

Arizona Game and Fish Department Legislative Communication Effectiveness Evaluation



Second Regular Legislative Session (2002)

Introduction

It is important to periodically evaluate our ability to communicate our position on issues with the state legislature. The legislative voting record on these issues is one way to measure our effectiveness in communicating our position. The following is a list of legislative voting records from the last regular session (2002) for issues on which the Game and Fish Commission has taken a formal position. A brief summary of the bills/issues is also included.

Key to the Tables on the Following Pages

S = Legislator signed on as a sponsor of the particular legislation.

+ = Voted with the formal position taken by the Commission.

- = Voted against the formal position taken by the Commission.

***** = No vote was taken in Committee or on the floor, or the member was absent when the vote was taken.

Agreement/Actions = Number of times legislators voted in agreement with the Commission's position versus the number of times legislators actually voted on Department policy.

% Agreement = Agreement between legislators voting record and Commission positions on the issues. This number is derived by dividing the number of a legislator's actions (votes and/or sponsorship) that agrees with the Commission position by the total number of actions taken by the legislator on these issues.

Note: This scorecard is not intended to be used in judging legislators, but rather, our ability to effectively communicate our position on issues. Some issues are more important than others and don't deserve equal footing. Also, these calculations do not take into account work that goes on behind the scene on legislative issues (i.e., helping a bill be heard and debated). This is a valuable tool, but it is also an imperfect one.

Members of the 45th Legislature (2001-2002)

(R) = Republican; (D) = Democrat

<u>DISTRICT</u>	<u>SENATOR</u>	<u>REPRESENTATIVES</u>
1	Ken Bennett (R)	Linda Binder (R) / Henry Camarot (D)
2	John Verkamp (R)	Tom O'Halleran (R) / Jim Sedillo (D)
3	Jack C. Jackson (D)	Sylvia Laughter (D) / Albert Tom (D)
4	Jack Brown (D)	Debra Brimhall (R) / Jake Flake (R)
5	Herb Guenther (D)	Robert Cannell (D) / Jim Carruthers (R)
6	Lori Daniels (R)	John Huppenthal (R) / Robert Robson (R)
7	Peter Rios (D)	Mark Clark (D) / Cheryl Chase (D)
8	Marsha Arzberger (R)	Mark Maiorana (D) / Bobby Lugo (D)
9	Tim Bee (R)	Marian McClure (R) / Randy Graf (R)
10	Ramon Valadez (D)	Victor Soltero (D) / Linda Lopez (D)
11	Elaine Richardson (D)	Carmine Cardamone (D) / Debora Norris (D)
12	Toni Hellon (R)	Steve Huffman (R) / Peter Hershberger (R)
13	Virginia Yrun (D)	Carol Somers (R) / Gabrielle Giffords (D)
14	Ruth Solomon (D)	Edward Poelstra (R) / Marion Pickens (D)
15	Edward Cirillo (R)	Mike Gleason (R) / Robert Blendu (R)
16	Darden Hamilton (R)	Jim Weiers (R) / Linda Gray (R)
17	Brenda Burns (R)	Phil Hanson (R) / John Nelson (R)
18	Susan Gerard (R)	James Kraft (R) / Deb Gullet (R)
19	Scott Bundgaard (R)	Ted Carpenter (R) / Roberta Voss (R)
20	Mary Hartley (D)	Bill Brotherton (D) / Kathi Foster (D)
21	Marilyn Jarritt (R)	Dean Cooley (R) / Gary Pierce (R)
22	Joe Eddie Lopez (D)	John Loreda (D) / Richard Miranda (D)
23	Linda Aguirre (D)	Carlos Avelar (D) / Leah Landrum (D)
24	Dean Martin (R)	Steve Tully (R) / Barbara Leff (R)
25	Chris Cumiskey (D)	Ken Chevront (D) / Christine Weason (D)
26	Tom Smith (R)	Jeff Hatch-Miller (R) / Steve May (R)
27	Harry Mitchell (D)	Meg Burton-Cahill (D) / Laura Knaperek (R)
28	Randall Gnant (R)	Carolyn Allen (R) / Wes Marsh (R)
29	David Petersen (R)	Mark Anderson (R) / Russell Pearce (R)
30	Jay Blanchard (D)	Edward Farnsworth (R) / Karen Johnson (R)

**Index of Legislation Enacted into Law
Laws 2002, 45th Legislature, 2nd Regular Session
Game and Fish Department Final Summary**

Short Title of Legislation	Bill #	Chapter Law #	Page #(s)
Fishing Tournament Penalties	S1370	Chapter 103	8
Game and Fish Commission	H2048	Chapter 12	6
Hunting Licenses	S1367	Chapter 315	8
Lottery Continuation	HCR2012	Transmitted to Secretary of State	6
Self Storage Facilities; Vehicle Foreclosure	H2116	Chapter 78	6
Shooting Ranges	S1008	Chapter 222	7
State Agencies; Rulemaking	S1339	Awaiting	7
State Agency Reports; Web Site	H2414	Chapter 116	6
State Land	S1274	Chapter 204	7
Watercraft; Extreme DUI	S1366	Chapter 225	8
Watercraft; Towing Companies	S1250	Chapter 314	7

**Index of Legislation Died/ Failed to Pass
Laws 2002, 45th Legislature, 2nd Regular Session
Game and Fish Department Final Summary**

Short Title of Legislation	Bill #	Status	Page #(s)
Federal Monies; Legislative Control	SCR1019	Died/Failed to Pass	9
Game and Fish; Hunting Licenses	H2614	Died/Failed to Pass	9
Motor Vehicle License Plates S/E Hunters Trespassing	H2592	Died/Failed to Pass	9
Shooting Ranges	H2218	Died/Failed to Pass	9
Trade and Commerce; Personal Data	S1258	Died/Failed to Pass	9
Watercraft Operation	H2618	Died/Failed to Pass	9

Department-Related Legislation
House Bills Enacted into Law
45th Regular Session, 2nd Regular Session

H2048: Game and Fish Commission

(Chapter 12, Laws 2002)

(Rep. O'Halleran and 5) The single sunset date for the Arizona Game and Fish Department, Game and Fish Commission and Game and Fish Department director is extended ten years, to July 1, 2012. The legislature will continue the Arizona Game and Fish Commission, Department and Director to manage wildlife as provided by law. Retroactive to July 1, 2002. **Signed by Governor Hull 4/9/02.**

H2116: Self Storage Facilities; Vehicle Foreclosures

(Chapter 78, Laws 2002)

(Rep. Weason and 7) The operator of a self-service storage facility may foreclose on vehicle or watercraft after thirty days of non-payment of rent. The operator may then request registration records of watercraft from the director of the Game and Fish Department in order to contact the watercraft owner of intent to sell. Operator is liable to no one but the registered owner and lienholder. **Signed by Governor Hull 4/29/02.**

H2414: State Agency Reports; Web Site

(Chapter 116, Laws 2002)

(Rep. Leff and 2) State agencies that maintain a Web site must post on the site any annual report of activities the agency is required by to make or elects to make. This pertains to annual reports of overall agency activity, not all annual departmental activities. These agencies will distribute printed copies of annual reports to the Governor, the President of the Senate, the Speaker of the House and a sufficient number of printed copies to the Arizona State Library, Archives and Public Record and notify them accordingly. The Director of the Joint Legislative Budget Committee must be notified of agency savings from limited printings by January 1, 2004. **Signed by Governor Hull 5/1/02.**

HCR2012: Lottery Continuation

(Transmitted to Secretary of State)

(Rep. Allen and 9; Sen. Gerard and 1) Referendum to be placed on the general election ballot of 2002. Question will be asked of the voters whether or not to amend the law in order to extend the sunset date of the state Lottery to July 1, 2012. If passed by voters, the state lottery would continue to contribute monies to the Heritage Fund of which the Department benefits. **To Secretary of State Bayless for placement on the 2002 general election ballot.**

Department-Related Legislation
Senate Bills Enacted into Law
45th Legislature, 2nd Regular Session

S1008: Shooting Ranges

(Chapter 222, Laws 2002)

(Sen. Smith) Adds a new chapter to Title 17. Defines outdoor shooting ranges, establishes sound standards and uniform operating procedures for nighttime outdoor shooting. These new standards will be used to establish a legal defense against civil liability regarding sound pollution. Hours of operation are established for residential area shooting ranges, in exception of use by military or law enforcement training with prior notice given to the public. Shooting ranges in operation by July 1, 2002 must comply with provisions by July 1, 2003. **Signed by Governor Hull, 5/17/02.**

S1250: Watercraft; Towing Companies

(Chapter 314, Laws 2002)

(Sen. Aguirre and 1; Rep. Avelar and 1) Establishes a process by which a towing company may obtain ownership of an abandoned watercraft with intent to sell. The Game and Fish Department may release registration records of a watercraft to a towing company alleging that the watercraft is in the company's possession and that the request is made to notify the owner and any lienholders of the company's intent to sell. Additional requirements of the Department are made. The Department may incur fees for the release of information. **Signed by Governor Hull, 5/28/02.**

S1274: State Land

(Chapter 204, Laws 2002)

(Sen. Martin and 3) Requires state land lessees to pay rent on and maintain non-removable improvements. New requirements for lessees of state land are added in public lands codes. Certain improvements may be removed 60 days prior to expiration of lease until 90 days after expiration of lease. Wells, embankments or dams are still protected upon authorization of State Land Department. **Signed by Governor Hull, 5/9/02.**

S1339: State Agencies; Rulemaking

(Chapter 334, Laws 2002)

(Sen. Burns and 3; Rep. Allen and 3) Makes various changes to statutes governing rulemaking procedures for state agencies. Exceptions are given to self-supporting regulatory boards. Rules become effective sixty days after receipt and acknowledgement from the Secretary of State's office, except in certain situations. The preamble of any rule will include reference to any relevant study the agency reviewed and whether it did or did not rely on to justify the rule. Substantive policy statements will include advisory disclaimer. **Signed by Governor Hull, 6/4/2002.**

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Department-Related Legislation
Senate Bills Enacted into Law
45th Legislature, 2nd Regular Session (cont.)

S1366: Watercraft; extreme DUI

(Chapter 225, Laws 2002)

(Sen. Guenther and 1; Rep. Cannell and 3) Adds sections to Title 5. Defines “extreme OUI” as having an alcohol concentration of 0.15 or more within two hours of operating or being in actual physical control of a motorized watercraft. Makes it a class 1 misdemeanor to operate or be in actual physical control of a motorized watercraft while under the extreme influence of alcohol, and establishes legal proceedings. Requires reimbursement of incarceration costs from violators. **Signed by Governor Hull 5/17/02.**

S1367: Hunting Licenses

(Chapter 315, Laws 2002)

(Sen. Guenther and 4; Rep. Cannell and 1) The statute barring application for or obtaining a license or permit by fraud is expanded to include knowingly applying for a permit or license as fraud. To apply for a license or permit by fraud is elevated from a class 3 misdemeanor to a class 2. The Commission may deny violators the right to secure another license for a period not to exceed five years. **Signed by Governor Hull, 5/28/02.**

S1370: Fishing Tournament Penalties

(Chapter 103, Laws 2002)

(Sen. Guenther and 3; Rep. Cannell and 1) Clean-up legislation that repeals the section from statute that makes it a violation to conduct a fishing event or contest on public waters without a permit from the Department. The Department has no responsibility to fishing events or contests that require an entrant to register and that award prizes, points or money. **Signed by Governor Hull 4/29/02.**

Department Related Legislation
House Bills Died/Failed to Pass
45th Legislature, 2nd Regular Session

H2218: Shooting Ranges

(Rep. Brimhall and 4) Outdoor shooting ranges would have an affirmative defense against civil liability regarding sound disturbance allegations provided ranges complied with all sound ordinances created at the time that the local government approved the range's construction or operation, if any, or a substantial change in the range's nature of use had not occurred. Established local government's authority over range operations, which were outlined. Exempted indoor ranges and made certain exemptions for sport ranges. Defined "shooting range" or "range". **Died, failed in House Committee on Retirement and Government Affairs.**

H2592: Motor Vehicle License Plates, S/E Hunters Trespassing

(Rep. Marsh) Proposed amendment would have prohibited sportsmen's activities on private land, and would have waived the private landowner's requirement to post signs prohibiting sportsmen's activities from their property. **Failed in House Committee on Military and Veteran's Affairs.**

H2614: Game and Fish Hunting Licenses

(Rep. Hershberger and 2; Sen. Hellon) The Department would no longer allow applicants for tags or licenses to use their social security numbers as their sportsmen's ID number, and would have to issue an alternate sportsmen's ID number. This would be retroactive to all applicants in the sportsmen's database, and would require the Department to contact all applicants to inform them that their ID numbers would be changed. As an unfunded mandate, the Department would assume all costs of implementation. **Did not receive a hearing in House Committee on Natural Resources and Agriculture.**

H2618: Watercraft Operation

(Rep. Burton Cahill and 21; Sen. Blanchard and 7) In addition to any criminal penalties, a person committing a violation of the watercraft personal flotation device section must be required to take a boater education course. The Department would be responsible for furnishing a sufficient number of classes to accommodate the need. **Did not receive a hearing in House Committee on Retirement and Government Affairs.**

SCR1019: Federal Monies; Legislative Control

(Sen. Gnant and 2; Rep. Farnsworth and 2) Referendum that would have carried the question before the voters on the 2002 general election ballot. Any state budget unit receiving "noncustodial federal monies" would have to account for them in separate accounts. The legislature would retain the authority to appropriate these monies. Defines "noncustodial federal monies" as block grants, general revenue-sharing, monies providing the state with broad spending-decision authority, or monies "considered essential" to meet spending obligations of a federally required or matched service where at least one per cent of the funding must come from the state. **Died, missed deadline to be heard in conference committee.**

**Arizona House of Representatives
Voting Record and (%) Agreement
2nd Regular Session 2002**

Game and Fish Comm. Position	H2048	H2116	HCR2012	S1008	S1250	S1366	S1367	S1370	H2592	SCR1019	Agreed/ Actions	% Agreed
	Support	Oppose	Oppose	x of x	100							
Allen	+	*	S*	*	*	*	*	*	*	*	1 of 1	100
Anderson	+	S*	*	+	*	+	+	+	*	*	5 of 5	100
Avelar	+	+	+	S+	+	+	+	+	*	+	9 of 9	100
Binder	+	*	S*	+	+	+	+	+	*	-	6 of 7	86
Blendu	+	+	S+	+	-	-	+	+	*	-	6 of 9	67
Brimhall	-	+	-	+	-	+	+	+	*	-	5 of 9	56
Brotherton	+	+	+	+	+	+	+	+	*	+	9 of 9	100
Burton Cahill	S+	S+	+	+	+	+	+	+	*	+	9 of 9	100
Camarot	+	+	+	+	+	+	+	+	*	+	9 of 9	100
Cannell	+	*	*	+	+	S+	S+	S+	*	+	7 of 7	100
Cardamone	+	+	+	+	+	S+	*	+	*	+	8 of 8	100
Carpenter	+	+	+	+	-	-	+	+	*	-	6 of 9	67
Carruthers	+	+	+	+	+	S+	+	+	*	+	9 of 9	100
Chase	+	+	+	+	+	+	*	+	*	+	8 of 8	100
Chevront	+	+	-	+	+	*	+	+	*	+	7 of 8	88
Clark	S+	S+	+	+	+	+	+	+	*	+	9 of 9	100
Cooley	+	S+	-	S+	+	-	-	+	*	-	5 of 9	56
Farnsworth	+	+	-	+	-	-	-	+	*	-	4 of 9	44
Flake	+	+	-	-	+	+	*	*	*	-	4 of 7	57
Foster	+	+	+	+	+	+	+	+	*	+	9 of 9	100
Giffords	*	+	+	+	+	+	+	+	*	+	8 of 8	100
Gleason	S+	+	-	+	+	+	+	*	*	-	6 of 8	75
Graf	+	+	-	+	-	-	+	+	*	-	5 of 9	56
Gray	+	+	-	+	+	+	+	+	*	-	7 of 9	78
Gullett	S+	+	S+	+	+	+	+	+	*	-	8 of 9	89
Hanson	+	+	+	+	+	+	+	+	*	*	8 of 8	100
Hatch-Miller	+	+	-	+	-	+	*	+	*	-	5 of 9	56
Hershberger	+	+	+	+	+	+	+	*	*	-	7 of 8	88
Huffman	+	+	S+	+	+	+	+	+	*	-	8 of 9	89
Huppenthal	+	+	-	+	+	-	*	+	*	-	5 of 8	63

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**Arizona House of Representatives
Voting Record and (%) Agreement
2nd Regular Session, 2002 (cont.)**

Game and Fish Comm. Position	H2048	H2116	HCR2012	S1008	S1250	S1366	S1367	S1370	H2592	SCR1019	Agreed/ Action	% Agreed
	Support	Support	Support	Support	Support	Support	Support	Support	Oppose	Oppose	X of X	100
Johnson	-	+	-	+	+	-	-	*	*	-	3 of 8	38
Knaperek	+	+	-	+	+	*	+	+	*	-	6 of 8	75
Kraft	+	+	S+	+	+	+	+	+	*	-	8 of 9	89
Landrum	+	+	+	+	+	+	+	+	*	+	9 of 9	100
Laughter	+	+	-	+	+	-	*	+	*	+	6 of 8	75
Leff	+	+	+	+	+	+	+	+	*	-	8 of 9	89
Lopez	+	+	+	+	+	+	+	+	*	+	9 of 9	100
Loredo	+	+	+	+	+	+	+	+	*	+	9 of 9	100
Lugo	+	+	+	+	+	+	+	+	*	+	9 of 9	100
Maiorana	+	+	+	+	+	+	+	+	*	+	9 of 9	100
Marsh	+	*	*	+	-	-	-	+	*	-	3 of 7	43
May	+	+	+	+	+	+	*	+	*	-	7 of 8	88
McClure	+	+	+	+	+	+	*	+	*	-	7 of 8	88
Miranda	+	+	+	+	+	+	+	*	*	+	8 of 8	100
Nelson	+	+	S+	+	+	+	*	*	*	-	6 of 7	88
Norris	+	*	*	*	+	*	*	+	*	+	4 of 4	100
O'Halleran	S+	+	S+	+	+	S+	S+	S+	*	-	8 of 9	89
Pearce	+	S+	-	+	+	*	+	+	*	-	6 of 8	75
Pickens	+	+	+	+	+	+	+	+	*	+	9 of 9	100
Pierce	+	+	-	+	-	*	+	+	*	-	5 of 8	63
Poelstra	+	S+	S+	+	+	+	+	+	*	+	9 of 9	100
Robson	+	+	-	+	+	-	-	+	*	-	5 of 9	56
Sedillo	S+	+	+	+	+	+	+	+	*	*	8 of 8	100
Soltero	+	+	+	+	+	+	+	+	*	+	9 of 9	100
Somers	+	S+	S+	+	+	+	+	+	*	-	8 of 9	89
Tom	+	+	+	+	+	*	+	+	*	+	8 of 8	100
Tully	+	+	+	+	+	-	*	+	*	-	6 of 8	75
Voss	+	+	+	+	+	+	+	+	*	-	8 of 9	89
Weason	+	S+	+	+	+	+	*	+	*	+	8 of 8	100
Weiers	+	+	-	+	+	+	+	+	*	-	7 of 9	78

**Arizona Senate
Voting Record and (%) Agreement
2nd Regular Session 2002**

Game and Fish Comm. Position	H2048	H2116	HCR2012	S1008	S1250	S1366	S1367	S1370	H2592	SCR1019	Agreed/ Action	% Agreed
	Support	Oppose	Oppose	X of X	100							
Aguirre	+	+	+	+	S+	+	+	S+	*	+	9 of 9	100
Arzberger	+	+	+	+	*	S+	S-	S+	*	+	7 of 8	88
Bee	+	+	-	+	+	+	+	+	*	-	7 of 9	78
Bennett	+	+	-	-	+	+	+	+	*	-	6 of 9	67
Blanchard	+	+	+	+	+	+	+	+	*	-	8 of 9	89
Brown	*	+	-	+	+	+	S+	S+	*	+	7 of 8	88
Bundgaard	+	+	-	+	+	+	+	-	*	-	6 of 9	67
Burns	+	*	*	+	+	+	+	+	*	-	6 of 7	86
Cirillo	+	+	+	+	+	+	+	+	*	-	8 of 9	89
Cummiskey	+	+	+	*	+	+	+	+	*	+	8 of 8	100
Daniels	+	+	+	+	+	+	+	+	*	-	8 of 9	89
Gerard	+	+	S+	+	+	+	+	-	*	+	8 of 9	89
Gnant (pres)	+	+	S+	+	+	+	+	+	*	-	8 of 9	89
Guenther	+	+	+	+	+	S+	S+	S+	*	+	9 of 9	100
Hamilton	+	+	-	+	+	+	+	+	*	-	7 of 9	78
Hartley	+	+	+	-	-	+	+	+	*	+	7 of 9	78
Hellon	+	+	+	+	+	+	+	+	*	+	9 of 9	100
Jackson	+	+	-	*	+	+	+	*	*	+	6 of 7	86
Jarrett	+	+	-	*	*	*	+	+	*	*	4 of 5	80
Lopez	+	+	-	*	*	+	+	+	*	+	6 of 7	86
Martin	+	+	-	+	+	+	+	+	*	-	7 of 9	78
Mitchell	+	+	+	-	+	+	S+	+	*	+	8 of 9	89
Petersen	+	+	-	-	S+	+	+	+	*	-	6 of 9	67
Richardson	+	+	+	*	+	*	S+	+	*	*	6 of 6	100
Rios	+	+	+	*	+	+	+	+	*	+	8 of 8	100
Smith	+	+	-	S+	+	+	+	+	*	-	7 of 9	78
Solomon	+	+	+	+	+	+	+	+	*	-	8 of 9	89
Valadez	+	+	+	+	+	+	+	+	*	+	9 of 9	100
Verkamp	+	+	+	+	+	+	+	+	*	+	9 of 9	100
Yrun	+	+	+	*	+	+	+	+	*	+	8 of 8	100