

State of Arizona  
Senate  
Fifty-first Legislature  
First Regular Session  
2013

**CHAPTER 197**  
**SENATE BILL 1223**

AN ACT

AMENDING SECTIONS 5-321, 5-322 AND 5-327, ARIZONA REVISED STATUTES; AMENDING TITLE 5, CHAPTER 3, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 5-328; AMENDING SECTION 17-101, ARIZONA REVISED STATUTES; REPEALING SECTION 17-270, ARIZONA REVISED STATUTES; AMENDING SECTIONS 17-271, 17-272, 17-331 AND 17-332, ARIZONA REVISED STATUTES; REPEALING SECTION 17-333, ARIZONA REVISED STATUTES; AMENDING TITLE 17, CHAPTER 3, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 17-333; REPEALING SECTION 17-333.01, ARIZONA REVISED STATUTES; AMENDING TITLE 17, CHAPTER 3, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 17-333.01; AMENDING SECTION 17-333.02, ARIZONA REVISED STATUTES; REPEALING SECTION 17-333.03, ARIZONA REVISED STATUTES; AMENDING SECTIONS 17-335, 17-335.01, 17-336, 17-338, 17-344, 17-345, 17-346 AND 41-1005, ARIZONA REVISED STATUTES; RELATING TO GAME AND FISH.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 5-321, Arizona Revised Statutes, is amended to  
3 read:

4 5-321. Numbering; registration fees; exemption from taxation;  
5 penalty; procedures

6 A. Except as provided in section 5-322, the owner of each motorized  
7 watercraft requiring numbering by this state shall file an application for a  
8 registration number with the department, or its agent, on forms approved by  
9 the department. Except as provided by rule adopted by the commission, the  
10 application shall be signed by the owner of the motorized watercraft and  
11 shall be accompanied by a registration fee. ~~levied at the following rates:~~  
12 AFTER THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION, THE COMMISSION  
13 SHALL ESTABLISH BY RULE A REGISTRATION FEE FOR EACH MOTORIZED WATERCRAFT  
14 REQUIRING NUMBERING BY THIS STATE.

- 15 ~~1. Twelve feet and less \$20.00~~  
16 ~~2. Twelve feet one inch through sixteen feet \$22.00~~  
17 ~~3. Sixteen feet one inch through twenty feet \$30.00~~  
18 ~~4. Twenty feet one inch through twenty-six feet \$35.00~~  
19 ~~5. Twenty-six feet one inch through thirty-nine feet \$39.00~~  
20 ~~6. Thirty-nine feet one inch through sixty-four feet \$44.00~~  
21 ~~7. Sixty-four feet one inch and over \$66.00~~

22 B. Pursuant to article IX, section 16, Constitution of Arizona,  
23 watercraft are exempt from ad valorem property tax and from license taxes in  
24 lieu of property tax.

25 C. The length of the motorized watercraft shall be measured from the  
26 most forward part of the bow excluding the bowsprit or jibboom, over the  
27 centerline to the rearmost part of the transom excluding sheer, outboard  
28 motor, rudder, handles or other attachments.

29 D. The commission may assess an additional registration fee, to be  
30 collected at the same time and in the same manner as the registration fee  
31 imposed by subsection A of this section. The amount of the additional fee  
32 shall be determined by the commission and may be imposed in different amounts  
33 with respect to resident and nonresident owners. An additional registration  
34 fee under this subsection is to be used solely for the purpose of the lower  
35 Colorado river multispecies conservation program under section 48-3713.03.

36 E. ~~Upon~~ ON receipt of the application in approved form with the  
37 applicable fees, the department or its agent shall enter the application on  
38 the records of its office and issue to the applicant two current annual  
39 decals and a certificate of number stating the number issued to the  
40 watercraft and the name and address of the owner. The owner shall display  
41 the assigned number and the current annual decals in such manner as may be  
42 prescribed by rules of the commission. The number and decals shall be  
43 maintained in legible condition. The certificate of number or commission  
44 approved proof of valid certificate of number, except as provided in section  
45 5-371, shall be available at all times for inspection by a peace officer  
46 whenever the watercraft is in operation. No number issued by another state

1 or the United States coast guard, unless granted exemption or exception  
2 pursuant to this chapter, shall be displayed on the watercraft.

3 F. No person may operate a motorized watercraft on the waterways of  
4 this state unless the watercraft displays the assigned number and current  
5 annual decals or the person is in possession of a valid thirty-day temporary  
6 registration as prescribed by this article.

7 G. No motorized watercraft shall be purchased, sold or otherwise  
8 transferred without assignment by the owner of the current numbering  
9 certificate or other documentation as may be prescribed by rules of the  
10 commission. Within fifteen days after such transfer, the person to whom such  
11 transfer is made shall make application to the department to have the  
12 motorized watercraft registered in the person's name by the department, for  
13 which the department shall charge a transfer fee ~~of four dollars~~ AS  
14 PRESCRIBED IN RULE BY THE COMMISSION. The department shall not issue or  
15 transfer a numbering certificate for a motorized watercraft to a person who  
16 is subject to the use tax under title 42, chapter 5, article 4 unless the  
17 applicable tax has been paid as shown by a receipt from the collecting  
18 officer. Persons doing business as marine dealers and licensed as such by  
19 this state are not required to register in their name any watercraft in their  
20 possession that may be offered for resale.

21 H. In the event of the loss or destruction of the certificate of  
22 number or annual decal, the department shall issue a duplicate to the owner  
23 ~~upon~~ ON payment of a fee ~~of two dollars~~ AS PRESCRIBED IN RULE BY THE  
24 COMMISSION.

25 I. The department may issue any certificate of number directly or may  
26 authorize any person to act as agent for the issuance of the certificate of  
27 number in conformity with this chapter and with any rules of the commission.  
28 An agent that contracts with the commission to renew certificates of number  
29 by telecommunication may impose additional fees for the services as provided  
30 in the contract.

31 J. The owner shall furnish to the department notice of the transfer of  
32 all or any part of the owner's interest other than the creation of a security  
33 interest in a motorized watercraft numbered in this state pursuant to this  
34 chapter or of the destruction or abandonment of such watercraft within  
35 fifteen days. Such transfer, destruction or abandonment shall terminate the  
36 certificate of number of such watercraft, except that in the case of a  
37 transfer of a part interest that does not affect the owner's right to operate  
38 such watercraft, the transfer shall not terminate the certificate of number.

39 K. Any holder of a certificate of number shall notify the department  
40 within fifteen days if the holder's address no longer conforms to the address  
41 appearing on the certificate and, as a part of such notification, shall  
42 furnish the department with the holder's new address. The commission may  
43 provide in its rules for the surrender of the certificate bearing the former  
44 address and its replacement with a certificate bearing the new address or the  
45 alteration of an outstanding certificate to show the new address of the  
46 holder.

1 L. On renewal of any motorized watercraft registration that has not  
2 been renewed by the current expiration date, the department shall assess a  
3 penalty unless the watercraft ownership has been transferred and the  
4 watercraft was not registered subsequent to the expiration date. The  
5 commission shall establish the penalty ~~that shall not exceed fifteen dollars~~  
6 **BY RULE**. If more than twelve months have lapsed since the expiration date of  
7 the last registration or renewal, the penalty and back fees are waived.

8 Sec. 2. Section 5-322, Arizona Revised Statutes, is amended to read:  
9 **5-322. Motorized watercraft to be numbered; exceptions**

10 A. All motorized watercraft whether underway, moored or anchored on  
11 the waters within the boundaries of the state shall be numbered in accordance  
12 with this chapter or rules of the commission in accordance with the federally  
13 approved numbering system except:

14 1. Foreign watercraft temporarily using the waters of the state.

15 2. Military or public vessels of the United States, except  
16 recreational type public vessels.

17 3. Watercraft used solely as lifeboats.

18 4. Undocumented watercraft operating under a valid temporary  
19 certificate issued pursuant to rules adopted by the commission.

20 5. Documented watercraft numbered in accordance with the regulations  
21 of the United States coast guard.

22 B. Motorized watercraft owned and operated exclusively by the state or  
23 by any political subdivision of the state shall be numbered, but no  
24 registration fee shall be paid on the watercraft.

25 C. All owners of motorized watercraft when in the course of interstate  
26 operation displaying a current and valid number issued under an approved  
27 federal numbering system of the United States coast guard, a state, the  
28 Commonwealth of Puerto Rico, the Virgin Islands, Guam or the District of  
29 Columbia shall register such watercraft with the department ~~prior to~~ **BEFORE**  
30 the expiration of the reciprocity period prescribed by rules of the  
31 commission.

32 D. All motorized watercraft, when in the course of interstate  
33 operation and not required to be numbered in their state of principal  
34 operation, shall comply with the requirements of subsection C of this  
35 section.

36 E. When this state becomes the new state of principal operation of a  
37 motorized watercraft displaying a current number issued under a federally  
38 approved numbering system, the validity of such number shall be recognized  
39 for a period of ninety days. ~~Upon~~ **ON** expiration of the ninety-day period and  
40 ~~prior to~~ **BEFORE** any subsequent use, the owner shall number any motorized  
41 watercraft pursuant to section 5-321.

42 F. Each dealer or manufacturer in this state engaged in the sale of  
43 motorized watercraft using the watercraft for demonstration shall obtain one  
44 or more dealer watercraft certificates of number with the current validating  
45 decals. Applications, **FEES FOR EACH CERTIFICATE OF NUMBER AND ACCOMPANYING**  
46 **CURRENT DECALS**, renewal and display of certificates of number shall be as

1 prescribed in this chapter or by rules of the commission, ~~except that the~~  
2 ~~annual fee will be two dollars fifty cents for each certificate of number and~~  
3 ~~accompanying current decals.~~

4 Sec. 3. Section 5-327, Arizona Revised Statutes, is amended to read:

5 5-327. Nonresident boating safety infrastructure fees

6 A. In accordance with section 5-326, the commission shall assess a  
7 nonresident boating safety infrastructure fee for each watercraft registered  
8 in this state by a nonresident as defined in section 5-301. The fees  
9 assessed pursuant to this section shall be paid in addition to the fees  
10 required pursuant to section 5-321.

11 B. For the purposes of section 5-326, subsection A, the commission  
12 shall establish ~~the following~~ nonresident boating safety infrastructure fees.  
13 ~~for the following watercraft:~~ AFTER THE EFFECTIVE DATE OF THIS AMENDMENT TO  
14 THIS SECTION, THE COMMISSION SHALL ESTABLISH BY RULE A NONRESIDENT BOATING  
15 SAFETY INFRASTRUCTURE FEE FOR EACH WATERCRAFT REGISTERED IN THIS STATE BY A  
16 NONRESIDENT.

17	<del>1. Twelve feet and less</del>	<del>\$ 80.00</del>
18	<del>2. Twelve feet one inch through sixteen feet</del>	<del>\$ 88.00</del>
19	<del>3. Sixteen feet one inch through twenty feet</del>	<del>\$192.00</del>
20	<del>4. Twenty feet one inch through twenty-six feet</del>	<del>\$224.00</del>
21	<del>5. Twenty-six feet one inch through thirty-nine feet</del>	<del>\$253.00</del>
22	<del>6. Thirty-nine feet one inch through sixty-four feet</del>	<del>\$286.00</del>
23	<del>7. Sixty-four feet one inch and over</del>	<del>\$429.00</del>

24 C. The length of the motorized watercraft shall be measured in the  
25 same manner prescribed in section 5-321, subsection C.

26 D. Unless the person or watercraft qualifies for an exemption pursuant  
27 to section 5-326, no person who is subject to this section shall operate or  
28 grant permission to operate a watercraft within the boundaries of this state  
29 unless that watercraft displays a valid nonresident boating safety  
30 infrastructure decal in conformance with the rules adopted pursuant to  
31 section 5-326.

32 Sec. 4. Title 5, chapter 3, article 3, Arizona Revised Statutes, is  
33 amended by adding section 5-328, to read:

34 5-328. Fee limitation

35 THE DEPARTMENT MAY ESTABLISH FEES PURSUANT TO SECTIONS 5-321, 5-322 AND  
36 5-327, BUT THE TOTAL AMOUNT OF FEES COLLECTED IN ANY FISCAL YEAR MAY NOT  
37 EXCEED FIFTY PER CENT MORE THAN THE AMOUNT APPROPRIATED FROM THE WATERCRAFT  
38 LICENSING FUND FOR FISCAL YEAR 2012-2013.

39 Sec. 5. Section 17-101, Arizona Revised Statutes, is amended to read:

40 17-101. Definitions

41 A. In this title, unless the context otherwise requires:

42 1. "Angling" means the taking of fish by one line and not to exceed  
43 two hooks, by one line and one artificial lure, which may have attached more  
44 than one hook, or by one line and not to exceed two artificial flies or  
45 lures.

1           2. "Bag limit" means the maximum limit, in number or amount, of  
2 wildlife that may lawfully be taken by any one person during a specified  
3 period of time.

4           3. "Closed season" means the time during which wildlife may not be  
5 lawfully taken.

6           4. "Commission" means the Arizona game and fish commission.

7           5. "Department" means the Arizona game and fish department.

8           6. "Device" means any net, trap, snare, salt lick, scaffold, deadfall,  
9 pit, explosive, poison or stupefying substance, crossbow, firearm, bow and  
10 arrow, or other implement used for taking wildlife. Device does not include  
11 a raptor or any equipment used in the sport of falconry.

12           7. "Domicile" means a person's true, fixed and permanent home and  
13 principal residence. Proof of domicile in this state may be shown as  
14 prescribed by rule by the commission.

15           8. "Falconry" means the sport of hunting or taking quarry with a  
16 trained raptor.

17           9. "Fishing" means to lure, attract or pursue aquatic wildlife in such  
18 a manner that the wildlife may be captured or killed.

19           10. "Fur dealer" means any person engaged in the business of buying for  
20 resale the raw pelts or furs of wild mammals.

21           11. "Guide" means a person who does any of the following:

22           (a) Advertises for guiding services.

23           (b) Holds himself out to the public for hire as a guide.

24           (c) Is employed by a commercial enterprise as a guide.

25           (d) Accepts compensation in any form commensurate with the market  
26 value in this state for guiding services in exchange for aiding, assisting,  
27 directing, leading or instructing a person in the field to locate and take  
28 wildlife.

29           (e) Is not a landowner or lessee who, without full fair market  
30 compensation, allows access to the landowner's or lessee's property and  
31 directs and advises a person in taking wildlife.

32           12. "LICENSE CLASSIFICATION" MEANS A TYPE OF LICENSE, PERMIT, TAG OR  
33 STAMP AUTHORIZED UNDER THIS TITLE AND PRESCRIBED BY THE COMMISSION BY RULE TO  
34 TAKE, HANDLE OR POSSESS WILDLIFE.

35           ~~12-~~ 13. "License year" means the twelve-month period between January 1  
36 and December 31, inclusive, OR A DIFFERENT TWELVE-MONTH PERIOD AS PRESCRIBED  
37 BY THE COMMISSION BY RULE.

38           ~~13-~~ 14. "Nonresident", for the purposes of applying for a license,  
39 permit, tag or stamp, means a citizen of the United States or an alien who is  
40 not a resident.

41           ~~14-~~ 15. "Open season" means the time during which wildlife may be  
42 lawfully taken.

43           ~~15-~~ 16. "Possession limit" means the maximum limit, in number or  
44 amount of wildlife, ~~which~~ THAT may be possessed at one time by any one  
45 person.

1       ~~16.~~ 17. "Resident", for the purposes of applying for a license,  
2 permit, tag or stamp, means a person who is:

3       (a) A member of the armed forces of the United States on active duty  
4 and WHO IS stationed in:

5       (i) This state for a period of thirty days immediately preceding the  
6 date of applying for a license, permit, tag or stamp.

7       (ii) Another state or country but who lists this state as ~~their~~ THE  
8 PERSON'S home of record at the time of applying for a license, permit, tag or  
9 stamp.

10       (b) Domiciled in this state for six months immediately preceding the  
11 date of applying for a license, permit, tag or stamp and who does not claim  
12 residency privileges for any purpose in any other state or jurisdiction.

13       ~~17.~~ 18. "Road" means any maintained right-of-way for public  
14 conveyance.

15       ~~18.~~ 19. "Statewide" means all lands except those areas lying within  
16 the boundaries of state and federal refuges, parks and monuments, unless  
17 specifically provided differently by commission order.

18       ~~19.~~ 20. "Take" means pursuing, shooting, hunting, fishing, trapping,  
19 killing, capturing, snaring or netting wildlife or the placing or using of  
20 any net or other device or trap in a manner that may result in the capturing  
21 or killing of wildlife.

22       ~~20.~~ 21. "Taxidermist" means any person who engages for hire in the  
23 mounting, refurbishing, maintaining, restoring or preserving of any display  
24 specimen.

25       ~~21.~~ 22. "Traps" or "trapping" means taking wildlife in any manner  
26 except with a gun or other implement in hand.

27       ~~22.~~ 23. "Wild" means, in reference to mammals and birds, those species  
28 that are normally found in a state of nature.

29       ~~23.~~ 24. "Wildlife" means all wild mammals, wild birds and the nests or  
30 eggs thereof, reptiles, amphibians, mollusks, crustaceans and fish, including  
31 their eggs or spawn.

32       25. "YOUTH" MEANS A PERSON WHO IS UNDER EIGHTEEN YEARS OF AGE.

33       ~~24.~~ 26. "Zoo" means a commercial facility open to the public where the  
34 principal business is holding wildlife in captivity for exhibition purposes.

35       B. The following definitions of wildlife shall apply:

36       1. Aquatic wildlife are all fish, amphibians, mollusks, crustaceans  
37 and soft-shelled turtles.

38       2. Game mammals are deer, elk, bear, pronghorn (antelope), bighorn  
39 sheep, bison (buffalo), peccary (javelina), mountain lion, tree squirrel and  
40 cottontail rabbit.

41       3. Big game are wild turkey, deer, elk, pronghorn (antelope), bighorn  
42 sheep, bison (buffalo), peccary (javelina), bear and mountain lion.

43       4. "Trophy" means:

44       (a) A mule deer buck with at least four points on one antler, not  
45 including the eye-guard point.

1 (b) A whitetail deer buck with at least three points on one antler,  
2 not including the eye-guard point.

3 (c) A bull elk with at least six points on one antler, including the  
4 eye-guard point and the brow tine point.

5 (d) A pronghorn (antelope) buck with at least one horn exceeding or  
6 equal to fourteen inches in total length.

7 (e) Any bighorn sheep.

8 (f) Any bison (buffalo).

9 5. Small game are cottontail rabbits, tree squirrels, upland game  
10 birds and migratory game birds.

11 6. Fur-bearing animals are muskrats, raccoons, otters, weasels,  
12 bobcats, beavers, badgers and ringtail cats.

13 7. Predatory animals are foxes, skunks, coyotes and bobcats.

14 8. Nongame animals are all wildlife except game mammals, game birds,  
15 fur-bearing animals, predatory animals and aquatic wildlife.

16 9. Upland game birds are quail, partridge, grouse and pheasants.

17 10. Migratory game birds are wild waterfowl, including ducks, geese and  
18 swans; sandhill cranes; all coots, all gallinules, common snipe, wild doves  
19 and bandtail pigeons.

20 11. Nongame birds are all birds except upland game birds and migratory  
21 game birds.

22 12. Raptors are birds that are members of the order of falconiformes or  
23 strigiformes and include falcons, hawks, owls, eagles and other birds that  
24 the commission may classify as raptors.

25 13. Game fish are trout of all species, bass of all species, catfish of  
26 all species, sunfish of all species, northern pike, walleye and yellow perch.

27 14. Nongame fish are all the species of fish except game fish.

28 15. Trout means all species of the family salmonidae, including  
29 grayling.

30 Sec. 6. Repeal

31 Section 17-270, Arizona Revised Statutes, is repealed.

32 Sec. 7. Section 17-271, Arizona Revised Statutes, is amended to read:  
33 17-271. Wildlife endowment fund

34 A. ~~THE~~ wildlife endowment fund is established to be used by the  
35 commission for wildlife conservation and management purposes. The fund  
36 consists of:

37 1. Revenues from sales of lifetime ~~hunting and fishing~~ licenses as  
38 ~~provided by section 17-335.01~~ AND BENEFACOR LICENSES.

39 2. Gifts, grants and contributions specifically designated for the  
40 fund.

41 3. Interest and investment income derived from monies in the fund as  
42 provided by subsection C of this section.

43 B. Monies in the wildlife endowment fund are:

44 1. Subject to annual appropriation by the legislature pursuant to  
45 section 35-143.01.

46 2. Exempt from lapsing under section 35-190.

1 C. The commission shall administer the wildlife endowment fund. On  
2 notice from the commission the state treasurer shall invest and divest monies  
3 in the wildlife endowment fund as provided by section 35-313, and monies  
4 earned from investment shall be credited to the fund. On July 1 of each year  
5 the department of administration shall transfer from the wildlife endowment  
6 fund to the game and fish fund an amount equal to the interest and investment  
7 income deposited in the wildlife endowment fund during the preceding fiscal  
8 year.

9 Sec. 8. Section 17-272, Arizona Revised Statutes, is amended to read:

10 17-272. Voluntary contributions in lieu of property taxes

11 A. If the commission purchases real property and if the property was  
12 subject to taxation, or was exempt from taxation under section 42-11114 or  
13 42-11115, at the time of purchase, ~~then,~~ notwithstanding any other law, the  
14 commission may make voluntary contributions of money to the state, the  
15 county, the municipality, school districts, a community college district and  
16 any other special taxing district organized under title 48 in which the  
17 property is located. On or before April 1 of each year in which the  
18 commission elects to make voluntary contributions under this section, the  
19 commission shall notify the county assessor of the county in which the  
20 property is located of its election to make a voluntary contribution pursuant  
21 to this section. Contributions under this section:

22 1. May be made from the game, nongame, fish and endangered species  
23 fund, the conservation development fund, ~~the waterfowl conservation fund,~~ the  
24 Arizona game and fish commission heritage fund or any other source of monies  
25 available to and budgeted by the commission, except that monies from the  
26 heritage fund may be used only with respect to property acquired pursuant to  
27 section 17-298.

28 2. Are subject to legislative appropriation if legislative  
29 appropriation is required for the particular source of monies.

30 B. The department shall consult with the assessor of the county in  
31 which the property is located and determine the assessed valuation of the  
32 property and the amount of the contribution under this section. Each year  
33 the contribution shall be computed assuming classification as class two  
34 property pursuant to section 42-12002 and shall be valued each year as  
35 agricultural land pursuant to section 42-13101. The assessed valuation used  
36 to compute the contribution shall not be increased from one tax year to the  
37 next tax year by more than two per cent.

38 C. The amount of the contribution shall be determined by applying the  
39 current aggregate tax rate to the determined valuation.

40 D. The county treasurer shall collect and the commission shall pay the  
41 amount of contribution under this section at the same time and in the same  
42 manner as ad valorem property taxes are collected and paid.

43 E. The county treasurer shall distribute the monies received under  
44 this section to the various taxing jurisdictions in which the property is  
45 located in the same manner as property taxes are distributed.

1 F. This section does not apply to, and the commission shall not make  
2 contributions with respect to, lands acquired for fish hatcheries, game  
3 farms, firing ranges, reservoir sites, administrative sites or rights-of-way  
4 to fishing waters.

5 Sec. 9. Section 17-331, Arizona Revised Statutes, is amended to read:  
6 17-331. License or proof of purchase required; violation of  
7 child support order

8 A. Except as provided by this title, **RULES PRESCRIBED BY THE**  
9 **COMMISSION** or commission order, a person shall not take any wildlife in this  
10 state without a valid license or a commission approved proof of purchase.  
11 The person shall carry the license or proof of purchase and produce it ~~upon~~  
12 **ON** request to any game ranger, wildlife manager or peace officer.

13 B. A certificate of noncompliance with a child support order issued  
14 pursuant to section 25-518 invalidates any license or proof of purchase  
15 issued to the support obligor for taking wildlife in this state and prohibits  
16 the support obligor from applying for any additional licenses issued by an  
17 automated drawing system under this title.

18 C. On receipt of a certificate of compliance with a child support  
19 order from the court pursuant to section 25-518 and without further action:

20 1. Any license or proof of purchase issued to the support obligor for  
21 taking wildlife that was previously invalidated by a certificate of  
22 noncompliance and that has not otherwise expired shall be reinstated.

23 2. Any ineligibility to apply for any license issued by an automated  
24 drawing system shall be removed.

25 Sec. 10. Section 17-332, Arizona Revised Statutes, is amended to read:  
26 17-332. Form and contents of license; duplicate licenses;  
27 period of validity

28 A. Licenses and license materials shall be prepared by the department  
29 and **MAY BE** furnished and charged to dealers authorized to issue licenses.  
30 The license shall be issued in the name of the department ~~and countersigned~~  
31 ~~by an issuing dealer~~. Except as provided by rule adopted by the commission,  
32 each license shall be signed by the licensee in ink on the face of the  
33 license and any license not signed is invalid. With each license authorizing  
34 the taking of big game the department shall provide such tags as the  
35 commission may prescribe, which the licensee shall attach to the big game  
36 animal in such manner as prescribed by the commission. The commission shall  
37 limit the number of big game permits issued to nonresidents in a random  
38 drawing to ten per cent or fewer of the total hunt permits, but in  
39 extraordinary circumstances, at a public meeting the commission may increase  
40 the number of permits issued to nonresidents in a random drawing if, on  
41 separate roll call votes, the members of the commission unanimously:

42 1. Support the finding of a specifically described extraordinary  
43 circumstance.

44 2. Adopt the increased number of nonresident permits for the hunt.

1 B. The commission shall issue with each license a shipping permit  
2 entitling the holder of the license to a shipment of game or fish as provided  
3 by article 4 of this chapter.

4 C. It is unlawful, except as provided by the commission, for any  
5 person to apply for or obtain in any one license year more than one original  
6 license permitting the taking of big game. A duplicate license or tag may be  
7 issued by the department or by a license dealer if the person requesting such  
8 license or tag furnishes the information deemed necessary by the commission.

9 ~~A fee of four dollars shall be collected for each duplicate license or tag~~  
10 ~~issued.~~

11 D. No license or permit is transferable, nor shall such license or  
12 permit be used by anyone except the person to whom such license or permit was  
13 issued, except that:

14 1. A person may transfer the person's big game permit or tag to a  
15 qualified organization for use by a minor child who has a life-threatening  
16 medical condition or by a minor child who has a permanent physical  
17 disability. The commission may prescribe the manner and conditions of  
18 transferring and using permits and tags under this paragraph. If a  
19 physically disabled child is under fourteen years of age, the child must  
20 satisfactorily complete the Arizona hunter education course or another  
21 comparable hunter education course that is approved by the director. For the  
22 purposes of this paragraph:

23 (a) "Disability" means a permanent physical impairment that  
24 substantially limits one or more of the child's major life activities  
25 requiring the assistance of another person or a mechanical device for  
26 physical mobility.

27 (b) "Qualified organization" means a nonprofit organization that is  
28 qualified under section 501(c)(3) of the United States internal revenue code  
29 and that affords opportunities and experiences to children with  
30 life-threatening medical conditions or with physical disabilities.

31 2. A parent, grandparent or legal guardian may allow the parent's,  
32 grandparent's or guardian's minor child or minor grandchild to use the  
33 parent's, grandparent's or guardian's big game permit or tag to take big game  
34 pursuant to the following requirements:

35 (a) The parent, grandparent or guardian must transfer the permit or  
36 tag to the child in a manner prescribed by the commission.

37 (b) The parent or guardian must accompany the child in the field or,  
38 if a grandparent allows a minor grandchild to use the grandparent's permit or  
39 tag, the grandparent, the parent or the child's guardian must accompany the  
40 child in the field. ~~In either case, the adult must be within fifty yards of~~  
41 ~~the child when the animal is taken.~~

42 (c) The child must possess a ~~class F, class G, class K, class M or~~  
43 ~~class N~~ VALID HUNTING license and, if under fourteen years of age, must  
44 satisfactorily complete the Arizona hunter education course or another  
45 comparable hunter education course that is approved by the director.

46 (d) Any big game that is taken counts toward the child's bag limit.

1 E. No refunds may be made for the purchase of a license or permit.

2 F. Licenses are valid for a license year ~~and expire on December 31~~  
3 ~~except for special licenses issued by the commission, complimentary licenses~~  
4 ~~as provided by section 17-336, resident and nonresident trapping licenses,~~  
5 ~~sport falconry licenses and classes B, C and D licenses as provided in~~  
6 ~~section 17-333 and lifetime class A, F and G licenses and lifetime trout~~  
7 ~~stamps as provided in section 17-335.01. Trapping licenses are valid from~~  
8 ~~July 1 through June 30 of the following year~~ AS PRESCRIBED IN RULE BY THE  
9 COMMISSION. Lifetime licenses ~~and lifetime trout stamps~~ AND BENEFACTOR  
10 LICENSES are valid for the lifetime of the licensee.

11 Sec. 11. Repeal

12 Section 17-333, Arizona Revised Statutes, is repealed.

13 Sec. 12. Title 17, chapter 3, article 2, Arizona Revised Statutes, is  
14 amended by adding a new section 17-333, to read:

15 17-333. License classifications; fees; annual report; review

16 A. THROUGH JULY 1, 2019, THE COMMISSION SHALL PRESCRIBE BY RULE  
17 LICENSE CLASSIFICATIONS THAT ARE VALID FOR THE TAKING OR HANDLING OF  
18 WILDLIFE, FEES FOR LICENSES, PERMITS, TAGS AND STAMPS AND APPLICATION FEES.

19 B. THE COMMISSION MAY TEMPORARILY REDUCE OR WAIVE ANY FEE PRESCRIBED  
20 BY RULE UNDER THIS TITLE ON THE RECOMMENDATION OF THE DIRECTOR.

21 C. ALL MONIES COLLECTED PURSUANT TO THIS SECTION SHALL BE DEPOSITED,  
22 PURSUANT TO SECTIONS 35-146 AND 35-147, IN THE GAME AND FISH FUND ESTABLISHED  
23 BY SECTION 17-261.

24 D. ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE COMMISSION SHALL SUBMIT  
25 AN ANNUAL REPORT TO THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF  
26 REPRESENTATIVES, THE CHAIRPERSON OF THE SENATE NATURAL RESOURCES AND RURAL  
27 AFFAIRS COMMITTEE AND THE CHAIRPERSON OF THE HOUSE OF REPRESENTATIVES ENERGY,  
28 ENVIRONMENT AND NATURAL RESOURCES COMMITTEE, OR THEIR SUCCESSOR COMMITTEES,  
29 THAT INCLUDES INFORMATION RELATING TO LICENSE CLASSIFICATIONS, FEES FOR  
30 LICENSES, PERMITS, TAGS AND STAMPS AND ANY OTHER FEES THAT THE COMMISSION  
31 PRESCRIBES BY RULE. ON OR BEFORE JULY 1, 2019 AND EACH FIFTH YEAR  
32 THEREAFTER, THE JOINT LEGISLATIVE AUDIT COMMITTEE SHALL ASSIGN A COMMITTEE OF  
33 REFERENCE TO HOLD A PUBLIC HEARING AND REVIEW THE ANNUAL REPORT SUBMITTED BY  
34 THE COMMISSION.

35 Sec. 13. Repeal

36 Section 17-333.01, Arizona Revised Statutes, is repealed.

37 Sec. 14. Title 17, chapter 3, article 2, Arizona Revised Statutes, is  
38 amended by adding a new section 17-333.01, to read:

39 17-333.01. Fee limitation

40 THE DEPARTMENT MAY ESTABLISH FEES PURSUANT TO THIS ARTICLE, BUT THE  
41 TOTAL AMOUNT OF LICENSE, PERMIT, TAG AND STAMP FEES COLLECTED IN ANY FISCAL  
42 YEAR MAY NOT EXCEED FIFTY PER CENT MORE THAN THE AMOUNT APPROPRIATED FROM THE  
43 GAME AND FISH FUND FOR FISCAL YEAR 2012-2013.

44 Sec. 15. Section 17-333.02, Arizona Revised Statutes, is amended to  
45 read:

46 17-333.02. Trapping license; education; exemption

1 A. A person applying for a trapping license must successfully complete  
2 a trapping education course conducted or approved by the department before  
3 being issued a trapping license. The department shall conduct or approve an  
4 educational course of instruction in responsible trapping and environmental  
5 ethics. The course shall include instruction on the history of trapping,  
6 trapping ethics, trapping laws, techniques in safely releasing nontarget  
7 animals, trapping equipment, wildlife management, proper catch handling,  
8 trapper health and safety and considerations and ethics intended to avoid  
9 conflicts with other public land users. A person must pass a written  
10 examination to successfully complete the course. The department shall not  
11 approve a trapping education course conducted by any person, agency,  
12 corporation or other organization for which a fee is charged greater than  
13 ~~twenty-five dollars per person~~ AN AMOUNT THE COMMISSION DETERMINES PER  
14 PERSON.

15 B. A person WHO IS born before January 1, 1967 or who has completed,  
16 from and after December 31, 1987 and ~~prior to the effective date of this~~  
17 ~~section~~ BEFORE MARCH 1, 1993, the voluntary trapper education course on  
18 responsible trapping conducted in cooperation with the Arizona game and fish  
19 department is exempt from ~~the provisions of~~ subsection A OF THIS SECTION.

20 Sec. 16. Repeal

21 Section 17-333.03, Arizona Revised Statutes, is repealed.

22 Sec. 17. Section 17-335, Arizona Revised Statutes, is amended to read:

23 17-335. Blind resident; fishing license exemption

24 ~~A. A blind resident or a resident or nonresident under the age of~~  
25 ~~fourteen years~~ may fish without a license and shall be IS entitled to the  
26 same privileges as the holder of a valid license. ~~; except that such person~~  
27 ~~shall be entitled only to one half the legal bag and possession limit of~~  
28 ~~trout.~~

29 ~~B. A resident or nonresident under the age of fourteen years may,~~  
30 ~~without a license, when accompanied by a person eighteen years of age or~~  
31 ~~older holding a valid Arizona hunting license, take wildlife, except big game~~  
32 ~~species, during open season, but not more than two such children shall~~  
33 ~~accompany a person holding such a license.~~

34 ~~C. No child under the age of fourteen may take big game unless the~~  
35 ~~child has satisfactorily completed the Arizona hunter education course or~~  
36 ~~another comparable hunter education course that is approved by the director.~~

37 ~~D. The proper license shall be required, except as otherwise specified~~  
38 ~~by the commission, for taking of big game species.~~

39 Sec. 18. Section 17-335.01, Arizona Revised Statutes, is amended to  
40 read:

41 17-335.01. Lifetime license and benefactor license

42 ~~A. The department shall issue lifetime hunting and fishing licenses~~  
43 ~~and trout stamps as provided by this section.~~

44 ~~B. The classes of lifetime licenses are as follows:~~

1           ~~1. Resident lifetime class A, general fishing license, valid for~~  
2 ~~taking all aquatic wildlife, except trout and aquatic wildlife from~~  
3 ~~commission designated urban waters.~~

4           ~~2. Resident lifetime class G, general hunting license, valid for~~  
5 ~~taking small game, fur bearing animals, predatory animals, nongame animals,~~  
6 ~~nongame birds and upland game birds.~~

7           ~~3. Resident lifetime class F, combination general hunting and fishing~~  
8 ~~license, valid for taking all aquatic wildlife except from commission~~  
9 ~~designated urban waters, small game, fur bearing animals, predatory animals,~~  
10 ~~nongame animals, nongame birds and upland game birds.~~

11           ~~4. Resident lifetime trout stamp to validate a lifetime class A~~  
12 ~~general fishing license for taking trout.~~

13           ~~C. The fee for a lifetime license or trout stamp under subsection B of~~  
14 ~~this section is determined according to the age of the applicant as follows:~~

<del>Age</del>	<del>Computation of fee</del>
<del>0 through 13 years</del>	<del>seventeen times the maximum fee prescribed by</del> <del>section 17-333 for the equivalent</del> <del>annual license</del>
<del>14 through 29 years</del>	<del>eighteen times the maximum fee prescribed by</del> <del>section 17-333 for the equivalent annual license</del>
<del>30 through 44 years</del>	<del>sixteen times the maximum fee prescribed by</del> <del>section 17-333 for the equivalent annual license</del>
<del>45 through 61 years</del>	<del>fifteen times the maximum fee prescribed by</del> <del>section 17-333 for the equivalent annual license</del>
<del>62 and older</del>	<del>eight times the maximum fee prescribed by section</del> <del>17-333 for the equivalent annual license</del>

25           ~~D. An additional class of lifetime license is resident lifetime~~  
26 ~~wildlife benefactor class F, combination general hunting and fishing license,~~  
27 ~~valid for taking all aquatic wildlife except from commission designated urban~~  
28 ~~waters, small game, fur bearing animals, predatory animals, nongame animals,~~  
29 ~~nongame birds and upland game birds. The fee for a resident lifetime~~  
30 ~~wildlife benefactor class F, combination general hunting and fishing license~~  
31 ~~is one thousand dollars. The difference between one thousand dollars and the~~  
32 ~~fee the licensee would otherwise pay for a resident lifetime class F license~~  
33 ~~under subsections B and C of this section:~~

34           ~~1. Is considered a donation to this state for continued management,~~  
35 ~~protection and conservation of this state's wildlife.~~

36           ~~2. Shall be credited to the wildlife endowment fund established by~~  
37 ~~section 17-271.~~

38           ~~3. Is tax deductible to the extent allowed by federal and state income~~  
39 ~~tax statutes for contributions to qualifying tax-exempt organizations.~~

40           ~~E. Lifetime licenses and trout stamps may be issued only at offices of~~  
41 ~~the department. An applicant for a lifetime license or trout stamp shall~~  
42 ~~provide proof of age and residency as prescribed by the commission.~~

43           ~~A. FOR THE PURPOSES OF THIS TITLE, THE COMMISSION MAY PRESCRIBE BY~~  
44 ~~RULE A LIFETIME LICENSE AND A BENEFACTOR LICENSE AND PRIVILEGES ASSOCIATED~~  
45  
46

1 WITH THE TAKING AND HANDLING OF FISH AND WILDLIFE IN THIS STATE PURSUANT TO  
2 SECTION 17-333. ALL MONIES DERIVED FROM THE SALE OF LIFETIME LICENSES AND  
3 BENEFACTOR LICENSES SHALL BE DEPOSITED, PURSUANT TO SECTIONS 35-146 AND  
4 35-147, IN THE WILDLIFE ENDOWMENT FUND ESTABLISHED BY SECTION 17-271.

5 ~~F.~~ B. A lifetime ~~licenses~~ LICENSE, BENEFACTOR LICENSE and trout  
6 ~~stamps~~ STAMP may be denied or suspended pursuant to, and for the offenses  
7 described in, section 17-340.

8 ~~G.~~ C. A lifetime ~~licenses~~ LICENSE, BENEFACTOR LICENSE and trout  
9 ~~stamps remain~~ STAMP REMAIN valid if the licensee subsequently resides outside  
10 this state, but the licensee must pay the nonresident fee to purchase any  
11 additional PRIVILEGES, INCLUDING stamps, permits and tags required to hunt  
12 and fish in this state. Limits set by the commission on issuing nonresident  
13 stamps, permits or tags do not apply to stamps, permits or tags sold to a  
14 lifetime licensee.

15 ~~H. Except as provided by subsection D, paragraph 2 of this section,~~  
16 ~~monies derived from selling lifetime licenses and trout stamps shall be~~  
17 ~~distributed as follows:~~

18 ~~1. An amount equal to the fee for an equivalent annual license or~~  
19 ~~stamp shall be deposited in the game and fish fund established by section~~  
20 ~~17-261 for the year in which the lifetime license or trout stamp was sold.~~

21 ~~2. An amount equivalent to two times the maximum fee prescribed by~~  
22 ~~section 17-333 for the equivalent annual license shall be deposited in the~~  
23 ~~conservation development fund established by section 17-282 for the year in~~  
24 ~~which the lifetime license or trout stamp was sold.~~

25 ~~3. The remaining monies shall be deposited in the wildlife endowment~~  
26 ~~fund.~~

27 Sec. 19. Section 17-336, Arizona Revised Statutes, is amended to read:  
28 17-336. Complimentary and honorary youth licenses

29 A. The commission may issue a complimentary license to:

30 1. A pioneer WHO IS seventy years of age or older AND who has been a  
31 resident of this state for twenty-five or more consecutive years immediately  
32 preceding application for the license. The pioneer license is valid for the  
33 lifetime of the licensee, and the commission shall not require renewal of the  
34 license.

35 2. A veteran of the armed forces of the United States who has been a  
36 resident of this state for one year or more immediately preceding application  
37 for the license and who is receiving compensation from the United States  
38 government for permanent service connected disabilities rated as one hundred  
39 per cent disabling.

40 B. The commission may issue a youth ~~class F~~ license for a reduced fee,  
41 as prescribed by the commission, to a resident of this state who is a member  
42 of the boy scouts of America who has attained the rank of eagle scout or a  
43 member of the girl scouts of the USA who has received the gold award.

44 Sec. 20. Section 17-338, Arizona Revised Statutes, is amended to read:  
45 17-338. Remission of fees from sale of licenses or permits;

46 violation; classification

1 A. License dealers shall ~~by the tenth day of each month~~ transmit to  
2 the department all license or permit fees collected and furnish such  
3 information as the commission ~~may prescribe~~ PRESCRIBES BY RULE. The failure  
4 to make such a transmission within thirty days AFTER THE DEADLINE THE  
5 COMMISSION PRESCRIBES BY RULE shall be cause to cancel a license dealer's  
6 license. The knowing failure to transmit all collected license and permit  
7 fees within thirty days is a class 2 misdemeanor.

8 B. Persons issuing licenses or permits other than the department shall  
9 retain as their compensation five per cent of the selling price of each  
10 license or permit, except that:

11 1. Compensation for Arizona, California, Nevada and Utah-Colorado  
12 river special use permits shall be established through agreement between the  
13 respective states and the commission.

14 2. License dealers who contract with the commission to sell licenses  
15 by telecommunication may impose additional fees for their services as  
16 provided in the contract.

17 Sec. 21. Section 17-344, Arizona Revised Statutes, is amended to read:  
18 17-344. Period of validity of special permits

19 Arizona-Colorado river special use permits and California-Colorado  
20 river special use permits shall be valid from January 1 to December 31,  
21 inclusive, OR AS THE COMMISSION PRESCRIBES BY RULE OR ORDER.

22 Sec. 22. Section 17-345, Arizona Revised Statutes, is amended to read:  
23 17-345. Surcharges; purposes

24 In addition to any other fees, the commission may impose and collect:

25 1. A surcharge ~~of up to three dollars on a class A, B, C, D, F, G, H,~~  
26 ~~I, J, K, L, M or N ON A~~ license ~~and on a trout~~, PERMIT, TAG AND stamp AS THE  
27 COMMISSION PRESCRIBES BY RULE. Monies collected pursuant to this paragraph  
28 shall be segregated from other fees and deposited in the conservation  
29 development fund.

30 2. Surcharges on Arizona-Colorado river special use permits,  
31 California-Colorado river special use permits and Nevada-Colorado river  
32 special use permits issued in this state as provided by sections 17-342,  
33 17-343 and 17-344. The amount of the surcharges shall be determined by the  
34 commission. A surcharge under this paragraph is to be used solely for the  
35 purpose of the lower Colorado river multispecies conservation program under  
36 section 48-3713.03. Any monies collected pursuant to this paragraph shall be  
37 segregated from other revenues and deposited, pursuant to sections 35-146 and  
38 35-147, in a fund designated as the Colorado river special use permit  
39 clearing account. Each month, on notification by the department, the state  
40 treasurer shall pay all of the monies in the clearing account to an account  
41 designated by a multi-county county water conservation district established  
42 under title 48, chapter 22 to be used solely for the lower Colorado river  
43 multispecies conservation program and for no other purpose.

44 Sec. 23. Section 17-346, Arizona Revised Statutes, is amended to read:  
45 17-346. Special big game license tags

1 In addition to ~~the regular big game~~ ANY license tags issued under  
2 section 17-333, the commission may issue special big game license tags in the  
3 name of an incorporated nonprofit organization ~~which~~ THAT is dedicated to  
4 wildlife conservation. No more than three special big game license tags may  
5 be issued for each species of big game in a license year. Notwithstanding  
6 section 17-332, subsection D, an organization ~~which~~ THAT receives special big  
7 game license tags issued under this section may sell and transfer them if all  
8 proceeds of the sale are used in this state for wildlife management.

9 Sec. 24. Section 41-1005, Arizona Revised Statutes, is amended to  
10 read:

11 41-1005. Exemptions

12 A. This chapter does not apply to any:

13 1. Rule that relates to the use of public works, including streets and  
14 highways, under the jurisdiction of an agency if the effect of the order is  
15 indicated to the public by means of signs or signals.

16 2. Order ~~OR RULE~~ of the Arizona game and fish commission ~~that opens,~~  
17 ~~closes or alters seasons or establishes bag or possession limits for wildlife~~  
18 ~~ADOPTED PURSUANT TO SECTION 5-321 OR 5-327 THAT ESTABLISHES A FEE OR SECTION~~  
19 ~~17-333 THAT ESTABLISHES A LICENSE CLASSIFICATION, FEE OR APPLICATION FEE.~~

20 3. Rule relating to section 28-641 or to any rule regulating motor  
21 vehicle operation that relates to speed, parking, standing, stopping or  
22 passing enacted pursuant to title 28, chapter 3.

23 4. Rule concerning only the internal management of an agency that does  
24 not directly and substantially affect the procedural or substantive rights or  
25 duties of any segment of the public.

26 5. Rule that only establishes specific prices to be charged for  
27 particular goods or services sold by an agency.

28 6. Rule concerning only the physical servicing, maintenance or care of  
29 agency owned or operated facilities or property.

30 7. Rule or substantive policy statement concerning inmates or  
31 committed youths of a correctional or detention facility in secure custody or  
32 patients admitted to a hospital, if made by the state department of  
33 corrections, the department of juvenile corrections, the board of executive  
34 clemency or the department of health services or a facility or hospital under  
35 the jurisdiction of the state department of corrections, the department of  
36 juvenile corrections or the department of health services.

37 8. Form whose contents or substantive requirements are prescribed by  
38 rule or statute, and instructions for the execution or use of the form.

39 9. Capped fee-for-service schedule adopted by the Arizona health care  
40 cost containment system administration pursuant to title 36, chapter 29.

41 10. Fees prescribed by section 6-125.

42 11. Order of the director of water resources adopting or modifying a  
43 management plan pursuant to title 45, chapter 2, article 9.

44 12. Fees established under section 3-1086.

45 13. Fee-for-service schedule adopted by the department of economic  
46 security pursuant to section 8-512.

- 1 14. Fees established under sections 41-2144 and 41-2189.
- 2 15. Rule or other matter relating to agency contracts.
- 3 16. Fees established under section 32-2067 or 32-2132.
- 4 17. Rules made pursuant to section 5-111, subsection A.
- 5 18. Rules made by the Arizona state parks board concerning the  
6 operation of the Tonto natural bridge state park, the facilities located in  
7 the Tonto natural bridge state park and the entrance fees to the Tonto  
8 natural bridge state park.
- 9 19. Fees or charges established under section 41-511.05.
- 10 20. Emergency medical services protocols except as provided in section  
11 36-2205, subsection B.
- 12 21. Fee schedules established pursuant to section 36-3409.
- 13 22. Procedures of the state transportation board as prescribed in  
14 section 28-7048.
- 15 23. Rules made by the state department of corrections.
- 16 24. Fees prescribed pursuant to section 32-1527.
- 17 25. Rules made by the department of economic security pursuant to  
18 section 46-805.
- 19 26. Schedule of fees prescribed by section 23-908.
- 20 27. Procedure that is established pursuant to title 23, chapter 6,  
21 article 5 or 6.
- 22 28. Rules, administrative policies, procedures and guidelines adopted  
23 for any purpose by the Arizona commerce authority pursuant to chapter 10 of  
24 this title if the authority provides, as appropriate under the circumstances,  
25 for notice of an opportunity for comment on the proposed rules,  
26 administrative policies, procedures and guidelines.
- 27 29. Rules made by a marketing commission or marketing committee  
28 pursuant to section 3-414.
- 29 30. Administration of public assistance program monies authorized for  
30 liabilities that are incurred for disasters declared pursuant to sections  
31 26-303 and 35-192.
- 32 31. User charges, tolls, fares, rents, advertising and sponsorship  
33 charges, services charges or similar charges established pursuant to section  
34 28-7705.
- 35 B. Notwithstanding subsection A, paragraph 22 of this section, at such  
36 time as the federal highway administration authorizes the privatization of  
37 rest areas, the state transportation board shall make rules governing the  
38 lease or license by the department of transportation to a private entity for  
39 the purposes of privatization of a rest area.
- 40 C. Coincident with the making of a final rule pursuant to an exemption  
41 from the applicability of this chapter under this section, another statute or  
42 session law, the agency shall file a copy of the rule with the secretary of  
43 state for publication pursuant to section 41-1012 and provide a copy to the  
44 council.
- 45 D. Unless otherwise required by law, articles 2, 3, 4 and 5 of this  
46 chapter do not apply to the Arizona board of regents and the institutions

1 under its jurisdiction, except that the Arizona board of regents shall make  
2 policies or rules for the board and the institutions under its jurisdiction  
3 that provide, as appropriate under the circumstances, for notice of and  
4 opportunity for comment on the policies or rules proposed.

5 E. Unless otherwise required by law, articles 2, 3, 4 and 5 of this  
6 chapter do not apply to the Arizona state schools for the deaf and the blind,  
7 except that the board of directors of all the state schools for the deaf and  
8 the blind shall adopt policies for the board and the schools under its  
9 jurisdiction that provide, as appropriate under the circumstances, for notice  
10 of and opportunity for comment on the policies proposed for adoption.

11 F. Unless otherwise required by law, articles 2, 3, 4 and 5 of this  
12 chapter do not apply to the state board of education, except that the state  
13 board of education shall adopt policies or rules for the board and the  
14 institutions under its jurisdiction that provide, as appropriate under the  
15 circumstances, for notice of and opportunity for comment on the policies or  
16 rules proposed for adoption. In order to implement or change any rule, the  
17 state board of education shall provide at least two opportunities for public  
18 comment.

19 Sec. 25. Public meetings

20 Before January 1, 2014, the Arizona game and fish commission shall hold  
21 at least two public meetings before establishing the initial fees authorized  
22 by sections 5-321, 5-322 and 5-327, Arizona Revised Statutes, as amended by  
23 this act, and the initial license classifications and fees authorized by  
24 title 17, chapter 3, article 2, Arizona Revised Statutes, as amended by this  
25 act.

26 Sec. 26. Game and fish commission; continuing license validity;  
27 existing rule validity

28 A. All licenses, stamps, tags and permits that were issued by the  
29 Arizona game and fish commission for the taking and handling of wildlife  
30 under the rules effective on the effective date of this act are valid for the  
31 duration of their terms as provided on the license, stamp, tag or permit.

32 B. All commission rules effective on the effective date of this act  
33 are valid until superseded by rules adopted by the commission pursuant to  
34 this act.

35 Sec. 27. Game and fish commission; continuing fee authority

36 A. Notwithstanding any other law, through July 1, 2015 or the  
37 effective date of the rules adopted by the commission pursuant to this act,  
38 whichever is earlier, the Arizona game and fish commission is authorized to  
39 collect the following fees for motorized watercraft requiring numbering by  
40 this state:

- |    |  |         |
|----|--|---------|
| 41 | 1. Twelve feet and less                              | \$20.00 |
| 42 | 2. Twelve feet one inch through sixteen feet         | \$22.00 |
| 43 | 3. Sixteen feet one inch through twenty feet         | \$30.00 |
| 44 | 4. Twenty feet one inch through twenty-six feet      | \$35.00 |
| 45 | 5. Twenty-six feet one inch through thirty-nine feet | \$39.00 |
| 46 | 6. Thirty-nine feet one inch through sixty-four feet | \$44.00 |

1	7. Sixty-four feet one inch and over	\$66.00
2	8. Registration transfer fee	\$ 4.00
3	9. Duplicate certificate of number or annual decal	\$ 2.00
4	10. Registration expiration penalty	\$15.00
5	11. Dealer or manufacturer demonstration watercraft	
6	certificate of number and annual decal	\$ 2.50

7 B. Notwithstanding any other law, through July 1, 2015 or the  
8 effective date of the rules adopted by the commission pursuant to this act,  
9 whichever is earlier, the Arizona game and fish commission is authorized to  
10 collect the following nonresident boating safety infrastructure fee for each  
11 watercraft registered in this state by a nonresident:

12	1. Twelve feet and less	\$ 80.00
13	2. Twelve feet one inch through sixteen feet	\$ 88.00
14	3. Sixteen feet one inch through twenty feet	\$192.00
15	4. Twenty feet one inch through twenty-six feet	\$224.00
16	5. Twenty-six feet one inch through thirty-nine feet	\$253.00
17	6. Thirty-nine feet one inch through sixty-four feet	\$286.00
18	7. Sixty-four feet one inch and over	\$429.00

19 C. Notwithstanding any other law, through July 1, 2015 or the  
20 effective date of the rules adopted by the commission pursuant to this act,  
21 whichever is earlier, in addition to the fees specified in subsections A and  
22 B of this section, the Arizona game and fish commission is authorized to  
23 collect the fees for licenses, tags, permits and stamps and surcharges  
24 authorized by rules effective as of the date of this act and until those  
25 rules are superseded by rules adopted by the commission pursuant to this act.

26 Sec. 28. Transfer of fund monies

27 Any monies remaining in the waterfowl conservation fund established by  
28 section 17-270, Arizona Revised Statutes, as repealed by this act, on the  
29 effective date of this act shall be transferred to the game and fish fund  
30 established by section 17-261, Arizona Revised Statutes.

31 Sec. 29. Game and fish department; financial audit; auditor  
32 general

33 The auditor general shall conduct and complete a financial audit of the  
34 Arizona game and fish department. By January 1, 2015, the auditor general  
35 shall submit copies of the financial audit to the governor, the president of  
36 the senate, the speaker of the house of representatives and the secretary of  
37 state.

38 Sec. 30. Requirements for enactment; two-thirds vote

39 Pursuant to article IX, section 22, Constitution of Arizona, this act  
40 is effective only on the affirmative vote of at least two-thirds of the  
41 members of each house of the legislature and is effective immediately on the  
42 signature of the governor or, if the governor vetoes this act, on the  
43 subsequent affirmative vote of at least three-fourths of the members of each  
44 house of the legislature.

S.B. 1223

APPROVED BY THE GOVERNOR MAY 7, 2013.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 8, 2013.