



WEEKLY REPORT

Arizona Game and Fish
Commission

ARIZONA GAME AND FISH DEPARTMENT

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For the week ending Friday, February 4, 2005

W eekly Report is published by the Arizona Game and Fish Department. During the Legislative Session, we provide a summary of legislation that pertains to the Department. If there are issues you'd like addressed, please let us know.

Send an email to: aguiles@gf.state.az.us

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Next Week in the State Legislature:

Monday

H2169: LAND USE PLANNING; WATER RESOURCES

Hearing: House nat res-agri (Mon 2/7 at 9am, House Rm. 5)

H2174: DROUGHT EMERGENCY WATER TRANSFERS

Hearing: House nat res-agri (Mon 2/7 at 9am, House Rm. 5)

H2276: HEALTHY FOREST AMENDMENTS

Hearing: House nat res-agri (Mon 2/7 at 9am, House Rm. 5)

Hearing: House ways-means (Mon 2/7 at 1:30pm, House Rm. 4)

S1160: DUI ASSESSMENTS; DPS EQUIPMENT; BONUSES

Hearing: Senate jud (Mon 2/7 at 1:30pm, Senate Rm. 1)

S1235: WATER; CAGRD OMNIBUS

Hearing: Senate Rules (Mon 2/7, 2nd Flr. Caucus Rm.)

S1271: SCHOOLS; GUN SAFETY PROGRAM

Hearing: Senate Rules (Mon 2/7, 2nd Flr. Caucus Rm.)

Wednesday

H2180: STATE PARKS; SPUR CROSS RANCH

Hearing: House gov ref (Wed 2/9 at 1:30pm, House Rm. 3)

H2325: CONCEALED WEAPONS PERMIT; LIFETIME ISSUANCE

Hearing: House gov ref (Wed 2/9 at 1:30pm, House Rm. 3)

H2440: STATE LOTTERY

Hearing: House gov ref (Wed 2/9 at 1:30pm, House Rm. 3)

S1365: GAME AND FISH; FEES

Hearing: Senate nat res-rural (Wed 2/9 at 1:30pm, Senate Rm. 109)

S1336: RURAL WATER LEGISLATIVE STUDY COMMITTEE

Hearing: Senate nat res-rural (Wed 2/9 at 1:30pm, Senate Rm. 109)

S1337: FOREST HEALTH AMENDMENTS

Hearing: Senate nat res-rural (Wed 2/9 at 1:30pm, Senate Rm. 109)

AGFD Legislation NEWS:

Other legislation affecting the AGFD is listed in the attached **Quick Reference**.

Quick Reference
AGFD Related Legislation
(For Period Ending Friday, January 21, 2005)

STATUS OF BILLS SUPPORTED BY THE COMMISSION

BILLS	BILL STATUS
<p>H2127 BIG GAME PERMITS; COMPASSIONATE TRANSFER A person may transfer his/her big game permit to a qualified organization for use by a minor child who has a life threatening medical condition. ARS Titles Affected: 17 First sponsor: Rep. Biggs</p>	<p>Date Action 1/12 referred to House nat res-agri 1/31 from House nat res-agri do pass.</p>
<p>H2169 LAND USE PLANNING; WATER RESOURCES The water resources component of a comprehensive general plan developed by a municipality or county is expanded to include reports on water conservation efforts, drought management efforts, and the practicality of regional coordination. The water resources component must be reevaluated every 5 years. Sponsor: Rep. O'Halleran.</p>	<p>Date Action 1/26 referred to House nat res-agri, county-muni.</p>
<p>H2174 DROUGHT EMERGENCY WATER TRANSFERS Other law to the contrary notwithstanding, groundwater may be transported away from a basin in drought emergencies when specified conditions are met. No statutory change (session</p>	<p>Date Action 1/27 referred to House nat res-agri, county-muni.</p>

BILLS	BILL STATUS
<p>law only). Sponsor: Rep. O'Halleran.</p>	
<p>H2440 STATE LOTTERY Twenty-two pages of changes to lottery statutes, including: of all lottery proceeds, 50% is earmarked for prizes, 31.5% goes to beneficiaries. The disbursement order for beneficiaries and the amounts are changed from current law. Personal information of lottery winners who are paid by annuity or other periodic payment is deemed confidential and not subject to public inspection. Authorization for the state lottery to establish up to 2 games per year for economic development is repealed. More. First sponsor: Rep. McComish. Others: Rep. Paton.</p>	<p>Date Action 1/26 referred to House gov ref, appro P.</p>
<p>S1365 GAME AND FISH; FEES Various fees charged by the Game & Fish Dep't are increased: including hunting and fishing licenses and motorboat registration. For example a general fishing license for residents goes to \$25 from \$16. New types of licenses are available, including: a family hunting license and super conservation licenses for hunting, fishing and combo. Because this bill increases net state revenues, 2/3 majority is required for passage. First sponsor: Sen. Cannell. Others: Rep. Jerry Weiers.</p>	<p>Date Action 2/1 referred to Senate nat res-rural.</p>

POSTED CALENDARS AND COMMITTEE HEARINGS

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S1365: GAME AND FISH; FEES

Hearing: Senate nat res-rural (Wed 2/9 at 1:30pm, Senate Rm. 109)

STATUS OF BILLS OPPOSED BY THE COMMISSION

There are no bills opposed by the Commission at this time.

POSTED CALENDARS AND COMMITTEE HEARINGS

No hearings, calendars, or amendments posted.

STATUS OF BILLS MONITORED BY THE COMMISSION

BILLS	BILL STATUS
<p>H2146 LAND USE REGULATIONS; COMPENSATION</p> <p>A new chapter, "Land Use Regulations Affecting Property Values", is added to the property code to recite that a property owner is entitled to just compensation if a government entity enforces a land use regulation restricting the use and reducing the value of his property.</p> <p>Sponsor: Rep. Gray.</p>	<p>Date Action 1/12 referred to House fed mandate-property</p>
<p>H2170 GILA RIVER SETTLEMENT TASK FORCE</p> <p>A 9-person Gila River Water Settlement Task Force is established to consider issues arising from the federal Arizona Water Settlement Act and to recommend appropriate legislative, executive and administrative responses.</p> <p>Members are: the chairs of the two natural resources committees, 2 other representatives, 2 senators, and 3 appointed by the governor. (Does not change statute. Session law only.)</p> <p>Sponsor: Rep. O'Halleran.</p>	<p>Date Action 1/12 referred to House rules only.</p>
<p>H2172 WILDLAND-URBAN INTERFACE</p> <p>The term of art written into statutes as "urban-wildland" (as used in the urban-wildland interface code and the urban-wildland fire safety committee, etc.) is changed to "wildland-urban."</p> <p>Sponsor: Rep. O'Halleran.</p>	<p>Date Action 1/27 referred to House rules only.</p>
<p>H2180 STATE PARKS; SPUR CROSS RANCH</p> <p>The state parks board shall hold in perpetuity irrevocable conservation easements for Spur Cross Ranch State Park. The Board must preserve the area substantially in its natural, scenic, historical and archeological state according to the agreements with Maricopa County and the Town of Cave Creek.</p> <p>Sponsor: Rep. O'Halleran.</p>	<p>Date Action 1/18 referred to House nat res-agri, gov ref. 1/31 from House nat res-agri with amend #3067.</p>

BILLS	BILL STATUS
<p>H2187 STATE LIBRARY; RECOVERY OF COSTS Governmental units that are required by law to make annual financial reports must notify the state Library, Archives and Public Record if the reports are posted on web sites and must pay the Library a fee to cover the Library's cost in obtaining copies that are required to be delivered to it. The Library is authorized to establish a fee schedule to charge state and local government agencies for expenses it incurs in obtaining copies of their required reports. Sponsor: Rep. Robson.</p>	<p>Date Action 1/12 referred to House gov ref, appro P. 1/19 House gov ref do pass; report awaited. 1/20 from House gov ref do pass. 1/24 withdrawn from House appro P. 2/1 to House consent calendar. 2/2 from House rules okay.</p>
<p>H2226 NONAPPROPRIATED MONIES; REPORT The governor's budget office is required to prepare an annual report on all non-appropriated monies. The Administration Dept annual report on financial transactions must include all appropriated and non-appropriated monies. The governor's budget office must recommend how to create a central clearinghouse of information on all federal monies being spent by the state. Appropriations to hire the necessary personnel total \$472,500. Sponsor: Rep. Nelson.</p>	<p>Date Action 1/12 referred to appro P, appro B.</p>
<p>H2230 ACCIDENTS; INJURED ANIMALS The driver of a vehicle in an accident where an animal is injured must take steps to help the animal and to locate the owner or custodian or a peace officer. Violation is a misdemeanor. First sponsor: Rep. Brown. Others: Rep. Alvarez, Chase, Downing, Gallardo, Garcia, Huffman, Kirkpatrick, Konopnicki, Landrum Taylor, Lopes, Lopez, McClure, Miranda, Prezelski, Sinema, Tom, Sen. Aguirre, Arzberger, Flake, Giffords, Miranda, Mitchell.</p>	<p>Date Action 1/18 referred to House trans, nat res-agri.</p>
<p>H2262 WATER SUPPLY NOTICE; INADEQUATE The affidavit of disclosure required in sales of land parcels in unincorporated areas must include a statement that the water supply is inadequate if such is the case. First sponsor: Rep. Gray. Others: Rep. Biggs, O'Halleran, Pierce.</p>	<p>Date Action 1/18 referred to House com, nat res-agri. 1/26 House com amended; report awaited. 1/27 from House com with amend #3051.</p>

BILLS	BILL STATUS
<p>H2271 STATE BUILDINGS; SOLAR STANDARDS Energy life-cycle costing is to be used to evaluate all solar water heating and cooling facilities in state buildings and solar must be used if the simple payback is 12 years or less. Solar photovoltaic projects that replace traditional power are exempt from the payback deadline. Sponsor: Rep. Mason.</p>	<p>Date Action 1/18 referred to House gov ref, educ, appro B.</p>
<p>H2273 WATER STUDIES APPROPRIATION Appropriation to the Dept of Water Resources (amount blank in original) for rural water studies. First sponsor: Rep. O'Halleran. Others: Rep. Kirkpatrick, Mason.</p>	<p>Date Action 1/18 referred to House nat res-agri, appro P.</p>
<p>H2276 HEALTHY FOREST AMENDMENTS Numerous amendments to statutes governing forest issues, including revised tax incentives under the forest health enterprise program and a definition of "qualifying forest products" that includes trees up to 12 inches diameter at breast height plus slash, brush, etc. 51 pages. First sponsor: Rep. O'Halleran. Others: Rep. Burns, Hershberger, Huffman, Jones, Kirkpatrick, Konopnicki, Landrum Taylor, Lopes, Mason, McClure.</p>	<p>Date Action 1/18 referred to House nat res-agri, ways-means.</p>
<p>H2295 ANIMAL AND ECOLOGICAL TERRORISM Animal terrorism and ecological terrorism are defined and classified as either a class 2 or class 4 felony, depending on whether serious physical injury resulted. Each is added to the definition of "racketeering" if the act resulted in a risk of serious physical injury or death. First sponsor: Rep. Biggs. Others: Rep. Anderson, Murphy, Nichols, Rosati, Stump, Sen. Verschoor.</p>	<p>Date Action 1/13 referred to House env, jud. 1/19 House env held.</p>
<p>H2302 CRUELTY TO ANIMALS Knowingly failing to furnish an animal with food, water or shade is a high misdemeanor or felony, depending on circumstances. First sponsor: Rep. Nelson. Others: Rep. Gallardo, McClure, Prezelski, Reagan, Jerry</p>	<p>Date Action 1/13 referred to House jud, nat res-agri.</p>

BILLS	BILL STATUS
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<p>H2316 ENVIRONMENT; CITIZEN LAWSUITS Law providing a private right of action to enforce environmental requirements is expanded. First sponsor: Rep. Sinema. Others: Rep. Alvarez, Downing, Lopes, Lopez.</p>	<p>Date Action 1/13 referred to House env, gov ref, jud.</p>
<p>H2321 STATE SALARY ADJUSTMENT; APPROPRIATION State employee salary adjustments totaling \$124,700,000. First sponsor: Rep. Gallardo. Others: Rep. Lujan, Rios, Sinema.</p>	<p>Date Action 1/13 referred to House gov ref, appro B, appro P.</p>
<p>H2325 CONCEALED WEAPONS PERMIT; LIFETIME ISSUANCE A permit to carry a concealed weapon is valid for the holder's lifetime, instead of current 4 years. First sponsor: Rep. Gray. Others: Rep. Biggs, Chase, McClure, Murphy, Pierce, Reagan, Sen. Jarrett.</p>	<p>Date Action 1/13 referred to House jud, gov ref. 1/27 from House jud with amend #3045. 2/2 House gov ref held.</p>
<p>H2333 STATE EMPLOYEES; SALARY PLAN Salary schedule requirements are established for the salary plan that is included as part of the annual report by the Dept of Administration on state personnel. First sponsor: Rep. Gallardo. Others: Rep. Downing, Lujan, Meza, Rios, Sinema.</p>	<p>Date Action 1/18 referred to House gov-ref, appro B, appro P.</p>
<p>H2372 DHS; QUALITY MGT TRAINING FUND A quality management training fund is established enabling the Dept of Health Services to hire up to four full-time coordinators. First sponsor: Rep. Smith. Others: Rep. Aguirre, Alvarez, Bradley, Cajero Bedford, Chase, Downing, Gallardo, Garcia, Hershberger, Landrum Taylor, Lopez, Meza, Prezelski, Quelland, Stump, Sen. Garcia, Giffords, Hellon.</p>	<p>Date Action 1/18 referred to House hel, appro B.</p>
<p>H2381 STATE BUILDINGS; SOLAR ENERGY Establishes requirements for equipping schools with solar heating and water cooling devices. Sponsor: Rep. Boone.</p>	<p>Date Action 1/18 referred to House gov ref, educ, appro B. 1/27 from House gov ref do pass.</p>

BILLS	BILL STATUS
<p>H2442 STATE EMPLOYEES; EXEMPT POSITIONS</p> <p>The list of state officers and employees who are not protected by the personnel system ("exempt", in the perverse language of the law) is reduced by deleting persons required to maintain a "direct confidential working relationship with an exempt official."</p> <p>Sponsor: Rep. Lopes.</p>	<p>Date Action</p> <p>1/27 referred to House gov ref, pub-ret.</p>
<p>H2554 STATE LAKE IMPROVEMENT FUND</p> <p>Authority for the state Parks Board to use money from the Lake Improvement Fund for projects on waters where boats are permitted is limited to waters where gas-powered boats are permitted.</p> <p>First sponsor: Rep. Groe. Others: Rep. Anderson, Burges, Burns, McLain, Murphy, Paton, Prezelski.</p>	<p>Date Action</p> <p>1/31 referred to House nat res-agri, appro P.</p>
<p>HCR2019 FEDERAL MONIES; AGENCY RECEIPTS</p> <p>The 2006 general election ballot is to carry the question of amending the state constitution to require the governor's office to give the joint legislative budget committee a detailed listing of all federal money received or expected by the state government.</p> <p>First sponsor: Rep. Nelson. Others: Rep. Barnes, Boone, McClure, Stump, Yarbrough.</p>	<p>Date Action</p> <p>1/18 referred to House appro P, appro B.</p>
<p>S1025 STATE EMPLOYEES; PERFORMANCE INCENTIVES</p> <p>The maximum increase in monthly pay to state employees as part of the state's performance-based incentive program is increased to \$300 from \$250.</p> <p>Sponsor: Sen. Tibshraeny.</p>	<p>Date Action</p> <p>1/10 referred to Senate gov, appro.</p>
<p>S1067 APPROPRIATION; ZUNI WATER SETTLEMENT</p> <p>An appropriation of \$1,569,000 as the state's obligation to the Zuni Tribe pursuant to the federal water rights settlement act of 2003. According to terms of the settlement, the money will be used for wetland restoration projects.</p> <p>First sponsor: Sen. Flake. Others: Rep. Brown, Konopnicki, O'Halleran, Sen. Arzberger, Bee, Blendu, Cannell, Jarrett, Rios.</p>	<p>Date Action</p> <p>1/17 referred to Senate appro, nat res-rural.</p> <p>1/19 Senate nat res-rural amended; report awaited.</p> <p>1/27 from Senate nat res-rural with amend #3016.</p>

BILLS	BILL STATUS
<p>S1160 DUI ASSESSMENTS; DPS EQUIPMENT; BONUSES Additional assessments on DUI convictions (motor vehicle or watercraft): \$500 for first offense and \$1250 for a second offense within 5 years. For extreme DUI, \$1000 for a first offense and \$1250 for a second offense within 5 years. Conviction for aggravated DUI gets an additional assessment of \$1500. A person who refuses to be tested pays an additional civil penalty of \$500. Proceeds to be deposited into a new DPS Safety Equipment and Bonus Fund established to pay for flak jackets, stun guns and bonuses. First sponsor: Sen. Waring. Others: Rep. Reagan, Sen. Bee, Bennett, Garcia, Harper, Jarrett, Verschoor.</p>	<p>Date Action 1/27 referred to Senate jud, appro.</p>
<p>S1184 TECH CORRECTION; GAME AND FISH Minor change in ARS 17-249 on game and fish inmate labor. Apparent striker bus. Sponsor: Sen. Flake.</p>	<p>Date Action 1/20 referred to Senate rules only.</p>
<p>S1188 AGENCY BUDGETS; RESPONSIBILITIES State agencies must link their mission statement and strategic objectives to the agency budget and must prioritize its activities and assign a cost to each. The agencies shall also be "held accountable" for meeting their mission statement and objectives and for "spending that is consistent with the budget unit's prioritization." First sponsor: Sen. Martin. Others: Sen. Jarrett.</p>	<p>Date Action 1/27 referred to Senate appro.</p>
<p>S1189 BUDGET PROCESS; REVENUE REPORTING All state agencies, political subdivisions, community colleges and universities must report to JLBC by Nov 15 annually the aggregate of all revenue received during the prior fiscal year, including state, federal and private funds. The Supt of Public Instruction shall supply JLBC with similar data on behalf of each school district. First sponsor: Sen. Martin. Others: Sen. Burns.</p>	<p>Date Action 1/24 referred to Senate appro.</p>
<p>S1235 WATER; CAGRDN OMNIBUS Amendments to statutes relating to CAGRDN (the Central Arizona Groundwater Replenishment</p>	<p>Date Action 1/25 referred to Senate nat res-rural. 2/3 from Senate nat res-rural do pass.</p>

BILLS	BILL STATUS
<p>District, which is a division of the Central Arizona Water Conservation District, which manages the Central Arizona Project), include these: if a municipal provider terminates water service and fails to pay the replenishment tax levied by a conservation district, another provider cannot commence service of groundwater without paying the taxes (exemptions); real estate commissioner may authorize sale or lease of subdivided lands only if activation fees have been paid; if a municipal provider has been designated as having an assured water supply and the designation terminates while the provider's service area is a member area of a conservation district, the provider must continue to comply "with the consistency with management goal requirements" (sic) as if the designation still were in effect; district must make reasonable estimate of projected replenishment obligations for 100 years; a method for calculating establishment and maintenance of district replenishment reserve is prescribed.</p> <p>First sponsor: Sen. Flake. Others: Rep. Brown, Chase, Jones, Mason, O'Halleran, Rios, Sen. Arzberger, Burns, Martin.</p>	
<p>S1266 OUTSOURCING; STATE JOBS A state agency, board, commission or department is prohibited from outsourcing any state job either directly or indirectly to any location outside the US. First sponsor: Sen. Soltero. Others: Rep. Alvarez, Burton Cahill, Cajero Bedford, Chase, Garcia, Landrum Taylor, Lujan, Miranda, Prezelski, Rios, Sinema, Sen. Arzberger, Blendu, Brotherton, Garcia, Gould, Hale, Johnson, Mitchell, Rios.</p>	<p>Date Action 1/26 referred to Senate gov.</p>
<p>S1271: SCHOOLS; GUN SAFETY PROGRAM Schools are authorized to offer a one semester elective course in rifle marksmanship to be designated the Arizona Gun Safety Program Course. The course shall include: gun safety, basic operation of firearms, history of firearms and marksmanship, the role of firearms in preserving peace and freedom and the constitutional roots of the right to keep and bear arms.</p>	<p>Date Action 1/26 referred to Senate K-12. 2/3 from Senate K-12 do pass.</p>

BILLS	BILL STATUS
<p>First sponsor: Sen. Johnson. Others: Rep. McLain, Pearce, Smith, Sen. Blendu, Gould, Harper, Verschoor.</p>	
<p>S1333 ANIMAL AND ECOLOGICAL TERRORISM Animal terrorism and ecological terrorism are defined and classified as either a class 2 or class 4 felony, depending on whether serious physical injury resulted. Each is added to the definition of "racketeering" if the act resulted in a risk of serious physical injury or death. Requires violators to register with the local sheriff and to obtain an ID annually from the Dept of Transportation with proof of address. First sponsor: Sen. Verschoor. Others: Rep. Biggs, Farnsworth, Sen. Arzberger, Bee, Blendu, Burns, Flake, Gould, Gray, Harper, Huppenthal, Jarrett, Johnson, Martin.</p>	<p>Date Action 2/1 referred to Senate jud.</p>
<p>S1336 RURAL WATER LEGISLATIVE STUDY COMMITTEE A 10-member Rural Water Legislative Study Committee is established to evaluate information concerning availability and uses of water in rural Arizona, review opportunities to develop alternative supplies and for the reuse of water. membership comprised of 6 legislators and 4 public members: one representing rural counties; one representing rural municipalities; one representing agriculture; and one representing natural resources conservation districts. Report is due by Dec 31, 2006. First sponsor: Sen. Flake. Others: Rep. Aguirre, Alvarez, Barnes, Brown, Chase, Gray, Jones, Kirkpatrick, Konopnicki, Mason, McClure, Paton, Sen. Arzberger, Bee, Blendu, Cannell, Jarrett.</p>	<p>Date Action 2/1 referred to Senate nat res-rural.</p>

BILLS	BILL STATUS
<p>S1337 FOREST HEALTH AMENDMENTS Various changes to statutes governing forests and forest health, including, the state forester is to maintain an internet website that provides (at minimum) links to various named resources; the Dept of Commerce must implement a program to encourage local governments to provide incentives to businesses that promote forest health; changes in the kinds of forest thinning equipment that qualifies for tax breaks; and the state urban-wildland fire safety committee must act as a liaison between the state and both federal programs and private enterprises on forest health issues. First sponsor: Sen. Jarrett. Others: Sen. Bee, Bennett, Blendu, Burns, Flake, Gould, Harper, Huppenthal, Johnson, Martin, Verschoor.</p>	<p>Date Action 2/1 referred to Senate nat res-rural.</p>
<p>S1349 WILDLIFE; UNLAWFUL FEEDING It is a class 3 (lowest) misdemeanor to feed or otherwise entice wildlife into an area. First sponsor: Sen. Hellon. Others: Rep. Burton Cahill, Lopez, McClure, Sen. Chevront, Giffords, Mitchell</p>	<p>Date Action 2/1 referred to Senate nat res-rural.</p>

POSTED CALENDARS AND COMMITTEE HEARINGS

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LEGEND

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
HB House Bill
HCR House Concurrent Resolution
HHR House Hearing Room
Hse. House of Representatives
JUD Judiciary Committee
PFC Proper for Consideration
PFC A Proper for Consideration as Amended by the Senate Rules Committee
SB Senate Bill
S/E Strike Everything Amendment
Sen. Senate
SHR Senate Hearing Room
WM Ways and Means Committee

**The weekly legislative report is available on-line at the
AGFD Web site:**

If you have questions relating to legislation, please contact AGFD Legislative Liaison
Anthony Guiles at (602) 789-3280 or via email at aguiles@azgfd.gov

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