



# RULE PETITION PACKET

Arizona Game and Fish Department, Director's Office

5000 W. Carefree Hwy

Phoenix, Arizona 85086

If you have any questions, please contact the Department's Rules and Risk Section  
by telephone at (623) 236-7390 or by e-mail at [rulemaking@azgfd.gov](mailto:rulemaking@azgfd.gov)

## PETITIONING THE COMMISSION TO ADOPT, AMEND, OR REPEAL A RULE

The requirements for requesting the Arizona Game and Fish Commission to adopt, amend, or repeal a Commission rule are detailed in R12-4-601 of the Arizona Administrative Code (included in this packet page 7). Please note, a petition may address only one (1) rule.

This packet is provided by the Arizona Game and Fish Department to assist petitioners in completing petitions in accordance with 12 A.A.C. 4, Article 6.

Petitioners using this form should check all applicable boxes and complete all applicable parts. Failing to complete all applicable portions of this form may result in your petition being rejected and returned to you.

If you have any questions, please contact the Department's Rules and Risk Section by telephone at (623) 236-7390 or by e-mail at [rulemaking@azgfd.gov](mailto:rulemaking@azgfd.gov)

The original and one copy of the petition should be mailed or delivered to:

Arizona Game and Fish Department, Director's Office  
5000 W. Carefree Hwy  
Phoenix, Arizona 85086

**Part 1. Identification of Petitioner**

**A. Petitioner is a private individual**

Name: \_\_\_\_\_  
Mailing address: \_\_\_\_\_  
\_\_\_\_\_  
Telephone number: \_\_\_\_\_  
\_\_\_\_\_

**B. Petitioner is a private group or organization**

Group or organization name: \_\_\_\_\_  
Group or organization address: \_\_\_\_\_  
\_\_\_\_\_

**Individual designated as the representative or official contact for the petitioner:**

Name: \_\_\_\_\_  
Mailing address: \_\_\_\_\_  
\_\_\_\_\_  
Telephone number: \_\_\_\_\_  
\_\_\_\_\_

- 1. Number of individuals represented by the petitioner: \_\_\_\_\_
- 2. Number of Arizona residents represented by the petitioner: \_\_\_\_\_

**OR**

3. The names and addresses of all individuals represented by the petitioner (please provide this information on a separate paper attached to this Part 1).

**C. Petitioner is a public agency**

Public agency name: \_\_\_\_\_  
Public agency address: \_\_\_\_\_  
\_\_\_\_\_

**Public agency representative:**

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Telephone number: \_\_\_\_\_  
\_\_\_\_\_



**Part 3. Reason for the Petition**

**1. Reason the petitioner believes rulemaking or review of a policy or practice is necessary:**

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(If necessary, you may attach additional pages to this Part 3.)

**2. Statistical data or other justification supporting the rulemaking or review of the practice or policy, with clear reference to any exhibits that are attached or included with the petition:**

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(If necessary, you may attach additional pages to this Part 3.)

**3. Identify any individuals or special interest groups the petitioner believes would be impacted by the rule or a review of the practice or policy. Describe how they would be impacted:**

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(If necessary, you may attach additional pages to this Part 3.)

**4. If the petitioner is a public agency, summarize the issues raised in any public meeting or hearing regarding the petition, or any written comments offered by the public:**

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(If necessary, you may attach additional pages to this Part 3.)

**Part 4. Statutory Authority**

**For a petition that relates to a rule, identify any statute that authorizes the Commission to make the rule, if known.**

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**For a petition that relates to a review of a practice or substantive policy statement, cite A.R.S. § 41-1033:**

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**Part 5. Date and Signature**

**Original signature of the representative or contact if the petitioner is a private individual or private group or organization named under Part 1; or**

**Original signature of the agency head or the agency head's designee if the petitioner is a public agency; and**

**The month, day, and year on which the petition is signed.**

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Signature

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Date

**R12-4-601. Petition for Rule or Review of Practice or Policy**

- A.** Any individual, including any organization or agency, requesting that the Commission make, amend, or repeal a rule, shall submit a petition as prescribed under this Section.
- B.** Any individual, including any organization or agency, requesting that the Commission review an existing Department practice or substantive policy that the petitioner alleges to constitute a rule under A.R.S. § 41-1033, as defined under A.R.S. § 41-1001, shall submit a petition as prescribed under this Section.
- C.** A petitioner shall not address more than one rule, practice, or substantive policy in the petition.
- D.** If the Commission has considered and denied a petition, and a petitioner submits a petition within the next year that addresses the same substantive issue, the petitioner shall provide a written statement that contains any reason not previously considered by the Commission in making a decision.
- E.** A petitioner shall submit an original and one copy of a petition to the Arizona Game and Fish Department, Director's Office, 5000 W. Carefree Highway, Phoenix, AZ 85086. The Commission shall render a decision on the petition as required under A.R.S. § 41-1033.
- F.** Within five working days after a petition is submitted, the Director shall determine whether the petition complies with this Section.

  - 1. If the petition complies with this Section, the Director shall place the petition on a Commission open meeting agenda. The petitioner may present oral testimony at that meeting, as established under R12-4-603.
  - 2. If a petition does not comply with subsections (G) through (L) of this Section, the Director shall return a copy of the petition as filed to the petitioner and indicate in writing why the petition does not comply with this Section. The Director shall not place the petition on a Commission agenda. The Department shall maintain the original petition on file for five years and consider the petition as a comment during the five-year review process.
- G.** Petitions shall be typewritten, computer or word processor printed, or legibly handwritten, and double-spaced, on 8 1/2" x 11" paper; or typewritten, computer or word processor printed, or legibly handwritten on a form provided by the Department. The title shall be centered at the top of the first page and appear as "Petition to the Arizona Game and Fish

Commission." The petition shall include the items listed in subsections (H) through (L). The items in the petition shall be presented in the order in which they are listed in this Section.

**H.** The title of Part 1 shall be "Identification of Petitioner." The title shall be centered at the top of the first page of this part. Part 1 shall contain:

1. If the petitioner is a private individual, the name, mailing address, and telephone number of the petitioner;
2. If the petitioner is a private group or organization, the name and address of the group or organization; the name, mailing address, and telephone number of an individual who is designated as the representative or official contact for the petitioner; the total number of individuals, and the number of Arizona residents represented by the petitioner; or the names and addresses of all individuals represented by the petitioner; or
3. If the petitioner is a public agency, the name and address of the agency and the name, title, and telephone number of the agency's representative.

**I.** The title of Part 2 shall be "Request for Rule" or "Request for Review," as applicable. The title shall be centered at the top of the first page of this part. Part 2 shall contain:

1. If the petition is for a new rule, a statement to this effect, followed by the heading and specific language of the proposed rule;
2. If the request is for amendment of a current rule, a statement to this effect, followed by the Arizona Administrative Code number of the current rule proposed for amendment, the heading of the rule, the specific, clearly readable language of the rule, indicating language to be deleted with strikeouts, and language to be added with underlining;
3. If the request is for repeal of a current rule, a statement to this effect, followed by the Arizona Administrative Code number of the rule proposed for repeal and the heading of the rule; or
4. If the request is for review of an existing agency practice or substantive policy statement that the petitioner alleges qualifies as a rule, as defined under A.R.S. § 41-1001, a statement to this effect, followed by the practice or policy number, if any, the practice or policy heading, if any, or a brief description of the practice or policy subject matter.

**J.** The title of Part 3 shall be "Reason for the Petition." The title shall be centered at the top of the first page of this part. Part 3 shall contain:

1. The reason the petitioner believes rulemaking or review of a practice or policy is

- necessary;
2. Any statistical data or other justification supporting rulemaking or review of the practice or policy, with clear reference to any exhibits that are attached to or included with the petition;
  3. An identification of any individuals or special interest groups the petitioner believes would be impacted by the rule or a review of the practice or policy, and how they would be impacted; and
  4. If the petitioner is a public agency, a summary of issues raised in any public meeting or hearing regarding the petition, or any written comments offered by the public.
- K.** The title of Part 4 shall be "Statutory Authority." The title shall be centered at the top of the first page of this part. In Part 4, the petitioner shall identify any statute that authorizes the Commission to make the rule, if known, or cite A.R.S. § 41-1033 if the petition relates to review of an existing practice or substantive policy statement.
- L.** The title of Part 5 shall be "Date and Signature." The title shall be centered at the top of the first page of this part. Part 5 shall contain:
1. An original signature of the representative or official contact, if the petitioner is a private group or organization or private individual named under subsection (H)(1) or (2); or
  2. If the petitioner is a public agency, the signature of the agency head or the agency head's designee; and
  3. The month, day, and year that the petition is signed.

#### **Historical Note**

Adopted effective December 22, 1987 (Supp. 87-4). Amended by final rulemaking at 10 A.A.R. 2245, effective July 6, 2004 (Supp. 04-2). Amended by final rulemaking at 16 A.A.R. 1465, effective July 13, 2010 (Supp. 10-3).

## HOW TO REVISE RULE LANGUAGE

When proposing a rule amendment, please adhere to the following guidelines:

1. Include all of the current rule language.
2. Strikethrough all rule language that you want deleted (~~striketthrough~~).
3. Underline all new rule language (underline).
4. Place new language behind stricken language. Placing the old text *in front of* new text is usually easier to understand than placing the old text *after* the new text.

**Wrong:** The license ~~permit~~ fee is prescribed ~~authorized~~ under by A.R.S. § 17-333.

**Right:** The ~~permit~~ license fee is ~~authorized~~ by prescribed under A.R.S. § 17-333.

3. When amending an entire paragraph or large block of text, strike the old text first, and then list the new, underlined text. If the changes to a subsection are extensive, it is preferable to strike or add rule language by whole paragraph.

**Wrong:** The ~~Division is responsible for inspecting~~ Department shall inspect all wildlife lawfully taken on an ~~Indian Reservation~~ tribal lands.

**Right:** ~~The Division is responsible for inspecting all wildlife lawfully taken on an Indian Reservation~~ The Department shall inspect all wildlife taken on tribal lands.

4. When amending portions of a word (number or citation) strike the entire word (number or citation), insert one blank space, then add and underline the new version of the word (number or citation). It can be difficult to decipher what you mean when letters are stricken within a word.

**Wrong:** The ~~d~~Department.

**Right:** The ~~department~~ Department

**Wrong:** \$~~15~~200-00

**Right:** \$~~150~~.00 \$200

**Wrong:** A.R.S. § 17-231(~~A~~)(B)

**Right:** A.R.S. § ~~17-231~~(A) 17-231(B)

## Rule Amendment Example

The following example demonstrates the correct way to amend rule language. This is not an actual rule and is only provided to illustrate the instructions provided above.

1. Previous rule language is included.
2. Language to be deleted is stricken and language to be added is underlined.
3. Language that is new is added after language that is stricken.
4. Entire words are stricken and new language is added when only a portion of a word is to be changed.

### **R0-00-101. Fictional Contest Permit**

**A.** ~~For the purposes of this subsection, “Fictional contest director” means the individual designated by the sponsor as the person responsible for compliance with this Section.~~

**A.B.** ~~Application~~ An application for a fictional contest permit ~~pursuant to~~ authorized under A.R.S. § ~~00-000(A)(1)~~ 00-000(A)(2) requires ~~that~~ the applicant to submit all of the following information ~~be provided by the applicant to the Department~~ Department's Fictional Contests Program:

1. ~~Name, date of birth, telephone number, and mailing address.~~ Fictional contest sponsor.
2. ~~Two letters of reference for the applicant.~~ Fictional contest director's:
  - a. Name.
  - b. Date of birth.
  - c. Telephone number; and
  - d. Mailing address.
3. Fictional contest name.
- ~~3.4.~~ Contest Fictional contest location and dates.
- ~~4.5.~~ Anticipated number of fictional contest participants.

**B.C.** ~~A fictional permit shall be carried by the applicant at all times and shall be made available for inspection by Department personnel~~ The fictional contest director shall ensure the fictional contest permit is:

1. Posted at the fictional contest location throughout the entire event, and
2. Available for inspection upon request by Department personnel.

**C.D.** ~~This rule~~ Section is effective January 1, ~~1995~~ 2010.