestock. Theft of any animal for the purposes of animal fighting (formerly, just dogs for the purpose of dog fighting) is a class 6 felony.

First sponsor: Rep. Paton

H2153: ANIMALS; FIGHTING *1/29* from House gov do pass.

H2285: PROCUREMENT; TECHNICAL SERVICES; COSTS; FEES

Language pertaining to the selection process for hiring technical services (architect, engineer, etc) for work on public buildings is changed to allow a selection committee or agent to include estimates on fees and prices in its consideration of which persons or firms shall be placed on a final selection list. Previously, cost information was not allowed to be requested or provided at this stage of the selection process.

First sponsor: Rep. Tobin

H2285:PROCUREMENT; TECHNICAL SERVICES; COSTS; FEES *2/20* House com held.

H2294: CUMULATIVE ENVIRONMENTAL RISK STUDY COMMITTEE

Establishes the 12 member Cumulative Environmental Risk Legislative Study Committee to examine existing permits designed to regulate risks to the public health, welfare and the environment and existing regulatory systems. Sunsets on October 1, 2009.

First sponsor: Rep. Sinema

H2294:CUMULATIVE ENVIRONMENTAL RISK STUDY COMMITTEE *1/22* referred to House env.

H2295: ENVIRONMENT; CITIZEN SUITS

Makes several changes to statutes regarding the private right of action in water and environment violations, including decreasing the time period before a plaintiff may file an action after giving notice of the violation (from 120 days to 60 days) and expanding the list of proper defendants in a civil action to include a person, the state or a political subdivision of the state (formerly, just the director of ADEQ).

First sponsor: Rep. Sinema

H2295:ENVIRONMENT; CITIZEN SUITS *1/22* referred to House env, jud.

H2296: ENVIRONMENTAL POLICY ACT

Adds a chapter entitled "Environmental Policy" to Title 49 (environment). Provisions include: establishing a state clearinghouse for documents involving the National Environmental Policy Act of 1969; providing for judicial review of agency actions; implements policy regarding environmental impact review. A purpose section states that environmental protection is of vital importance to this state and that state and local government must serve as models to protect human environment and the natural resources of the state. More. Effective July 1, 2009.

First sponsor: Rep. Sinema

H2296:ENVIRONMENTAL POLICY ACT *1/23* referred to House env, gov.

H2309: DHS; ENVIRONMENTAL STANDARDS; ENVIRONMENTAL COUNCIL

Establishes the Council of Environmental Health and Environmental Justice in the Dept of Health Services to ensure equal environmental protection for all residents of the state. Upon recommendation of the Council and in consultation with the Dept of Environmental Quality, DHS shall establish standards for the number and spacing of air, water and hazardous waste permits issued by the DEQ.

First sponsor: Rep. Sinema

H2309:DHS; ENVIRONMENTAL STANDARDS; ENVIRONMENTAL COUNCIL *1/22* referred to House hel, env.

H2310: EXEMPT WELLS; ACTIVE MANAGEMENT AREAS

Beginning January 1, 2010, in an active management area, wells shall not withdraw more than 4 acre-feet per year for non-irrigation use. Beginning January 1, 2010, a person who withdraws water from any well in an active management area shall use a water measuring device approved by the director of the Dept of Water Resources, and a person who withdraws water from an exempt well in an active management area must file an annual report with the director. Penalties for a violation of the limitation on annual water use from an exempt well include $500 for excessive water withdrawals of up to 1 acre-foot per year, $1,500 for excessive water

withdrawals of between 1 acre-foot and 3 acre-feet and $5,000 for excessive water withdrawals of more than 3 acre-feet.

First sponsor: Rep. Sinema

H2310:EXEMPT WELLS; ACTIVE MANAGEMENT AREAS *1/22* referred to House water-agri, home sec-property.

H2311: PUBLIC BUILDINGS; ENVIRONMENTAL STANDARDS

Plans for new public buildings of a certain size or renovations of existing public buildings that meet stated criteria must be certified to comply with a green building standard as established by the US Green Building Council. The Department of Commerce Energy Office must develop and issue guidelines for implementing this requirement, and public agencies must annually report ongoing operating savings as a result of green building requirements to the Energy Office. By July 1, 2014, the Auditor General must conduct a special audit to identify costs, savings, and effectiveness associated with implementation of the green building standard adopted by this legislation.

First sponsor: Rep. Sinema

H2311:PUBLIC BUILDINGS; ENVIRONMENTAL STANDARDS *1/22* referred to House gov.

H2312: ADOT; PESTICIDE APPLICATION; NOTICE

The Arizona Department of Transportation (ADOT) must give public notice when applying pesticide to a public area. Notice must be given for at least 24 hours prior to and after the pesticide is applied. ADOT must use pesticides in a manner that produces the lowest level of toxicity possible and must periodically review pesticide application to determine whether a reduced quantity or less toxic brand may be used.

First sponsor: Rep. Sinema

H2312:ADOT; PESTICIDE APPLICATION; NOTICE *1/22* referred to House env.

H2332: FALCONRY; CAPTIVE BRED EXOTIC RAPTORS

A license is not required to possess and transport raptors for sport falconry if the bird is not listed pursuant to the Migratory Bird Treat Act. AS PASSED HOUSE.

First sponsor: Rep. Mason

H2332:FALCONRY; CAPTIVE BRED EXOTIC RAPTORS *4/30* Senate COW approved with amend #4983.

H2386: PROCUREMENT; SET ASIDE PROGRAM

Extends for five years until July 1, 2014, the program whereby state agencies should "endeavor" to purchase a minimum of 1% of their new products, materials or services from Arizona Industries for the Blind, Arizona Correctional Industries or other certified nonprofit entities.

First sponsor: Rep. Reagan

H2386:PROCUREMENT; SET ASIDE PROGRAM *2/19* from House gov with amend #4202.

H2391: INDUSTRIES FOR THE BLIND; PROCUREMENT

The Dept of Economic Security may devise ways and means for the sale, distribution and marketing of products and services (formerly, just products) of the Arizona Industries for the Blind. The Arizona Industries for the Blind is exempt from the Procurement Code for purchases of materials, components, supplies, equipment and services (formerly, just raw materials) for the use in the manufacture of products and the performance of services (formerly, just the manufacture of products) for sale for the benefit of persons who are blind.

First sponsor: Rep. Hershberger

H2391:INDUSTRIES FOR THE BLIND; PROCUREMENT *4/9* Senate K-12 held.

H2393: PROCUREMENT SERVICES; OUTSOURCING PROHIBITED

A state governmental unit shall not award a contract or development assistance to a vendor, bidder, contractor or subcontractor or an applicant for development assistance that performs the work at a site outside of the U.S..

First sponsor: Rep. Schapira

H2393:PROCUREMENT SERVICES; OUTSOURCING PROHIBITED *1/28* referred to House com, gov.

H2459: UNIVERSITY TRUST LAND MANAGEMENT; EXCHANGES

The powers and duty of the Board of Regents are expanded to include the direction of the disposition of lands granted to the state for university purposes. The powers and duties of the Selection Board are expanded to include the approval of any exchange of trust land between beneficiaries to ensure the lands are of substantially equal value. Enactment conditioned on an amendment to the state Constitution and an amendment to the Arizona - New Mexico Enabling Act by Congress.

First sponsor: Rep. Robson

H2459:UNIVERSITY TRUST LAND MANAGEMENT; EXCHANGES *2/26* from House home sec-property do pass.

H2588: LOTTERY GAME; ENERGY EFFICIENT SCHOOLS

Beginning in FY2008-09, the Lottery Commission must establish a special game each year where proceeds are deposited in the newly established Energy Efficient Project Grants Fund. Monies in the Fund are used for grants to school districts for energy efficient school facilities projects.

First sponsor: Rep. Robson

H2588:LOTTERY GAME; ENERGY EFFICIENT SCHOOLS *3/17* referred to Senate K-12, appro.

H2833: CODED AMMUNITION; STATE DATABASE

Beginning Jan 1, 2009, all ammunition manufactured or sold in this state that is used in handguns or assault weapons must be coded. Ammo that is not coded must be disposed on no later than Jan 1, 2011. The Dept of Public Safety is to maintain a database containing a manufacturer and vendor registries. Each transaction must be recorded by date with name of purchaser, driver license or other gov't issued ID number, purchaser's date of birth and the identifier code of the ammunition purchased. A tax of one-half cent per bullet is levied for the purpose of maintaining the database. Manufacturers who are not compliant are liable for a fine of $1000 for a first violation, $5,000 for a second and $10,000 for a third or subsequent violation. Vendors who are not compliant are guilty of a class 3 (lowest) misdemeanor). Requires 2/3 majority vote in each house for passage because of an increase in state revenue (per Prop 108).

First sponsor: Rep. Garcia

H2833:CODED AMMUNITION; STATE DATABASE *2/21* referred to House nat res-pub, appro.

H2853: BALD EAGLE; ENDANGERED SPECIES ACT

The Game and Fish Commission must develop a list of native species that are threatened or endangered, and the director must develop a species recovery plan. The list must be reviewed biennially. With stated exceptions, it is illegal to take, possess sell, or transport native wildlife that is endangered. Violation is a class 6 (lowest) felony.

First sponsor: Rep. Ableser

H2853:BALD EAGLE; ENDANGERED SPECIES ACT *2/27* House nat res-pub held.

H2857: FY 07-08 BUDGET ADJUSTMENTS

Various adjustments to budget line items, totaling $582.5 million in savings. Provisions include encumbering monies in various funds (preparatory to being swept into the general fund) and various amounts appropriated to state agencies may not be spent. Some appropriations are delayed, e.g., $10 million for construction of a veterans' home in Tucson is delayed from fiscal '07 to fiscal '09. Also contains some supplemental appropriations, including $13 million to AHCCCS. GOVERNOR'S VETO MESSAGE SAID: this bill, which addresses less than half of the current fiscal year budget shortfall, is "wholly inadequate." She said that the state deserves a comprehensive fiscal plan and called on the Legislature to work with her on a bipartisan plan to address the budget deficit.

First sponsor: Rep. Boone

H2857:FY 07-08 BUDGET ADJUSTMENTS *3/11* VETOED message

H2858: FY 07-08 BUDGET RECONCILIATION; ENVIRONMENT

Appropriations to the Arizona Water Protection Fund and the Water Quality

Assurance Revolving Fund for fiscal 07-08 are reduced by a total of $11 million. Emergency clause.

First sponsor: Rep. Boone

H2858:FY 07-08 BUDGET RECONCILIATION; ENVIRONMENT *2/20* from House appro with amend #4235.

HCR2007: LEGISLATIVE REFERENDUM; LIMITATION

The 2008 general election ballot is to carry the question of whether to amend the Constitution to limit the Legislature's ability to submit ballot questions to the people to no more than three on any general election ballot. If more than three are passed by the Legislature, the secretary of state shall select the three with the most affirmative votes. If that test also produces more than three, the order in which the resolutions are filed with the secretary of state will determine which measures advance to the ballot.

First sponsor: Rep. Ableser

HCR2007:LEGISLATIVE REFERENDUM; LIMITATION *1/16* referred to House jud.

HCR2027: TRUST LANDS; UNIVERSITIES; BENEFICIARY EXCHANGES

The 2008 general election ballot is to carry the question of whether to amend the state Constitution allow each of the state's three universities to receive without cost up to 50,000 acres of state trust land. Requires Congress to amend the Enabling Act.

First sponsor: Rep. Robson

HCR2027:TRUST LANDS; UNIVERSITIES; BENEFICIARY EXCHANGES *2/26* from House home sec-property do pass.

HCR2033: TECH CORRECTION; LEGISLATORS' QUALIFICATIONS

Minor change in constitutional language pertaining to qualifications to serve in the Legislature. Apparent striker bus for a ballot question.

First sponsor: Rep. Nelson

HCR2033:TECH CORRECTION; LEGISLATORS' QUALIFICATIONS *3/5* from House nat res-pub with amend #4521.

HCR2044: VOTER-PROTECTION; TEMPORARY BUDGETARY SUSPENSION

The 2008 general election ballot is to carry the question of whether to amend the state Constitution to state the Legislature may ignore voter approved requirements to appropriate or divert monies for specific purposes if both JLBC and OSPB "issue a written finding" that the fiscal year is projected to have a deficit.

First sponsor: Rep. Pearce

HCR2044:VOTER-PROTECTION; TEMPORARY BUDGETARY SUSPENSION *4/16* from Senate appro with amend #5239.

HCR2066: LEGISLATIVE RIGHT TO REDUCE APPROPRIATIONS

The 2008 general election ballot is to carry the question of whether to amend the state Constitution to permit the Legislature to reduce any appropriation or spending requirement whether enacted by the Legislature or by initiative or referendum.

First sponsor: Rep. Adams

HCR2066:LEGISLATIVE RIGHT TO REDUCE APPROPRIATIONS *3/5* House appro held.

HCR2068: FOREST SERVICE ROAD MANAGEMENT PLAN

Expresses the opposition of the Legislature to regulation proposed by the US Forest Service to close up to 80% of forest roads because of the adverse impact on local economies and because the new rules would lead to a further decline in forest health.

First sponsor: Rep. Konopnicki

HCR2068:FOREST SERVICE ROAD MANAGEMENT PLAN *3/5* from House nat res-pub do pass.

HCR2069: STATE BUDGET; CONTINUATION

The 2008 general election ballot is to carry the question of whether to amend the state Constitution to provide for continued funding of state agencies if a state budget has not been enacted by June 30 of any year. Funding shall be at the previous year's level. If state monies are insufficient to

continue previous year's funding levels, budgets and funding shall be reduced proportionately.

First sponsor: Rep. Murphy

HCR2069:STATE BUDGET; CONTINUATION *3/6* from House appro do pass.

S1004: EXTREME DUI; JAIL

Parts of last year's S1252 (Laws 2007, Chapter 195, sec 3) dealing with extreme DUI are repealed and replaced with language specifying that for a first offense DUI with a BAC of at least 0.15, a judge may order the defendant to not consume alcohol for a period of at least 30 days. For a second extreme DUI offense within 84 months, a judge may order a defendant to not consume alcohol for a period of 90 days. The court may extend the period of enforced abstinence from alcohol. In both instances, judicial discretion to suspend a portion of jail time associated with the offense is deleted. [Capitol Reports note: last year's law permitted a sentence of 90-day enforced abstinence as a court-ordered option only for a first offense extreme DUI with BAC of 0.20 or more.] Emergency clause. AS PASSED SENATE.

First sponsor: Sen. Waring

S1004: EXTREME DUI; JAIL *3/24* additionally referred to House trans.

S1005: DUI; HOME DETENTION; INELIGIBILITY

A person convicted of a DUI offense involving motor vehicles or watercraft is ineligible for home detention. Provisions governing home detention programs authorized by municipalities and counties for persons convicted of DUI offenses are deleted.

First sponsor: Sen. Waring

S1005:DUI; HOME DETENTION; INELIGIBILITY *1/14* referred to Senate pub-hu ser.

S1006: PROFESSIONAL LICENSE EXTENSIONS; MILITARY MEMBERS

A professional license, certificate or registration issued to any member of the armed forces, the National Guard or Armed Forces Reserves shall not expire while the member is serving on federal active duty and shall be extended for 180 days after the member returns from active duty. Teaching certificates are extended for one year after the member returns from active duty. If the member has been wounded while on active duty and is unable to resume activities associated with the licensed profession, the date of license expiration is extended to 180 days after the person can perform activities associated with the licensed profession. No additional costs, late fees or delinquency fees may be charged to members renewing their license, certificate or registration during the extended period of license validity. To qualify for the extension, the member must present to the licensing authority a copy of their official military orders or a written verification from their commanding officer. AS PASSED HOUSE.

First sponsor: Sen. Waring

S1006:PROFESSIONAL LICENSE EXTENSIONS; MILITARY MEMBERS *4/22* passed House 55-0; ready for Senate action on House amendments.

S1014: GUBERNATORIAL NOMINATIONS; SENATE CONFIRMATION PROCESS

The statute specifying the procedures by which the Senate confirms gubernatorial appointments is changed to remove the differences between appointments made during legislative session and those made during the interim. Clarifies that the one year period longer than which an appointee may not serve without Senate confirmation applies to cases where the governor nominates an incumbent to the same office. Emergency clause.

First sponsor: Sen. Chuck Gray

S1014:GUBERNATORIAL NOMINATIONS; SENATE CONFIRMATION PROCESS *3/18* retained on Senate COW calendar.

S1017: FIREARMS; PEACE OFFICERS

Prohibits entities from restricting a peace officer from carrying firearms, as long as the officer is in compliance with requirements of the Peace Officers Standards and Training Board. AS PASSED SENATE.

First sponsor: Sen. Chuck Gray

S1017:FIREARMS; PEACE OFFICERS *3/3* referred to House nat res-pub.

S1061: ELECTED OFFICIALS; PRINT; VISUAL MEDIA

Unless otherwise permitted by law, public funds may not be used for print, visual, broadcast, or website medium announcements or similar type of general public communication that refers to any elected official or any employee of the elected official.

First sponsor: Sen. Waring

S1061:ELECTED OFFICIALS; PRINT; VISUAL MEDIA *1/14* referred to Senate gov.

S1077: MISSING PERSONS; LAW ENFORCEMENT DUTIES

Law enforcement agencies shall accept all reports of a missing person without delay and may not consider factors such as whether the person is an adult, the length of time the person has been missing or the relationship of the reporting individual to the missing person. When accepting a missing person report, law enforcement shall attempt to gather relevant information, including the missing person's identifying information, a photograph of the missing person and information on the missing person's electronic communication devices (cell phone numbers and e-mail addresses). If a person is missing more than 30 days, law enforcement shall attempt to obtain DNA samples and other materials to assist in forensic or scientific investigation. If a missing person is determined to be a high risk missing person (defined), law enforcement shall immediately enter all collected information in available state and federal databases and notify the Department of Public Safety, which shall notify all other law enforcement agencies in the state and surrounding regions. Any person with custody of human remains that are not identified within 24 hours after discovery shall notify the Department of Public Safety.

First sponsor: Sen. Allen

S1077:MISSING PERSONS; LAW ENFORCEMENT DUTIES *1/14* referred to Senate pub-hu ser, jud.

S1103: LOBBYISTS; PROHIBITED ACTS

Lobbyists are prohibited from providing to public officials information pertaining to a legislative or administrative action if the lobbyist knows the information to be false. A violation is a class 1 (highest) misdemeanor and is punishable by being prevented from acting as a lobbyist for a period of three years.

First sponsor: Sen. McCune Davis

S1103:LOBBYISTS; PROHIBITED ACTS *1/16* referred to Senate gov.

S1110: FUNDS; ELIMINATION; TRANSFER

Eliminates 66 inactive funds in 18 state agencies; unspent and unencumbered monies remaining in the funds revert to the general fund. Requires a self-supporting regulatory agency (90-10 agency) whose revenue and current fund balances exceeds stated threshold levels on Dec 1 each year to revise fees such that its anticipated annual revenues equal between 95% and 105% of its appropriated budget. AS PASSED SENATE.

First sponsor: Rep. Burns

S1110:FUNDS; ELIMINATION; TRANSFER *4/17* from House appro with amend #5265.

S1130: STUDY COMMITTEE; STATE PARKS FINANCING

Establishes the 9 member State Parks Financing Study Committee to study and make recommendations on the financing of the state park system. Requires the Committee to submit a report of its findings and recommendations by December 31, 2008. Sunsets October 1, 2009.

First sponsor: Sen. O'Halleran

S1130:STUDY COMMITTEE; STATE PARKS FINANCING *1/23* referred to Senate nat res-rural.

S1264: RIGHTS OF WAY; PUBLIC LANDS (~~TECH CORRECTION; MINERAL INVENTORY~~)

Asserts a claim by the state and its political subdivisions to rights-of-way across public lands beginning from the effective date of the Mining Law of 1866 to the repeal of a provision in that act in 1976. A list of the ways by which the claims might be established includes: use by the state with intention of establishing a public highway; inclusion of the right-of-way on an official map or plat, or execution of a memorandum of understanding with an agency of the federal government. [Capitol Reports note: Senate research staff says nationwide there are numerous disputes over

control of these rights-of-way.] AS PASSED SENATE.

First sponsor: Sen. Johnson

S1264:RIGHTS OF WAY; PUBLIC LANDS *4/2* from House nat res-pub do pass.

S1300: FY07-08 BUDGET ADJUSTMENTS (~~TECH CORRECTION; FEDERAL FUNDS~~)

Minor change in statute dealing with federal funds. Apparent striker bus.

First sponsor: Sen. Burns

- **General Comments (all lists):**

FY 08 budget adjustments--striker vehicle

S1300:FY07-08 BUDGET ADJUSTMENTS *3/6* Senate COW approved with amend #4192 and floor amend #4550; the rules tech amendment was withdrawn. NOTE SHORT TITLE CHANGE. Senate sat as in COW and adopted amend #4561. See H2857.

S1458: STATE PARKS; RESIDENTS; FEES

Requires State Parks Board to offer an annual pass for state parks to state residents at a rate of 20% lower than the regular rate for nonresidents.

First sponsor: Sen. Gould

S1458:STATE PARKS; RESIDENTS; FEES *3/31* referred to House nat res-pub.

LEGEND

- Commission Direction – The Game and Fish Commission has given direction to the Department on these bills OR the department would like to address the commission about these bills.
- Oppose – The Game and Fish Commission has voted to oppose these bills.
- Support – The Game and Fish Commission has voted to support these bills.

AMEND C&P Constitutional and Proper as Amended by the House Rules Committee
APPROP Appropriations Committee
AGFD Arizona Game and Fish Department
C&P Constitutional and Proper
COW Committee of the Whole
DP Do Pass
DPA Do Pass as Amended
GF General Fund
GOV Government Committee
GR Government and Retirement Committee
H House Bill
HCR House Concurrent Resolution
HHR House Hearing Room
Hse. House of Representatives
JUD Judiciary Committee
PFC Proper for Consideration
PFCA Proper for Consideration as Amended by the Senate Rules Committee
S Senate Bill
S/E Strike Everything Amendment
Sen. Senate
SHR Senate Hearing Room
WM Ways and Means Committee

If you have questions relating to legislation, please contact AGFD Legislative Liaison

Tony Guiles at (623) 236-7280 or via email at aguiles@azgfd.gov

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