

State of Arizona
House of Representatives
Fiftieth Legislature
Second Regular Session
2012

HOUSE BILL 2640

AN ACT

AMENDING SECTION 17-231, ARIZONA REVISED STATUTES; RELATING TO HUNTING
FIREARMS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 17-231, Arizona Revised Statutes, is amended to
3 read:

4 17-231. General powers and duties of the commission

5 A. The commission shall:

6 1. Adopt rules and establish services it deems necessary to carry out
7 the provisions and purposes of this title.

8 2. Establish broad policies and long-range programs for the
9 management, preservation and harvest of wildlife.

10 3. Establish hunting, trapping and fishing rules and prescribe the
11 manner and methods ~~which~~ THAT may be used in taking wildlife, **BUT THE**
12 **COMMISSION SHALL NOT LIMIT OR RESTRICT THE MAGAZINE CAPACITY OF ANY**
13 **AUTHORIZED FIREARM.**

14 4. Be responsible for the enforcement of laws for the protection of
15 wildlife.

16 5. Prescribe grades, qualifications and salary schedules for
17 department employees.

18 6. Provide for the assembling and distribution of information to the
19 public relating to wildlife and activities of the department.

20 7. Prescribe rules for the expenditure, by or under the control of the
21 director, of all funds arising from appropriation, licenses, gifts or other
22 sources.

23 8. Exercise such powers and duties necessary to carry out fully the
24 provisions of this title and in general exercise powers and duties ~~which~~ THAT
25 relate to adopting and carrying out policies of the department and control of
26 its financial affairs.

27 9. Prescribe procedures for use of department personnel, facilities,
28 equipment, supplies and other resources in assisting search or rescue
29 operations on request of the director of the division of emergency
30 management.

31 10. Cooperate with the Arizona-Mexico commission in the governor's
32 office and with researchers at universities in this state to collect data and
33 conduct projects in the United States and Mexico on issues that are within
34 the scope of the department's duties and that relate to quality of life,
35 trade and economic development in this state in a manner that will help the
36 Arizona-Mexico commission to assess and enhance the economic competitiveness
37 of this state and of the Arizona-Mexico region.

38 B. The commission may:

39 1. Conduct investigations, inquiries or hearings in the performance of
40 its powers and duties.

41 2. Establish game management units or refuges for the preservation and
42 management of wildlife.

43 3. Construct and operate game farms, fish hatcheries, fishing lakes or
44 other facilities for or relating to the preservation or propagation of
45 wildlife.

1 4. Expend funds to provide training in the safe handling and use of
2 firearms and safe hunting practices.

3 5. Remove or permit to be removed from public or private waters fish
4 which hinder or prevent propagation of game or food fish and dispose of such
5 fish in such manner as it may designate.

6 6. Purchase, sell or barter wildlife for the purpose of stocking
7 public or private lands and waters and take at any time in any manner
8 wildlife for research, propagation and restocking purposes or for use at a
9 game farm or fish hatchery and declare wildlife salable when in the public
10 interest or the interest of conservation.

11 7. Enter into agreements with the federal government, with other
12 states or political subdivisions of the state and with private organizations
13 for the construction and operation of facilities and for management studies,
14 measures or procedures for or relating to the preservation and propagation of
15 wildlife and expend funds for carrying out such agreements.

16 8. Prescribe rules for the sale, trade, importation, exportation or
17 possession of wildlife.

18 9. Expend monies for the purpose of producing publications relating to
19 wildlife and activities of the department for sale to the public and
20 establish the price to be paid for annual subscriptions and single copies of
21 such publications. All monies received from the sale of such publications
22 shall be deposited in the game and fish publications revolving fund.

23 10. Contract with any person or entity to design and produce artwork on
24 terms ~~which~~ THAT, in the commission's judgment, will produce an original and
25 valuable work of art relating to wildlife or wildlife habitat.

26 11. Sell or distribute the artwork authorized under paragraph 10 of
27 this subsection on such terms and for such price as it deems acceptable.

28 12. Consider the adverse and beneficial short-term and long-term
29 economic impacts on resource dependent communities, small businesses and the
30 state of Arizona, of policies and programs for the management, preservation
31 and harvest of wildlife by holding a public hearing to receive and consider
32 written comments and public testimony from interested persons.

33 13. Adopt rules relating to range operations at public shooting ranges
34 operated by and under the jurisdiction of the commission, including the hours
35 of operation, the fees for the use of the range, the regulation of groups and
36 events, the operation of related range facilities, the type of firearms and
37 ammunition that may be used at the range, the safe handling of firearms at
38 the range, THE required safety equipment for a person using the range, the
39 sale of firearms, ammunition and shooting supplies at the range, and the
40 authority of range officers to enforce these rules, to remove violators from
41 the premises and to refuse entry for repeat violations.

42 C. The commission shall confer and coordinate with the director of
43 water resources with respect to the commission's activities, plans and
44 negotiations relating to water development and use, restoration projects
45 under the restoration acts pursuant to chapter 4, article 1 of this title,

1 where water development and use are involved, the abatement of pollution
2 injurious to wildlife and in the formulation of fish and wildlife aspects of
3 the director of water resources' plans to develop and utilize water resources
4 of the state and shall have jurisdiction over fish and wildlife resources and
5 fish and wildlife activities of projects constructed for the state under or
6 pursuant to the jurisdiction of the director of water resources.

7 D. The commission may enter into one or more agreements with a
8 multi-county water conservation district and other parties for participation
9 in the lower Colorado river multispecies conservation program under section
10 48-3713.03, including the collection and payment of any monies authorized by
11 law for the purposes of the lower Colorado river multispecies conservation
12 program.