NOTICES OF FINAL RULEMAKING

This section of the *Arizona Administrative Register* contains Notices of Final Rulemaking. Final rules have been through the regular rulemaking process as defined in the Administrative Procedures Act. These rules were either approved by the Governor's Regulatory Review Council or the Attorney General's Office. Certificates of Approval are on file with the Office.

The final published notice includes a preamble and text of the rules as filed by the agency. Economic Impact Statements are not published.

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the interpretation of the final rules should be addressed to the agency that promulgated them. Refer to Item #5 to contact the person charged with the rulemaking. The codified version of these rules will be published in the *Arizona Administrative Code*.

NOTICE OF FINAL RULEMAKING

TITLE 8. EMERGENCY AND MILITARY AFFAIRS

CHAPTER 2. DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS DIVISION OF EMERGENCY MANAGEMENT

[R15-175]

PREAMBLE

1. Article, Part, or Section Affected (as applicable) — **Rulemaking Action**

R8-2-101	Amend
R8-2-102	Amend
R8-2-103	Amend
R8-2-104	Amend
R8-2-105	Amend

2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):

Authorizing statute: A.R.S. §§ 26-306(A)(3), 26-306(A)(8), 35-192(C), 35-192(D)(4)

Implementing statute: A.R.S. § 35-192(G)

3. The effective date of the rules:

January 11, 2016

a. If the agency selected a date earlier than the 60-day effective date as specified in A.R.S. § 41-1032 (A), include the earlier date and state the reason or reasons the agency selected the earlier effective date as provided in A.R.S § 41-1032 (A) (1) through (5):

Not applicable

b. If the agency selected a date later than the 60 day effective date as specified in A.R.S. § 41-1032 (A), include the later date and state the reason or reasons the agency selected the later effective date as provided in A.R.S. § 41-1032 (B):

Not applicable

4. Citations to all related notices published the *Register* as specified in R1-1409 (A) that pertain to the record of the proposed rules:

Notice of Rulemaking Docket Opening: 21 A.A.R. 1198, July 24, 2015

Notice of Proposed Rulemaking: 21 A.A.R. 1151, July 24, 2015

5. The agency's contact person who can answer questions about the rulemaking:

Name: Travis Schulte, Legislative Liaison

Address: Department of Emergency and Military Affairs
5636 E. McDowell Rd.
Phoenix, AZ 85008

Telephone: (602) 267-2732

Fax: (602) 267-2549

E-mail: travis.schulte@azdema.gov

Website: www.dema.az.gov

6. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:

The purpose is to make simple technical and conforming changes that update *Arizona Administrative Code* to reflect current and future practices. These updates have been requested by Arizona's County Sheriffs, who pursuant to A.R.S. § 11-441(C) are statutorily responsible for performing search and rescue activities. A.R.S. § 35-192 (C) authorizes the reimbursement for allowable search and rescue liabilities and expenses from an allocation of the Governor's Emergency Fund.

An exemption from Executive Order 2015-01 was provided for this rulemaking action by Ted Vogt, Chief of Operations for the Governor's office, in an e-mail dated May 27, 2015. Per paragraph 2(g) of Executive Order 2015-01, rulemaking activities are permitted for items exempt from Title 41, Chapter 6, Arizona Revised Statutes. *Arizona Administrative Code* Title 8, Chapter 2, Article 1 provides the process for County Sheriffs to request reimbursement for eligible search and rescue expenses, which is authorized by A.R.S. § 35-192, which is exempt from Title 41, Chapter 6, Arizona Revised Statutes, pursuant to section 41-1005(A)(30). In addition, this amendment will ameliorate the current rule governing the reimbursement process, which is permitted by paragraph 2(b) of Executive Order 2015-01.

7. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

The agency did not review or rely on any study relevant to the rules.

8. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

9. A summary of the economic, small business, and consumer impact:

The agency anticipates the rule changes will have no economic impact. The rule changes simply update terms and procedures to reflect current practices.

10. A description of any changes between the proposed rulemaking, to include supplemental notices, and the final rulemaking:

There are no substantive changes between the proposed rules and the final rules.

11. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments:

No oral or written comments were received regarding the rulemaking.

12. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. § 41-1052 and 41-1055 shall respond to the following questions:

Not applicable

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

The rules do not require issuance of a regulatory permit or license.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

No federal law is applicable.

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

No analysis was submitted.

13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

These rules contain no material incorporated by reference.

14. Whether the rule was previously made, amended or repealed as an emergency rule. If so, cite the notice published in the Register as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:

None of the rules were previously made, amended, or repealed as an emergency rule.

15. The full text of the rule follows:

TITLE 8. EMERGENCY AND MILITARY AFFAIRS

CHAPTER 2. DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS
DIVISION OF EMERGENCY MANAGEMENT

ARTICLE 1. SEARCH ~~OR~~ AND RESCUE

Section
R8-2-101. Definitions
R8-2-102. Support of Search ~~or~~ and Rescue Operations
R8-2-103. Reimbursement to County Governments
R8-2-104. Reimbursement to a Department or Agency of the State
R8-2-105. Claimant Procedures and Supporting Documentation

ARTICLE 1. SEARCH ~~OR~~ AND RESCUE

R8-2-101. Definitions

In this Article, for purposes of these rules, and unless the text requires otherwise:

1. "Claim" means documentation of eligible expenses associated with the conduct of a search and rescue mission.
~~1~~2. "Claimant" means a department of the state or a political subdivision eligible to receive state reimbursement for search or rescue operations.
~~2~~3. "Emergency Operations Center for Search ~~or~~ and Rescue" means the State Emergency Operations Center provides coordination, communications, ~~technical~~, administrative and support assistance. The center is located in the offices of the State Division of Emergency ~~Services~~ Management.
~~3~~4. "Mission" means any action required to accomplish that portion of Title 26, Arizona Revised Statutes, relating to the preparation for and conduct of search ~~or~~ and rescue operations.
~~4~~5. "Mission coordinator" means the county sheriff, or sheriff's designee, excluding federal reservations, where agreements are nonexistent.
~~5~~6. "Mission identifier" means a number assigned by the State Division of Emergency ~~Services~~ Management to identify a search ~~or~~ and rescue mission.
~~6~~7. "On-scene coordinator" means the individual Search and Rescue (SAR) Coordinator ~~or team chief~~ designated by the sheriff as the on-scene person in charge of a particular search ~~or~~ and rescue mission.
~~7~~8. "Political subdivision" means, within the context of this Article, a county ~~government~~ sheriff.
~~8~~9. "Recovery" means to relocate, under direction of ~~competent~~ the statutory authority, a deceased person from the site of his demise to an appropriate location.
~~9~~10. "Reimbursement" means the payment of state funds in accordance with A.R.S. § 35-192.01(A) and (B).
~~10~~11. "Rescue" means to render aid, under the direction of ~~competent authority~~ the county sheriff, to persons whose life or health is threatened by circumstances beyond their control and return them to a place of safety.
~~11~~12. "Search" means to seek out and locate, by the use of air, surface, and/or subsurface equipment and qualified registered personnel, live persons known or thought to be, by ~~competent authority~~ the county sheriff, in a distress situation and unable to reach a place of safety by their own efforts.

R8-2-102. Support of Search ~~or~~ and Rescue Operations

A. The Director of the Division of Emergency ~~Services~~ Management, in accordance with A.R.S. Title 26, is responsible for supporting search or rescue operations of the state, coordinating the use of state resources or the resources of one or more political subdivisions in support of any other political subdivision in the conduct of search ~~or~~ and rescue operations and for providing the services of a state search or rescue coordinator.

B. The Division of Emergency ~~Services~~ Management shall coordinate activities to include the following:

1. Mission identifiers for search ~~or~~ and rescue operations.
   ~~a. To obtain a mission identifier during business hours, contact the State Division of Emergency Services by telephone~~. Authorized county sheriff search and rescue coordinators may obtain Mission Numbers through the Division of Emergency Management's ~~SAR~~ Search and Rescue (SAR) data collection system.
   ~~b. On weekends, holidays or other than normal business hours, contact the headquarters of the Department of Public Safety by telephone. The name and telephone number of the caller will be relayed to personnel of the Division of Emergency Services who will assist the caller~~.
2. State government personnel and/or equipment, including the Arizona National Guard.
3. United States military personnel and/or equipment.
4. Resources not readily available locally.
5. Resources to support responsible authorities on federal reservations.
6. Specialized personnel and/or equipment from other states.
~~7. A state government search or rescue coordinator to assist the on-scene coordinator~~.
~~8~~7. Reimbursement of eligible claims.
~~9~~8. Prescribing forms and/or procedures for acquiring mission identifiers, reporting search or rescue mission activities, claiming reimbursement of eligible expenses and similar administrative matters.

R8-2-103. Reimbursement to County Governments

A. Reimbursement to county governments from the Governor's Emergency Fund is authorized for eligible expenses incurred during the conduct of search or rescue operations. A search ~~or~~ and rescue mission, in order to qualify for reimbursement must fall within the purview of A.R.S. § 35-192(C). Claims should be submitted within ~~21~~ 60 calendar days after the close or suspension of the mission. Eligible and ineligible expenses are itemized below:

1. Eligible:
   a. Salaries or contracts for the services of specialized personnel, provided that prior approval has been obtained from the Director, Division of Emergency ~~Services~~ Management.
   b. Overtime pay for eligible government employees. The claimant's overtime policy must be adhered to when submitting for overtime.
   c. Telephone ~~or telegraph charges~~ and data charges directly related to search or rescue missions.
   d. Reimbursement of recovery expenses should the subject of an eligible search ~~or~~ and rescue mission be found deceased. Reimbursement of recovery expenses for a suspected decedent may be authorized with the prior approval of the Director, Division of Emergency ~~Services~~ Management.
   e. Cost of materials and supplies procured with public funds or taken from government stocks and consumed, lost, damaged or destroyed during an eligible search ~~or~~ and rescue mission.
   f. Rental costs of specialized equipment or aircraft, provided that the rates do not exceed the lowest rates available for the same or similar equipment. The prior approval of the Director, Division of Emergency ~~Services~~ Management is required.
   g. Actual costs of fuel or lubricants paid by a county government for the operation of vehicles, equipment, or aircraft.
   h. Repairs to surface/subsurface vehicles and equipment damaged during search ~~or~~ and rescue missions. Costs are limited to the restoration of the immediate pre-mission condition.
   i. Reimbursements will be made only for equipment specifically required for the conduct of the search and rescue mission.
2. Ineligible:
   a. Regular salaries or wages of government employees,
   b. Salaries or wages of elected or appointed officials and employees ineligible for overtime pay,
   c. Office supplies and equipment,
   d. Rental of administrative office space,
   e. Purchase of equipment or facilities,
   f. Cost of items of personal wearing apparel~~.~~,
   g. Firearms.

B. The eligibility of other expenses shall be determined by the Director, Division of Emergency ~~Services~~ Management, within the scope of this guidance, on a case-by-case basis.

R8-2-104. Reimbursement to a Department or Agency of the State

A. Expenses incurred, resulting from participation in search ~~or~~ and rescue missions, shall be borne initially by the state department or agency. Reimbursement shall be governed by A.R.S. § 35-192.01(B). Claims should be submitted within ~~21~~ 60 calendar days after the close or suspension of a mission. Eligible and ineligible expenses are itemized below:

1. Eligible:
   a. Salaries or wages of ~~extra~~ employees directly engaged in search or rescue work.
   b. Salaries or wages of regular employees who are diverted from their normal duties to engage in search or rescue work.
   c. Overtime pay for eligible regular employees.
   d. Communications charges directly related to search or rescue operations.
   e. Travel directly related to search or rescue operations.
   f. Reimbursement of recovery expenses should the subject of an eligible search ~~or~~ and rescue mission be found deceased. Reimbursement of recovery expenses for a suspected decedent may be authorized with the prior approval of the Director, Division of Emergency ~~Services~~ Management.
   g. Cost of materials and supplies procured with public funds or taken from government stocks and consumed, lost, damaged or destroyed during an eligible search ~~or~~ and rescue mission.
   h. Rental costs of specialized equipment or aircraft, provided that the rates do not exceed the lowest rates available for the same or similar equipment. Sole source providers will be considered. The prior approval of the Director, Division of ~~emergency Services~~ Emergency Management is required.
   i. Actual cost of fuel or lubricants paid by a state department or agency for the operation of vehicles, equipment or aircraft.
   j. Repairs to surface/subsurface vehicles and equipment damaged during search or rescue mission. Costs are limited to the restoration of the immediate ~~premission~~ pre-mission condition.
   k. Reimbursements will be made only for equipment specifically required for the conduct of the search and rescue mission.
2. Ineligible:
   a. Salaries or wages of elected or appointed officials ~~and employees ineligible for overtime pay~~,
   b. Office supplies and equipment,
   c. Rental of administrative office space,
   d. Costs of items of personal apparel~~.~~,

e. Firearms.

B. The eligibility of other expenses shall be determined by the director, Division of Emergency ~~Services~~ Management, within the scope of this guidance, on a case-by-case basis.

R8-2-105. Claimant Procedures and Supporting Documentation

A. Claims for reimbursement require certification by competent authority. Certification must include:

1. The name of the agency.
2. The date of the claim and the search ~~or~~ and rescue mission identifier.
3. The name of each payee and the date the claimant paid each.
4. The item or service for which each payee received payment.
5. The amount paid each payee.
6. A statement that the documents supporting the claim are available in the claimant agency for review by the State Auditor General and/or the auditor from the Division of ~~emergency Services~~ Emergency Management.
7. The signature of the individual authorized to file claims for the claimant agency.

B. The amounts claimed for reimbursement from the Governor's Emergency Fund must be based on eligible expenditures for a search ~~or~~ and rescue mission to which a mission identifier has been assigned.

C. Appropriate documents, as prescribed by the Director, Division of Emergency ~~Services~~ Management, supporting each claim must be retained by the claimant pending audit by the State Auditor General and/or the Division of Emergency ~~Services~~ Management Auditor. These documents shall be retained following the reimbursement of a claim in accordance with retention schedules established by the Arizona State Library, Archives and Public Records pursuant to A.R.S. § 41-151 *et seq*.

NOTICE OF FINAL RULEMAKING

TITLE 12. NATURAL RESOURCES

CHAPTER 4. GAME AND FISH COMMISSION

[R15-170]

PREAMBLE

1. Article, Part, or Section Affected (as applicable)

Article, Part, or Section Affected (as applicable)	Rulemaking Action
R12-4-101	Amend
R12-4-103	Amend
R12-4-104	Amend
R12-4-105	Amend
R12-4-106	Amend
R12-4-107	Amend
R12-4-108	Amend
R12-4-110	Amend
R12-4-111	Amend
R12-4-112	Amend
R12-4-113	Amend
R12-4-114	Amend
R12-4-115	Amend
R12-4-116	Amend
R12-4-117	Amend
R12-4-118	New Section
R12-4-119	Amend
R12-4-120	Amend
R12-4-121	Amend
R12-4-124	New Section
R12-4-125	Renumber
R12-4-125	Amend
R12-4-302	Amend
R12-4-611	Amend
R12-4-804	Renumber

2. Citations to the agency's statutory authority to include the authorizing statute (general) and the implementing statute (specific):

Authorizing statute: A.R.S. § 17-231(A)(1)

Implementing statute: A.R.S. §§ 17-102, 17-211(E)(4), 17-214, 17-231(A)(2), 17-231(A)(3), 17-231(A)(8), 17-

231(B)(2), 17-234, 17-239, 17-240(A), 17-250(A)(3), 17-304, 17-309(A)(19), 17-315(B)(1), 17-331(A), 17-332, 17-333, 17-333.02, 17-334, 17-335.01, 17-337, 17-338, 17-339, 17-342, 17-345, 17-346, 17-371, 17-452, 17-453, 17-454, 17-455, 25-320(P), 25-502(K), 25-518, 41-1005, 41-1072, and 41-1073

3. The effective date of the rules:

January 2, 2016

a. If the agency selected a date earlier than the 60 days effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason or reasons the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):

Not applicable

b. If the agency selected a date later than the 60 days effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason or reasons the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(B):

Not applicable

4. Citations to all related notices published in the *Register* as specified in R1-1-409(A) that pertain to the record of the proposed rule:

Notice of Rulemaking Docket Opening: 20 A.A.R. 1233, May 30, 2014

Notice of Proposed Rulemaking: 20 A.A.R. 1181, May 30, 2014

Notice of Rulemaking Docket Opening: 21 A.A.R. 1049, July 10, 2015

Notice of Proposed Rulemaking: 21 A.A.R. 1001, July 10, 2015

5. The agency's contact person who can answer questions about the rulemaking:

Name: Celeste Cook, Rule Writer

Address: Arizona Game and Fish Department
5000 W. Carefree Highway
Phoenix, AZ 85086

Telephone: (623) 236- 7355

Fax: (623) 236-7390

E-mail: CCook@azgfd.gov

Please visit the AZGFD web site to track progress of this rule and any other agency rulemaking matters at http://www.azgfd.gov/inside_azgfd/rules/rulemaking_updates.shtml.

6. An agency's justification and reason why the rule should be made, amended, repealed, or renumbered, to include an explanation about the rulemaking:

An exemption from Executive Order 2015-01 was provided for this rulemaking by Ted Vogt, Chief of Operations in the Governor's office, in an e-mail dated June 1, 2015.

The Arizona Game and Fish Commission proposes to amend its rules following the 2014 five-year rule review of 12 A.A.C. Chapter 4, Article 1, Definitions and General Provisions. The review report, as required under A.R.S. § 41-1056, established a course of action to amend Article 1 rules. A subsequent review of these recommendations evaluated their usefulness in practice and enforcement, resulting in the rulemaking as it is submitted in this Notice. In addition to the amendments proposed in the five-year review report, the Commission proposes to amend rules within 12 A.A.C. 4 to establish requirements necessary to allow a person to surrender an unused, original hunt permit-tag; allow a person to transfer an unused big game tag to a nonprofit organization that affords hunting opportunities and experiences to veterans with service-connected disabilities and establish an application process for a qualified nonprofit organization to implement recent legislative amendments resulting from Laws 2014, 2nd Regular Session, Ch. 55, Section 1; allow the Department to reinstate bonus points expended during the computer draw when a person donates an unused big game tag to a qualifying nonprofit organization or surrenders it to the Department; provide the Department with greater flexibility in procuring tags; enable the Department to move to a paperless application process for hunting and fishing licenses and big game tags; and remove the ability to petition the Commission for the reinstatement of bonus points. The Commission is also amending rule language where necessary to increase consistency between Commission rules and ensure conformity with the Arizona Administrative Procedures Act and the Secretary of State's rulemaking format and style requirements and standards. The Commission proposes to amend rules within 12 A.A.C. 4 as follows:

R12-4-101. Definitions

The objective of the rule is to establish definitions to assist in understanding the unique terms that are used throughout 12 A.A.C. 4. The rule is amended to define "bobcat seal" to provide clarity and increase consistency between Commission rules. The rule is amended to transfer definitions contained within the solicitation and events on state property rule to R12-4-101. The rule is amended to further clarify the Commission's interpretation of "day-long." In order to allow hunting in an area where a hunt number has not been assigned by Commission Order, the rule is amended to remove "by a particular hunt number" from the definition of "hunt area." The rule is amended to define "person" to simplify rule language and ensure all applicable individuals and entities are included, as appropriate for a specific rule. Under A.R.S.§ 17-331(A), a person is required to carry a license or "proof of purchase" and produce it on request to any game ranger, wildlife manager, or peace officer. Because Arizona hunting and fishing licenses and tags are available at Department offices, at license dealers, and online; the size, shape, format, and features of those licenses and tags will vary depending on where they were purchased. The rule is amended to define "proof of purchase" to communicate the acceptable criteria for meeting the requirements of A.R.S. § 17-331(A). The rule is also amended to define "adult bull buffalo," "adult cow buffalo, "rooster," and "yearling buffalo" to provide further clarity of terms referenced within Commission Order and rule. In addition, the rule is amended to remove "excluding male lambs" from the definition of "ram" to prevent a hunter from unintentionally violating the requirements established under statute, Commission Order, and rule. In the past, hunters have taken what they believed to be a ram only to find upon closer inspection that it was actually a male

lamb.

R12-4-103. Duplicate Tags and Licenses

The objective of the rule is to establish requirements for the issuance of a duplicate license or tag when the original was not used and is lost, destroyed, mutilated, or otherwise unusable or a tag was placed on a harvested animal that was subsequently condemned and surrendered to the Department. The rule is amended to establish the license will expire on December 31 of the current year when the license expiration date cannot be verified. Due to the high volume of licenses sold by license dealers, the information from the sale of hunting and fishing licenses by license dealers may not be recorded in the Department's database for a period of time. This can be problematic now that a license is valid for 365 days from the date of purchase and a person can choose a license effective date up to 60 days out from the date of purchase.

R12-4-104. Application Procedures for Issuance of Hunt Permit-tags by Drawing and Purchase of Bonus Points

The objective of the rule is to prescribe application requirements for hunt permit-tags issued by the computer draw or for the purchase of a bonus point. The rule is amended to replace the term "Department-approved" with "Department-sanctioned" to make the rule more accurate. The rule is amended to prohibit a person, who has reached the bag limit for a specific genus, from applying for another hunt permit-tag for that genus during the same calendar year to align the rule with statute. Under A.R.S. § 17-309, it is unlawful for a person to take or possess wildlife in excess of the bag limit authorized by Commission Order. The rule is amended to establish the Commission's authority to determine the times, locations, and manner in which an applicant may apply for a hunt permit-tag. This will enable the Department to move towards a paperless process. The rule is amended to require all applicants submitting an application to the Department to certify the information provided on the application is true and correct to increase consistency between Commission rules. The rule is amended to clarify the differences in how the Department processes fees submitted manually (paper application) and electronically (online application). The Department employs an online license application and computer draw system. At the time of application, a person who submits an application manually is required to submit all applicable required fees, which can include an application, tag, and license fee. If a person is unsuccessful in the computer draw, the Department processes a refund for the tag fee, only. At the time of application, a person who submits an electronic application is required to pay only the application and license fee. If a person is successful in the computer draw, the Department will then charge the applicant's debit or credit card for the tag fee. The rule is also amended to establish overpayments of $5 or less will not be refunded and are considered a donation to the Arizona Game and Fish Fund because the processing cost for refunding these overpayments is greater than the nominal amount of the refund. The Department processes approximately 340 overpayments of $5 or less each annually. The refund process involves multiple state agencies: the Department initiates the refund action; the General Accounting Office (GAO) processes the request and issues the warrants (refunds); the Department receives the warrants, verifies the payee and warrant amount, mails valid warrants, removes warrants payable to persons who subsequently submitted an insufficient funds payment, and initiates warrant corrections when necessary; GAO processes and issues the corrected warrants; and the Arizona Department of Revenue (ADOR) manages the unclaimed property process for any unclaimed refunds. Each refund costs the Department approximately $2 to $5 to process (Department materials and equipment as well as GAO and ADOR costs are not included in this estimate) and almost 70% of these refunds are not redeemed by the recipient. In addition, the rule is amended to allow a customer to retain any accrued loyalty and bonus points and be awarded a bonus point for that computer draw when the payment submitted is less than the required fees, but is sufficient to cover the application and license fees. Currently, when the Department rejects an application with insufficient funds, the applicant forfeits any accrued loyalty bonus point and is ineligible for the computer draw and the awarding of any bonus points; all funds (less the application fee) are returned to the customer. The proposed amendment will allow the Department to issue a license and award a bonus point, provided the funds submitted are sufficient to cover the application and license fees. The application will not be entered into the computer draw and any additional funds will be refunded. This change is in response to customer comments received by the Department.

R12-4-105. License Dealer's License

The objective of the rule is to establish definitions, eligibility criteria, application procedures, license holder requirements, authorized activities, and prohibited activities for a license dealer's license. The rule is amended to define "License Dealer Portal" and establish that a license dealer may be given authorization to issue online licenses through a License Dealer Portal. The Department is in the process of creating an online system that will allow a license dealer to log-in, issue hunting and fishing licenses, and access their license dealer account. The rule is amended to specify the deadline in which the license dealer shall transmit license and permit fees to the Department to align the rule with statute. Under A.R.S. § 17-338, a license dealer is required to transmit all license and permit fees collected to the Department within thirty days; failure to comply with this requirement shall be cause to cancel a license dealer's license. The rule is also amended to clarify duplicate license and tag requirements by adding a subsection that specifically addresses duplicate affidavit requirements. The Department requires a license dealer to submit an affidavit for each duplicate license sold by the dealer; the affidavit is included in the Arizona Game and Fish license book (on the back of the Department copy of the license). A duplicate license, tag, or permit is $4; however, any license dealer who fails to complete and submit the affidavit portion of the Department copy must remit the full license, tag, or permit fee. In addition, the rule is amended to include cancellation as a penalty that may be used when a license dealer fails to comply with the rule. Cancellation may occur when a license dealer fails to transmit all license and permit fees to the Department by the established deadline.

R12-4-106. Licensing Time-frames

The objective of the rule is to establish the time-frame during which the Department will review an application packet and grant or deny an applicant a special license or authorization. The rule heading is amended to clearly indicate the rule applies only to special licenses issued by the Department and does not include hunting or fishing licenses or permit- and nonpermit-tags. The rule is amended to define "license" and "administrative," "overall," and "substantive" review time-frames; describe when a time-frame period begins and ends; and specify how an applicant may withdraw an application to provide additional clarity. The rule is amended to specify possible outcomes that may occur when a person submits an application for a special license. The rule is amended to allow the applicant and the Department to extend the over-all time-frame to ease the regulatory burden on both the applicant and the Department. The rule is amended to address scenarios where an applicant either demonstrates they are not eligible for the license prior to the substantive review or fails to respond to Department correspondence; this will increase efficiency and allow the Department to better utilize its resources. The rule is amended to establish time-frames for the Authorization for Use of Drugs on Wildlife. The rule is also amended to reflect amendments made to Article 4. Live Wildlife, which combines the four game bird license rules into one overarching game bird rule. In addition, the rule is amended to remove

references to special license-tags. The Commission believes the special big game license-tags technically do not fall within the definition of "license" as used in the Administrative Procedure Act because an application is not required for these licenses.

R12-4-107. Bonus Point System

The objective of the rule is to establish requirements for applying for and maintaining bonus points, which may improve an applicant's draw odds for big game computer draws. The rule is amended to clarify that a bonus point is applied to a record using the person's Department identification number. The rule is amended to clarify that a bonus point is not transferable. The rule is amended to specify a person shall expend any accrued bonus points for that genus when purchasing a surrendered hunt permit-tag by any method other than first-come, first-served. These changes are in response to customer comments received by the Department. As part of the tag surrender process, whenever it is possible to do so, the Department will attempt to re-issue a surrendered tag. The rule is amended to establish that the Department shall restore expended bonus points when a person donates or surrenders an unused, original hunt permit-tag in compliance with R12-4-118 or R12-4-121. The rule is amended to clarify that a person who is unsuccessful in the first-come, first-served phase of the computer draw is not eligible for a bonus point. The rule is amended to clarify that a hunter education bonus point is awarded to a person who completes the Arizona Hunter Education Course and remove language relative to hunter education instructors. This change is made in response to customer comments submitted to the Department by the public. Completing the Department's hunter education course is one of the criteria for becoming a certified hunter education instructor. The rule is amended to specify which hunter education course qualifies a person for the hunter education bonus points. Because the Department provides a variety of hunter education courses (bow hunter education, trapper education, and hunter education), there is some confusion as to which course qualifies a person for the hunter education bonus points. This change is made in response to customer comments submitted to the Department by the public. The rule is amended to allow a customer to retain any accrued loyalty bonus points when the payment submitted is less than the required fees, but is sufficient to cover the application and license fees. The Department will issue a license and award a bonus point when the payment submitted by the applicant is less than the total sum of all required fees, provided the funds submitted are sufficient to cover the application and license fees. This change is made in response to customer comments submitted to the Department by the public. The rule is amended to simplify the process by which a military member may request the reinstatement of a bonus point by no longer requiring a person to submit a letter requesting the reinstatement of their bonus points. The information required in the letter is readily available on other documents that are submitted at the time of the request. The rule is also amended to specify that the tag surrender requirements established under the proposed R12-4-118 do not apply to a person who is requesting the reinstatement of expended bonus points due to mobilization, activation or required duty in response to a declared national or state emergency, or required duty in response to an action by the President, Congress, or a governor of the United States or its territories. The rule is amended to clarify the Department will not refund any fees paid for a license or hunt permit-tag when the person applies for reinstatement of their bonus points. In addition, the rule is amended to specify that any bonus point fraudulently obtained shall be removed from the person's Department record to increase consistency between statute and rule. Under A.R.S. § 17-341, it is unlawful for a person to knowingly purchase, apply for, accept, obtain or use, by fraud or misrepresentation a license, permit, tag or stamp to take wildlife and that a license or permit so obtained is void and of no effect from the date of issuance.

R12-4-108. Management Unit Boundaries

The objective of the rule is to establish Management Unit boundaries for the preservation and management of wildlife. The rule is amended to update Management Unit boundaries to incorporate future changes to management unit boundaries.

R12-4-110. Posting and Access to State Land

The objective of the rule is to establish standards of conduct on State Trust Lands and set forth the Commission's criteria for allowing the closure of roads leading to hunting and fishing areas. The rule is amended to provide additional clarity by further defining "existing road" to clearly indicate that an existing road is a road that has not been closed by the Commission. The rule is amended to specify that a person must comply with the requirements of A.R.S. 17-304(C) when the Commission has authorized a closure of access to state lands. The rule is also amended to clarify the Commission's interpretation of the recreational permit exemption provided by the State Land Department. In addition, the rule is amended to establish a license holder shall not operate a motor vehicle off-road or on roads that are closed to the public, except to pick up lawfully taken big game animals, to increase consistency between Commission rules.

R12-4-111. Identification Number

The objective of the rule is to prescribe the information required to obtain a Department identification number, which is a unique number assigned by the Department to each applicant or licensee. The number is necessary to properly identify a person and link their license, permit, and tag records, maintained in the Department's sportsman's database, to that person. The rule is amended to remove the option that allows a person to use their Social Security Number as the Department Identification Number to better protect the person's identity. In addition, the rule is amended to replace the term "alias" with "any additional names the person has lawfully used in the past or is known by" to provide additional clarity.

R12-4-112. Diseased, Injured, or Chemically Immobilized Wildlife

The objective of the rule is to establish the Director's authority to allow Department employees to condemn a lawfully taken animal deemed to be unfit for consumption and issue a duplicate tag, thus allowing the hunter the opportunity to take another permitted animal. The rule is amended only to ensure conformity with the Arizona Administrative Procedures Act and the Secretary of State's rulemaking format and style requirements and standards.

R12-4-113. Small Game Depredation Permit

The objective of the rule is to establish permitted activities authorized under A.R.S. § 17-239(D), which allows any person suffering property damage to exercise all reasonable measures to alleviate damage; not to include the injuring or killing of game mammals, game birds, or wildlife protected under federal law or regulation, unless authorized by the Department or the U.S. Fish and Wildlife Service. The rule is amended to incorporate by reference the most recent edition of the applicable regulation, 50 C.F.R. 21.41. The rule is also amended to clarify depredation permit application requirements. In addition, the rule is amended to establish the Department shall specify the allowable methods of take that may be used by the permit holder.

R12-4-114. Issuance of Nonpermit-tags and Hunt Permit-tags

The objective of the rule is to prescribe the hunt permit-tag structure, conditions under which the Commission may issue tags, application procedures, and distribution of hunt permit- and nonpermit-tags. The rule is amended to remove descriptive language relating to tag features. This change provides the Department with greater flexibility when procuring tags and implementing new

tag features and enables the Department to offer "paperless" tags. The rule is amended to increase consistency between Commission rules by updating application requirements. The rule is amended to remove javelina from the list of game subject to the 10% nonresident cap to increase opportunity for nonresidents. The rule is amended to establish the Department shall make available one hunt permit-tag when a hunt number has less than five, but more than one available hunt permit-tag. Because the Department reserves a total of 20% of available hunt permit-tags for the bonus point pass of the computer draw, this amendment may result in reserving less than 20% of available hunt permit-tags in other hunt numbers. The rule is amended to describe all phases of the computer draw process to provide a more complete description of the computer draw system. The rule is amended to clarify that a person may possess the same number of hunt permit-tags equal to the applicable bag limit to align the rule with Commission Order. The rule is amended to prohibit a person who has reached the bag limit for a specific genus from applying for another hunt permit-tag for that genus during the same calendar year to align the rule with statute. Under A.R.S. § 17-309, it is unlawful for a person to take or possess wildlife in excess of the bag limit authorized by Commission Order. The rule is also amended to establish in rule that the Commission may, at a public meeting, increase the number of hunt permit-tags issued to nonresidents in a computer draw when necessary to meet management objectives. In addition, the rule is amended to establish the Department shall not issue more than 50% of the hunt permit-tags available to nonresidents with the highest number of bonus points through the initial bonus point pass of the computer draw to increase opportunity for those persons who have no bonus points or very few bonus points.

R12-4-115. Supplemental Hunts and Hunter Pool

The objective of the rule is to establish the Commission's authority to offer a supplemental hunt when the regular season structure is not meeting management objectives, to take depredating wildlife, or address an immediate threat to the health, safety, or management of wildlife or its habitat, or public health or safety. The rule also establishes the requirements for the supplemental hunter pool, which is a listing of applicants who may be offered a restricted nonpermit-tag when the Department initiates a supplemental hunt. The rule is amended to define "companion tag" and "emergency season" to further clarify terms referenced within the rule and replace the term "supplemental hunt" with "restricted non-permit tag" to make the rule more concise. The rule is amended to enable the Commission to approve a supplemental hunt by Commission Order and establish a more efficient process by reducing the number of steps currently involved in the supplemental hunt process. The rule is amended to separate the processes and requirements specific to restricted nonpermit-tags and companion tags to make the rule more concise and understandable. The rule is amended to increase consistency between Commission rules by updating application requirements. The rule is also amended to clarify who is eligible to receive companion tag. When a supplemental hunt occurs in an area that matches the exact season dates and open areas of another big game hunt for which a computer draw has occurred, the Department will offer these restricted nonpermit-tags, also known as "companion tags," only to persons who were successful in that computer draw. In addition, the rule is amended to clarify that a person purchasing a restricted nonpermit-tag must either possess or purchase a license that is valid at the time of the supplemental hunt to increase consistency between Commission rules.

R12-4-116. Reward Payments

The objective of the rule is to establish reward payments requirements, to include the schedule of rewards. The reward program was established to motivate persons to report violations and provide information that can result in the arrest of a perpetrator when a case cannot otherwise be resolved. The rule is amended to increase the reward value to $500 for big game, eagles, and threatened and endangered species in an effort to maintain the intent of the rule. Reward amounts were established in 1991 and have not been increased since that time; also the purchasing power of a dollar at that time was close to twice that of today.

R12-4-117. Indian Reservations

The objective of the rule is to specify that a state license, permit, or tag is not required to hunt or fish on any Indian reservation located within Arizona, that any lawfully taken game or fish may be transported or processed anywhere in the State if it can be identified as to species and legality pursuant to statute, and that all wildlife transported in this State is subject to inspection. The rule is amended to correct a statutory reference, Laws 2012, 2nd Reg. Sess., Ch. 128, amended A.R.S. § 17-309, resulting in the renumbering of subsequent subsections. In addition, the rule is amended to clarify that an inspection may be required when a person transports wildlife taken on an Indian reservation anywhere in this State. Under A.R.S. § 17-211(E), a Game Ranger or Wildlife Manager may inspect all wildlife taken or transported anywhere in this State.

R12-4-118. Hunt Permit-tag Surrender

The objective of the proposed rule is to enable the Department to implement a tag surrender program, to include the establishment of a membership program and the requirements and limitations for the surrender of an unused, original hunt permit-tag. Laws 2013, First Regular Session, Ch. 197 granted the Arizona Game and Fish Commission the authority to establish license classifications and fees to give the Department the ability to operate more like a business. In response to this new authority, the Commission implemented a new basic license structure to generate additional revenue for the Game and Fish Fund, remove barriers for recruitment of new hunters and anglers, and provide more value to recruit and retain customers. Although the Department's revenue projections indicate a $3.8 million revenue increase may result from the exempt rulemaking, it is too soon to tell if the projections were correct. The Arizona Game and Fish Department's principle operational revenue comes from the sale of hunting and fishing licenses, hunt permit-tags, stamps and matching funds from federal excise taxes hunters and anglers pay on guns, ammunition, fishing tackle, motorboat fuels, and related equipment. Over the past several years, sales of licenses, permits, stamps, and tags have trended downward while operational costs and Department responsibilities have either increased or expanded. In February 2014, the Commission directed the Department to proceed with the concept of a membership program, to include bundling products and services, as a means to encourage participation in recreational activities and generate additional revenue for the Game and Fish Fund. The Commission believes establishing a membership program will provide the public with a way to stay up-to-date on the latest hunting, angling, volunteer, and Department activities; connect with others who have like interests; and make a positive impact on the greater hunter, angler, and wildlife viewer community. The Commission also believes maintaining an active membership for multiple years can provide a rewarding experience as the program and its members grow. To solicit feedback and support, the Department deployed an outreach campaign beginning in March 2014 to inform the public of the proposed membership program, to include bundling products and services; and continuing in July through August 2014 to inform the public of the proposed membership program and collect feedback about the bundled products and services. The campaign included public meetings in Mesa, Flagstaff, Glendale, Payson, Phoenix, and Tucson. The Department published information regarding the proposed membership program and bundled services on the Department's website and Facebook page. The Department also created a dedicated e-mail address through which the public could submit comments and suggestions in regards to the membership program and tag surrender concepts. The Department issued press releases to announce public meeting dates and direct people to the web page. The Department held meetings with key members of a number of con-

servation groups to discuss the membership program and the bundled products and services. In addition, the membership program and bundled products and services concept has been a standing agenda item at every Commission meeting since February 2014. In August 2014, the Commission directed the Department to incorporate the concept of a membership program as a means to encourage participation in recreational activities and generate additional revenue for the Game and Fish Fund into the Article 1 Rulemaking Package, for implementation in January 2016. The proposed rule specifies that different membership levels and prices will be based on the types of products and services offered. The Commission envisions the membership program and its associated benefits will continue to grow as new products and services become available. The proposed rule specifies the Department may establish the terms and conditions for the membership program, such as the membership is not transferable and that a payment made for the membership is not refundable. In addition, the proposed rule specifies the membership program is available for purchase/enrollment online-only to ensure immediate access to member benefits and to enable the Department to link the person's membership with their Department record, when one exists. The proposed rule limits the tag surrender program to a person who has a valid and active membership in a Department membership program; "valid and active membership" as defined in the proposed rule means a paid and unexpired membership in any level of the Department's membership program. The proposed rule requires a person wishing to participate in tag surrender to submit a valid application and surrender the unused, original hunt permit-tag prior to the close of business the day before the hunt begins. One of the most common comments submitted by the public related to the ability for a person to "game" the tag surrender program. For example, a person with a high number of bonus points could offer to apply with other person(s), for a fee, in order to increase the other person(s) odds of being drawn for a valued hunt permit-tag, then the person could surrender their tag, have their bonus points restored, and then repeat the process in the next computer draw offered by the Department. To prevent this from happening, the proposed rule establishes that a person is only eligible to surrender a tag for a specific species once before the bonus points accrued for that species must be expended. The proposed rule also limits the number of tags a person may surrender based on the person's membership level. The proposed rule requires the Department to restore the bonus points expended for the surrendered tag and award any bonus points the person would have accrued had the person been unsuccessful in the computer draw for that surrendered tag. The proposed rule specifies the Department will not refund any fees paid for the surrendered tag, as prohibited under A.R.S. § 17-332(E). The proposed rule also enables the Department to re-issue or destroy the surrendered tag. The Department will base the decision to re-issue or destroy the surrendered tag using specific criteria, such as but not limited to the proximity to the start date of the hunt for which the tag is valid, the type of tag, and whether the tag is for a high demand hunt. The Commission proposes to re-issue a surrendered tag using any one or more of the following methods (in no particular order): 1) Offer the surrendered tag, beginning with the highest membership level in the Department's membership program, to a person who would have been next to receive a tag for that hunt number, as evidenced by the random numbers assigned during the Department's computer draw process. The person must possess or purchase a valid license in order to be eligible to purchase the surrendered tag. If the person is not interested in purchasing the surrendered tag or is not eligible because the person has already met the annual or lifetime bag limit for that genus, the tag would be offered to the next person within that membership level in the Department's membership program who would have been next to receive a tag for that hunt number, as evidenced by the random numbers assigned during the Department's computer draw process, and so on. 2) Offer the surrendered tag to a person who has a valid and active membership in any tier of the Department's membership program which contained a tag surrender option and would have been next to receive a tag for that hunt number, as evidenced by the random numbers assigned during the Department's computer draw process. The same limitations and requirements that apply to method #1 will apply to this method. 3) Offer the surrendered tag to an eligible person who would have been next to receive a tag, as evidenced by the random numbers assigned during the Department's computer draw process. The same limitations and requirements that apply to method 1 will apply to this method. 4) Offering the surrendered tag through the first-come, first-served process. For group applications where one or more members of the group is qualified under the particular method for re-issuing the surrendered tag, the Commission proposes to offer the surrendered tag first to the applicant designated "A," if eligible to receive the surrendered tag. If applicant "A" chooses not to purchase the surrendered tag or is not eligible, the Department will offer the surrendered tag to the applicant designated "B" if qualified to receive a surrendered tag. This process shall continue with applicants "C" and then "D" until the surrendered tag is either purchased or all qualified members of the group application choose not to purchase the surrendered tag. The proposed rule specifies that a person purchasing the surrendered tag shall expend all bonus points accrued for that genus, except for any accrued Hunter Education and loyalty bonus points. The Commission is concerned that a person who is successful in the computer draw may have the desire, but not the ability to surrender a hunt permit-tag for a hunt occurring later in the same year. In addition, the proposed rule specifies that a person is not eligible to petition the Commission under R12-4-611 for reinstatement of any forfeited bonus points, except as authorized under R12-4-107(M).

R12-4-119. Arizona Game and Fish Department Reserve

The objective of the rule is to prescribe requirements and duties for commissioned reserve officers and noncommissioned reserve volunteers for the purposes stated under A.R.S. § 17-214(B). The rule is amended only to ensure conformity with the Arizona Administrative Procedures Act and the Secretary of State's rulemaking format and style requirements and standards.

R12-4-120. Issuance, Sale, and Transfer of Special Big Game License Tags

The objective of the rule is to establish procedures for the application, selection criteria, award, and issuance of special big game license-tags authorized under A.R.S. § 17-346. The rule is amended to establish that an organization cannot resubmit a corrected proposal but may submit a proposal again the following year because proposals are reviewed after the May 31 proposal deadline.

R12-4-121. Big Game Permit or Tag Transfer

The objective of the rule is to establish the requirements for an unused big game tag transfer as authorized under A.R.S. § 17-332, which allows a parent, guardian, or grandparent to transfer their unused big game tag to a minor child or grandchild. The rule also allows a person to transfer their unused big game tag to a 501(c)(3) organization that provides hunting opportunities and experiences to a minor child with a life-threatening medical condition or physical disability or a veteran of the Armed Forces of the United States with a service connected disability. The rule is amended to implement recent legislative amendments resulting from Laws 2014, 2nd Regular Session, Ch. 55, Section 1 (House Bill 2303) which allow a person to donate a tag to a veteran of the Armed Forces of the United States with a service connected disability and the Commission to establish an application process for a qualified nonprofit organization. The rule is amended to define "authorized nonprofit organization" as part of the application process for a qualified nonprofit organization. The rule is amended to replace "Department-approved" with "Department-sanctioned" to make the rule more accurate. The rule is amended to clarify that a tag may not be transferred to a person who has reached the applicable annual or lifetime bag limit for that genus to increase consistency between Commission laws and rules. Under A.R.S. § 17-309, it is unlawful for a person to take or possess wildlife in excess of the bag limit authorized

by Commission Order. Currently, because this restriction is not addressed in rule, a person or organization may attempt to transfer a tag to a person who has already reached the annual or lifetime bag limit for that genus. The rule is also amended to allow a person to request the reinstatement of bonus points after donating an unused, original tag to a qualified 501(c)(3) organization, provided the person has a valid and active membership in the Department's membership program with at least one available unredeemed tag surrender at the time the person donates the hunt permit-tag to a qualified 501(c)(3) organization. This is done to ensure qualified 501(c)(3) organizations are not negatively impacted by the provisions established under the proposed new rule, R12-4-118. In addition, the rule is amended to establish application requirements for a nonprofit organization seeking to obtain donated big game tags for use by a minor child with a life-threatening medical condition or physical disability or a veteran of the Armed Forces of the United States with a service connected disability.

R12-4-124. Proof of Domicile

The Commission proposes to adopt a new rule to establish acceptable proof of domicile to align the rule with statute. Laws 2012, 2nd Regular Session, Ch. 237 and 272 amended A.R.S. §§ 5-301 and 17-101 respectively to authorize the Commission to prescribe which documents may be used to provide acceptable "proof of domicile." In creating this list, the Department reviewed lists of documents considered to prove residency for the purposes of registering a motor vehicle, attending state college, and applying for a hunting or fishing license in other states. The proposed rule specifies acceptable proof of domicile may be requested and that more than one document may be required.

R12-4-125. Public Solicitation or Event on Department Property

The objective of the rule is to establish the requirements and procedures the public shall use to request permission to conduct a solicitation or event on Department property, and to provide guidance to the Department for the review and management of public solicitations and events on Department property. The Commission proposes to renumber R12-4-804 to R12-4-125. The rule is amended to allow mid-level managers to approve minor, incidental solicitations on Department properties to make the approval process more efficient and eliminate unnecessary administrative delay. The rule replaces the term "applicant" with "sponsor" to make the rule more concise. The rule is amended to allow the consumption of alcohol at a solicitation or event and require a person who intends to serve alcohol to provide the Department with a copy of a current and valid license issued by the Arizona Department of Liquor Licenses and Control to the sponsor and vendor, as applicable, and a liquor liability rider, included with the insurance certificate. The rule is amended to require an applicant to provide proof of insurance no less than ten business days before the solicitation or event. The rule is amended to remove the ability for the Department to waive a requirement due to an applicant's inability to pay a deposit, an insurance premium, or a service provider to reduce the Department's and State's liability. The rule is amended to establish the Department shall deny an application when the sponsor is unable to demonstrate adequate compliance with local, state, or federal ordinances, codes, or regulations. The rule is amended to remove "rights of appeal" language as a person whose application is denied has no such right. The rule is amended to require a vendor who is working under a sponsor to provide certificates of insurance to the Department, when applicable. In addition, the rule is amended to establish a sponsor shall not allow the unlawful possession or use of drugs at the solicitation or event site to reduce the Department's and State's liability.

R12-4-302. Use of Tags

The objective of the rule is to establish requirements for the possession and use of tags issued by the Department. The rule is amended to remove descriptive language relating to the manner in which the tag is attached to the animal and specify that the tag shall be attached to the wildlife carcass in the manner indicated on the tag. This change provides the Department with greater flexibility when procuring tags and when implementing new tag features.

R12-4-611. Petition for Hearing Before the Commission When No Remedy is Provided in Statute, Rule, or Policy

The objective of the rule is to establish the requirements for submitting a petition for a hearing before the Commission when no remedy is provided in statute, rule, or policy. Current statute and administrative rule do not provide a remedy to a person who applied for the wrong hunt (e.g., hunter meant to apply for a bull elk hunt, but entered a cow elk hunt number on the application) or is unable to use the hunt permit-tag for any reason. The Commission believes the tag surrender component of the membership program will provide a satisfactory remedy to a person who applied for the wrong hunt or is unable to use the hunt permit-tag. The rule is amended to prohibit persons from petitioning the Commission for reinstatement of any expended bonus points, except as authorized under R12-4-107(M). The Commission believes R12-4-118 provides a satisfactory remedy.

7. A reference to any study relevant to the rule that the agency reviewed and proposes to either rely on or not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

The agency did not rely on any study in its evaluation of or justification for the rule.

8. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

9. A summary of the economic, small business, and consumer impact:

The Commission anticipates the proposed rulemaking in general will benefit the regulated community by creating more opportunities for the use of wildlife resources, with few costs, and maintaining resident hunting opportunity. The Commission believes the regulated community and the Department benefit from the proposed rulemaking through clarification of rule language governing general provisions. The Commission anticipates the proposed rulemaking may impact businesses, both large and small; however, the Commission has determined that the impact will not be significant enough to impact business revenues or payroll expenditures. In addition, the Commission anticipates the proposed rulemaking will provide a benefit to the regulated community and the Department by establishing a membership program and establishing the limitations and requirements for surrendering a tag and restoring the bonus points expended for the surrendered tag. It is difficult to quantify the value a person places on their bonus points; however, it can be significant. The Commission anticipates the proposed rulemaking will have a minimal impact on the regulated community. Becoming a member of the Department membership program is voluntary and only those persons who choose to participate in the program will pay a membership fee. The Commis-

sion does not anticipate the membership fee will significantly affect a person's ability to participate in an activity or have a significant impact on a person's income, revenue, or employment in this State related to that activity. The Department will benefit from the additional revenue that may be generated. The Commission anticipates the proposed rulemaking will not impact public or private employment. The Commission anticipates the proposed rulemaking will not have a significant impact on State revenues. In addition, the rulemaking will not impose increased monetary or regulatory costs on other state agencies, political subdivisions of this State, persons, or individuals so regulated. The Commission has determined that there are no alternative methods of achieving the objectives of the proposed rulemaking and that the benefits of the proposed rulemaking outweigh the costs.

10. A description of any changes between the proposed rulemaking, to include supplemental notices, and the final rulemaking:

R12-4-104(E)(4) was revised to replace the word "affirm" with "certify" to increase consistency between Commission licensing rules.

R12-4-113(A)(2) was revised to also incorporate 50 C.F.R. 21.43, which exempts a person from obtaining a federal depredation permit for specific migratory bird species.

R12-4-118(C)(1)(a) and R12-4-121(C)(3)(a) were revised to specify a person surrendering an unused tag must have a valid and active membership in the Department's membership program with at least one unredeemed tag surrender that was valid on the application deadline date, instead of at the time of application. This was the result of an internal recommendation (implementation team). As the rule was written, the person submitting the group application had to either make a decision for all applicants' right then or delay their application and contact all other applicants before reapplying. The implementation team felt this was not good customer service. By extending the ability for a person to purchase a membership up to the deadline date, the Department could notify the other group applicants of the membership program, thus allowing the applicant applying for the group to complete their task and allow group members to decide for themselves whether or not to purchase a membership.

R12-4-118(C)(1) was also revised to remove subsection (C)(4), which established the requirements for a conditional exemption should the rule become effective after January 2016. A conditional exemption is no longer necessary because the Department anticipates the rule will become effective in early January, in time for the antelope and elk application deadline.

R12-4-804 was removed as the text is shown in full under the proposed R12-4-125.

In addition, minor grammatical and style corrections were made at the request of the Governor's Regulatory Review Council staff.

11. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments:

The public comment period began on July 10, 2015 and ended on September 4, 2015. The Department received 152 written public or stakeholder comments in response to the proposed rulemaking (a number of persons sent multiple comments). Of those comments received: 15 addressed a variety of the amendments proposed for Article 1 rules; 132 addressed proposed rule amendments relating to the percentage of tags allocated to nonresidents and the bonus point pass of the Department's computer draw; and 5 addressed a proposed rule establishing the membership and tag surrender programs. The public or stakeholder comments and the agency's responses are provided below.

The following comments address a variety of the amendments proposed for Article 1 rules:

Written Comment: July 22, 2015. Giving a surrendered tag to a disabled veteran is a wonderful idea.

Agency Response: The Department appreciates your support.

Written Comment: July 24, 2015. I would also like to have the opportunity for the parents of wounded warriors to be able to donate their unused tags directly to their veteran child. This would help to ensure the parent is giving their tag directly to their wounded warrior as opposed to a nonprofit who might award the tag to someone else.

Agency Response: The Department is unable to implement this suggestion as the statute governing tag transfers, A.R.S. § 17-332(D), is very specific and states, "No license or permit is transferable, nor shall such license or permit be used by anyone except the person to whom such license or permit was issued, except that … The commission may … allow a person to transfer the person's big game permit or tag to a qualified organization for use by: … A minor child who has a life-threatening medical condition or by a minor child who has a permanent physical disability … A veteran of the armed forces of the United States who has a service-connected disability… A parent, grandparent or legal guardian may allow the parent's, grandparent's or guardian's minor child or minor grandchild to use the parent's, grandparent's or guardian's big game permit or tag to take big game …" A legislative amendment is required before the Department may amend the rule as suggested.

Written Comment: August 7, 2015. All we nonresidents can do is ask the Department do what it feels is right and fair to everyone. Is there a place on the Arizona web site that shows nonresident and resident money spent per year? On draw tags, I do not like the proposed rule change, as a nonresident I find it already pretty costly to apply for nonresident tags in Arizona.

Agency Response: No, the website does not specifically provide nonresident and resident money spent per year. However, Bonus Point Reports are available on the Department's website. These reports are updated after each computer draw and provide the number of persons who applied for tags through the Department's computer draw. In addition, Department sales records indicate in 2012, revenue from nonresidents license/permit sales was 24.5% of the Department's total license/permit sales revenue; in 2013, nonresidents license/permit sale revenue was 24.2% of the total license/permit sales revenue; and in 2014, nonresidents license/permit sale revenue was 24.5% of the total license/permit sales revenue. The bonus point system was established to

reward loyal applicants while providing new applicants an opportunity to successfully participate in the computer draw. The intent of the Department's draw process and bonus point system have always been to allow every applicant a chance of drawing a tag, even when the odds are very low. The bonus point system has been successful in meeting its objective to improve odds for long-term participants, but not successfully enough for everyone. Over the years, the Department received numerous comments from the public suggesting the Department modify the draw process to ensure all nonresidents, even those with no or low bonus points, are afforded an opportunity to draw a tag - even for the high demand hunts. As it is now, there are some hunts for which a nonresident applicant with no or low bonus points will never have a chance of drawing a tag due to the number of applicants with maximum bonus points. Therefore, the Commission proposes to amend the rule to bring the draw process back in line with the original intent of ensuring all applicants, regardless of residency and number of bonus points, will have an opportunity to draw a tag in any given hunt. Most state wildlife agencies charge nonresident applicants higher license and tag fees than residents. To control and protect the wildlife populations, state wildlife agencies limit recreational hunting by limiting permits and imposing higher fees on nonresident hunters. This provides nonresident hunters with the opportunity to contribute to the state wildlife agency funds that are used to protect and manage wildlife. Resident hunters pay local and state taxes to support the wildlife and wildlife habitat in their areas. The higher fees for nonresidents help compensate for the taxes that residents pay. Therefore, nonresident fee and license regulations provide state wildlife agencies with funds to manage the wildlife, which in turn benefits both resident and nonresident hunters. Fee differentials for residents and nonresidents have been upheld in other areas. In Baldwin *vs* Fish and Game Commission of Montana, the U.S. Supreme Court upheld a higher hunting license fee imposed upon nonresidents by the State of Montana. The Court stated that, where the opportunity to enjoy a recreational activity is created or supported by a state, where there is no nexus between the activity and any fundamental right, and where by its very nature the activity can be enjoyed by only a portion of those who would enjoy it, a state may prefer its residents over the residents of other states or condition the enjoyment of the nonresident upon such terms as it sees fit.

Written Comment: August 7, 2015. No change.

Written Comment: August 7, 2015. I do not support the change. But it does not surprise me, coming from a non-union trade state that does not want their middle class to have a retirement. Here is one more state that will not get one more of my hard-earned union made dollars.

Written Comment: August 8, 2015. Man if the money outweighs the odds I do not apply. I just go to another state.

Written Comment: August 8, 2015. This is not about the draw; I drew a tag last year and will probably never have a chance to draw again in my lifetime. But in case nobody has mentioned, there are some real cull bucks on the Arizona strip that should be eliminated. Ask the many guides who have got them on cameras. Of course it should be a very controlled hunt.

Written Comment: August 8, 2015. There is no question resident hunters should be the priority. The basic question is how valuable are the nonresident hunters? If our money does not matter, then the changes will not matter. Perhaps the line will keep growing. My first thought is, it will drop off as the baby boomers age. I hope the Department's decision is a good one for everyone and that my 11 bonus points will one day have value.

Agency Response: Because the commenter is providing a statement, the Department believes no response is required.

Written Comment: August 8, 2015. I am a Nevada resident and am familiar with the dynamic of resident *vs.* nonresident tag allocation in a state where tags are precious and highly sought after. As an attorney and Judge, I also carefully researched just how far states can go in limiting nonresident tags. In my opinion, the proposed rule change crosses the line and will be subject to legal challenge as a violation of the Interstate Commerce Clause. I recognize the proposal allows a nonresident to theoretically draw one of the tags in the random draw, but the proposed rule changes clearly take 50% of the tags previously allocated and guaranteed to nonresidents and assures that few, if any, will go to nonresidents. Surely the Department knows this and is trying to address two problems at once. How to increase the number of tags made available to residents without increasing tags overall and how to address the problem that under the current rules, nonresidents draw a disproportionate number of the 20% of tags set aside in the draw for maximum bonus point holders (since nonresidents seem to have a higher number of people with maximum bonus points than residents do). Unfortunately, simple math will demonstrate that nonresidents will now draw perhaps 6% or less of the overall tags. I would suggest this is problematic for two reasons; clearly the Department will have dropped below the "magical" 10% number of tags allocated to nonresidents that seems to satisfy judicial scrutiny and the current proposal violates any semblance of basic fairness for those who have faithfully put our time and money into the system for many years and are seeing the light at the end of the tunnel. The way the rules are changing in midstream will assure I may never be able to hunt Arizona in the few years I have remaining. I urge the Department to reject this proposal for all of the reasons listed above. However, there is a way to keep nonresident hunters like me from suing the state if the proposal passes. It also benefits Arizona by keeping those of us who would simply quit applying in Arizona because we know we'll never draw those high demand tags. In fact it will increase nonresident applications (fees to the state). Take the tags the Department is proposing to put into the general draw and keep them as nonresident tags to be drawn by nonresidents, only, on a random basis. This will not benefit residents, but will blunt legal challenges and increase the interest of the many younger nonresidents who do not apply because they do not think they will live long enough to draw a tag in Arizona. I hope the Department will reject the proposal in favor of a fairer plan, which can also be a win-win solution.

Agency Response: In 2005, Congress enacted Public Law Number 109-13, section 6036, which reaffirmed each state's right to regulate hunting. The purpose of section 6036 was to prohibit courts from declaring nonresident hunting regulations unconstitutional based on the Dormant Commerce Clause. In addition, the statute governing tag allocation to nonresidents (A.R.S. § 17-332), is very specific and states, "The commission shall limit the number of big game permits issued to nonresidents in a random drawing to *ten per cent or fewer* of the total hunt permits,…" While the Department is sensitive to your frustration and appreciates the time and effort put into building bonus points, the Department believes providing opportunity to all applicants is the right thing to do. The comment regarding establishing a separate quota for hunt units is not applicable to this rulemaking. Establishing a separate computer draw for nonresidents would be accomplished through a nonresident hunt (season) under R12-4-318. This comment will be placed in the rule record for Article 3 to be considered during the next Article 3 rule

review.

Written Comment: August 8, 2015. I am opposed to the proposal to change the draw process as it applies to a nonresident. I believe Arizona should be a pure preference point state, allowing the tags to go to the highest point holders, only. However, like Wyoming, I believe there should be a very limited percentage of tags that can go to a first time applicant. I know this keeps those with less than maximum bonus points still applying and greases the state's treasure chest. I do not agree with the proposal that's on the table at this time. Why not model the drawing process after the State of Wyoming?

Agency Response: Wyoming uses a preference point system, which awards a tag to the person who has the highest number of preference points in the first computer draw and, if any tags are left, a second computer draw is held for those in the next highest point category. 75% of Wyoming's tags are issued through their preference point system. Over time, a preference point system guarantees a person a tag, provided they apply for the same species every year. In a preference point system a person with zero or very few points will not have any chance at drawing a tag. While the Department has received a number of comments in regards to the bonus point system, the Commission determined through an extensive public process and a random survey of hunters that a bonus point system was preferred by the regulated public. Implementing a preference point system that awards hunt permit-tags based solely on accumulated points would have a negative impact on the recruitment of new hunters.

Written Comment: August 9, 2015. As a nonresident who has applied in the big game drawing for over 24 years, I strongly encourage the Department to leave the maximum bonus point applicant rule as is. I support the proposed rule change that allows a person to surrender a tag that was drawn by mistake.

Agency Response: The bonus point system was established to reward loyal applicants while providing new applicants an opportunity to successfully participate in the computer draw; the intent has always been to allow every applicant a chance of drawing a tag, even when the odds are very low. The bonus point system has been successful in meeting its objective to improve odds for long-term participants, but not successfully enough for everyone. Over the years, the Department received numerous comments from the public suggesting the Department modify the draw process to ensure all nonresidents, even those with no or low bonus points, are afforded an opportunity to draw a tag - even for the high demand hunts. As it is now, there are some hunts for which a nonresident applicant with no or low bonus points will never have a chance of drawing a tag due to the number of nonresident applicants with maximum bonus points. Therefore, the Commission proposes to amend the rule to bring the draw process back in line with the original intent of ensuring all applicants, regardless of residency and number of bonus points, will have an opportunity to draw a tag in any given hunt. While the Department is sensitive to your frustration and appreciates the time and effort put into building bonus points, the Department believes providing opportunity to all applicants is the right thing to do. The Department appreciates your support for the tag surrender program.

Written Comment: August 10, 2015. As a resident of Arizona, I appreciate that this is at least being looked at and talked about. A couple of my hunting friends, also residents, have had 20 plus bonus points for antelope, elk, and bighorn sheep. That is a long time for a person to wait to hunt in their home state. I hope it can be taken even further so that if a person is drawn for a high demand tag (per genus), they cannot apply for another one for a minimum of two to three years. Too many lucky people are drawn in back-to-back years or very close to it, sometimes with little or no bonus points. Give people, resident or nonresident, a fighting chance.

Agency Response: The Department appreciates your support. The Department reviewed a variety of waiting period options in response to customer comment; such as one-year and three-year waiting periods for general and specific hunts. The analysis indicated a waiting period would not substantially improve the odds of being drawn for those species that currently have low draw odds. For example, the percentage of early firearms bull elk applicants receiving tags would change from 2.79% to 2.87%, if a one-year waiting period were adopted. For pronghorn, the draw success would change from 4.2% to 4.3% if a one-year waiting period were adopted.

Written Comment: August 10, 2015. Although I do not support a pay-for-benefits membership program, I support a process that would allow tag holders to surrender a tag. I can only support it, however, with the revised provision limiting a person to a single surrender with a reinstatement of bonus points. The subsequent surrender for that genus should not result in a reinstatement of bonus points. The new language allows for flexibility to permit-tag surrender in cases of true hardship, but also provides some protection against abuse from those who would use the program to repeatedly inflate the average number of bonus points on group draw applications. I also believe that the Department should allow for the surrender of a tag during or after a hunt, but in such instances bonus points should not be reinstated. The reason for allowing surrender in such cases would be to allow minors to have tags transferred to them during the same calendar year if they fail to harvest on their own tag, or to allow an unsuccessful archery javelina hunter to obtain a remaining leftover draw permit-tag. The proposed revision to R12-4-114 is intended to clarify that a person may "purchase hunt permit-tags equal to the bag limit for a genus." R12-4-114 (D)(3) would allow a person who surrenders a tag to apply for another hunt, but the proposed tag surrender rule does not allow for surrender during or after a hunt. So, for example, if a junior hunter obtains a junior deer tag, but is unsuccessful in filling it, her father could not transfer his own deer tag (for a later hunt) over to the child to give her another opportunity in the same calendar year because she would already have purchased the number of tags (one) equal to the deer bag limit (one). If, however, she were allowed to surrender her tag during or after the season (with no refund of fees or reinstatement of bonus points), then she would no longer "possess" that tag, and could receive a tag transfer from a qualifying relative or organization. Similarly, a javelina hunter who already has two draw permit-tags in his possession but is unsuccessful in his first hunt could potentially surrender that tag, which would allow him to purchase a leftover draw permit-tag, if any were available. Even with the increase in the javelina bag limit, there are still unused leftover draw permit-tags each year. Allowing for the acquisition of more than two tags in these limited circumstances will result in additional tag revenue for the Department and is consistent with biological guidelines. If the Commission is unwilling to allow surrender during or after a hunt (without bonus point reinstatement), then an amendment to R12-4-114 (or related rules) should be made to allow for the possession of draw permit-tags in excess of the annual bag limits in circumstances similar to those described above. **Subsequent Written Comment: August 10, 2015.** I am opposed to the concept of the proposed membership program. The role of government is not to provide additional services and benefits to those who have the extra means to pay for them. The beauty of the North American Model is that it does not turn hunting and fishing into elitist pursuits as found in other parts of the world. If the Department has the means and capacity to offer a service to the

public, then it should provide the service; period. If the Department wishes to "operate more like a business," then it should be treated "more like a business." For example, businesses are taxed differently. Also, unlike government agencies, private businesses and their employees do not enjoy qualified immunity under state law. If the Department wants to operate more like a business, then it should also be willing to forfeit the benefit of a monopoly over the services it provides? In any event, should the Commission go through with this abhorrent proposal, then the highest level of membership should be offered to minors ages 10 to 17 for free or at a greatly reduced rate. Certainly the Commission can agree that, at least when it comes to kids, the Department should do everything it can to provide equal opportunity for all, regardless of means. **Subsequent Written Comment: August 10, 2015.** The proposed rule changes to R12-4-108 would remove a small section of the northwest corner of unit 22 and add it to unit 6A. So long as the road from Strawberry to Fossil Creek remains closed, this may make sense from a logistics standpoint. However, before finalizing the rule, the Department should confirm that the road will remain closed permanently. Thus far, Coconino National Forest has renewed the closure order each time it comes up for expiration, but the forest has not publically admitted that the road will be closed forever. I urge the Department to give greater scrutiny to the status of the road before making a boundary change on that assumption. From a wildlife management and general hunter opportunity standpoint, I do not think it matters whether the land in question should be part of 6A or 22. However, unit 22 offers youth deer tags (or at least has for some time), while unit 6A does not. Although the land in question is rugged, it has produced several more bucks for the young hunters I have accompanied on youth hunts.

Agency Response: Under the proposed rule, a person is limited to a single surrender with a reinstatement of bonus points. Once the person surrenders their tag and their bonus points are restored, they must expend those bonus points before any subsequent surrender may occur, see subsection (C)(3). The Department chose not to allow a person to surrender a tag before or after a hunt to prevent the abuse of the tag surrender program due to the possibility that a person has the potential to "use" the surrendered tag. By allowing a person to surrender a tag up to the day before the hunt for which the tag was issued, the Department is secure in knowing the hunter never took the tag afield while providing the tag holder with the maximum flexibility to determine whether or not they are able to use the tag. Unlike most government agencies, the Department's principle operational revenue comes from the sale of hunting and fishing licenses, hunt permit-tags, stamps and matching funds from federal excise taxes hunters and anglers pay on guns, ammunition, fishing tackle, motorboat fuels, and related equipment. Over the past several years, sales of licenses, permits, stamps, and tags have trended downward while operational costs and Department responsibilities have either increased or expanded. In February 2014, the Commission directed the Department to proceed with the concept of a membership program, to include bundling products and services, as a means to encourage participation in recreational activities and generate additional revenue for the Game and Fish Fund. The membership program will provide the public with a way to stay up-to-date on the latest hunting, angling, volunteer, and Department activities; connect with others who have like interests; make a positive impact on the greater hunter, angler, and wildlife viewer community and surrender a tag they cannot use and retain the bonus points that were expended for that tag. Currently, there is no lawful way for a hunter to surrender a tag and retain earned bonus points. The Commission does not believe this proposal goes against the North American Model of Wildlife Conservation. While a fee is associated with the membership program, membership is voluntary and enrollment will have no impact on the persons odds in any computer draw held by the Department. The rule authorizes the Commission to establish different membership levels based on the type of products and services offered and set prices for each level. Discussions regarding the products, services, and costs are still occurring and no determination has been made. However, the Commission will consider the comment regarding fees for youth memberships during that evaluation. The Department is in constant communication with Coconino and Tonto National Forest personnel regarding access to Fossil Creek and the closure of Fossil Creek Road. At this time, there is no indication from National Forest personnel that Fossil Creek Road will be reopened in the future. However, in the event National Forest personnel indicate the road will be opened sometime in the future, the Department will re-evaluate the Unit 6A and Unit 22 boundary descriptions.

The following comments address proposed amendments changing the percentage of tags allocated to nonresidents in the bonus point pass of the Department's computer draw:

Written Comment: August 7, 2015. I support your proposal to change the computer draw to give only 50% of nonresident tags out in maximum bonus point pool. I like that a much greater percentage of applicants are given a chance at a tag.

Written Comment: August 7, 2015. I just wanted to express my support of the proposed rule changes to the nonresident tag allocation. I love the idea that nonresidents with less than maximum bonus points will have a chance at drawing some of the high demand tags, while still providing those who have applied for many years an increased (eventually guaranteed) chance of drawing a tag. I think this was the original intent of the tag allocation process. The Department's proposed solution is a great one. Selfishly, I would love to have it so that nonresidents are guaranteed 10% or 20% of the tags (as opposed to "up to" 10%), but the proposed solution is still better than the past model.

Written Comment: August 7, 2015. I am in favor of the proposed rule changes that only hold 50% of tags to maximum bonus point holders for nonresidents. I was in the Army for eight years and got a late start on saving bonus points and, the way it is now, I will never draw a strip tag as a nonresident.

Written Comment: August 7, 2015. I think that the proposed rule changes in nonresident tags is a great way to allow people with less than maximum bonus points to have a chance at drawing a high demand hunt and still favor the people who have been applying for many years.

Written Comment: August 8, 2015. I just read the Department's proposal to reduce the maximum pool from 20% to 10%. I am in complete support of this change as it will give a new applicant a slight chance at drawing a high demand tag.

Written Comment: August 8, 2015. The current way to build bonus points is great if you have 15 to 25 years ahead of you. It is not at all good for people in their later years as they have no chance of ever drawing a tag, so for me at 75 I think the proposed rule change would be fair to us.

Written Comment: August 9, 2015. I support the idea of possibly being able to draw a deer tag with no bonus points. I feel this is fair. The way it is now, those persons with no or low bonus points will have no chance whatsoever to draw a tag. I hope this

rule change is passed and is more in line with what other western states are doing to allow for some randomly drawn tags. I am very glad this proposal got this far and I hope the right decision is made.

Written Comment: August 10, 2015. I am all for the proposed rule change. It gets harder every year to get a tag with more and more people coming to Arizona and it seems like every other state has reduced their nonresident tags. So, do it for me and my young boys

Written Comment: August 10, 2015. I support the proposed rule changes to reduce the number of nonresident tags.

Agency Response: The Department appreciates your support.

Written Comment: August 7, 2015. The new rule changes will generally further lower my odds as a nonresident, from drawing a tag. Over time, I believe this will prove to be true. As it stands, the odds are tough enough. I ask the Department to reconsider.

Written Comment: August 7, 2015. As a nonresident, I am sure you will not be surprised that I do not want the regulations to change. We, as nonresidents, pay considerably more for our tags, hire outfitters, book hotels, and support local business when we travel to Arizona to hunt. I am sure the Department has looked at the amount the change will cut your tag revenue and the impact it would have on wildlife. I also think the rule changes would discourage new, young hunters from starting the bonus point building process. Currently, we have to apply 15 to 20 or more years to draw a premium tag. If these changes are implemented, will it now take 40 or more years to draw a tag? I have always stayed with the process because I could see the light at the end of the tunnel. I think the old saying applies: "if it ain't broke, don't fix it."

Written Comment: August 7, 2015. I am against the proposed nonresident tag allocation changes. As an alternative, I feel the proposed allocation changes would be great if the nonresident cap were raised to 20%. By doing this, the Department would double nonresidents opportunity to draw a tag, double the amount of money that it currently brings in from nonresidents tags, boost local economies by having more people travel to Arizona, and the residents would still hold a large majority of the tags (at 80%). Mathematically and logically, it does not make sense that the Department holds the nonresident cap at 10%. I have wasted a lot of time, money, and effort in Arizona; only for Arizona to push me farther away. I love Arizona and everything it has to offer, but it is frustrating to know that at the young age of 27, mathematically, I do not stand a chance at drawing several different tags.

Written Comment: August 7, 2015. I am currently building bonus points in Arizona so that someday I will draw a big game tag for elk and other species. The proposed rule changes make it very difficult for nonresidents to draw and tag. If such changes occur, I will need to seriously reevaluate the cost/benefit ratio for continuing to build preference points in Arizona. Do not make it near impossible for nonresidents to draw limited entry tags in Arizona.

Written Comment: August 7, 2015. While I am sure the proposed rule change for nonresident tag allocation is done with good intent, I ask that the Department reconsider for the sake of nonresidents. With this new change, it will be almost impossible for a nonresident like me to draw.

Written Comment: August 7, 2015. I am someone dealing with less than maximum bonus points in Arizona and it always bothers me that I cannot draw a tag for some of the high demand units. I like the idea of limiting the number of permits that nonresidents with maximum bonus can draw to 50% of the allocation. However, I am not in favor of turning the remaining 50% back to a random draw available to both residents and nonresidents. I believe the remaining 50% should go to a random for nonresidents-only draw. Residents should not have access to that pool of tags. I'd rather have the bonus point structure stay the way it is than to give up on the total number of tags that will go to nonresidents.

Written Comment: August 7, 2015. The proposed rule will have a negative impact on the nonresident tag allocation, potentially causing a decrease of up to 50% of the tags currently available to nonresidents. I spend $470 a year applying for hunts in Arizona (a hunting license for my wife and me and two application fees). I do this as a long-term investment in future hunting opportunities in Arizona. I respectfully ask the Department to consider the fact that a 50% reduction in nonresident tags will tip the scales to where it would be more cost-effective to invest my money on an occasional landowner tag in a neighboring state rather than wait the obvious decades to hunt a top-tier unit in Arizona. An alternative change would be to allocate 50% of nonresident tags to persons with maximum bonus points and the other 50% to nonresident in a nonresident-only random draw. This is something I recommend as an alternative and would support.

Written Comment: August 7, 2015. I would be very happy with the changes if the Department would guarantee that nonresidents would receive 10% of the tags. As it stands, the up to 10% rather than a guarantee would probably mean fewer tags for nonresidents. I hope the Department considers this. I feel that, if a 10% guarantee were added to the proposed rule changes, it would be perfect.

Written Comment: August 7, 2015. If the Department lowers the amount of tags made available to nonresidents to less than 10%, I am done applying in Arizona, plain and simple. Arizona is blessed with great hunting, Ohio not so much.

Written Comment: August 7, 2015. As a nonresident with eight bonus points for elk, deer, antelope, and bighorn sheep; I have bided my time waiting until I was near maximum bonus points to wait to apply in preparation for a great hunt in Arizona. Although I am not opposed to taking all 10% of the nonresident tags and opening them up to any nonresident with no or low bonus points, I am against reducing the number of allocated nonresident tags and taking the opportunities that are primarily on public lands away. I can understand the Department wanting to remove the 'maximum bonus point guarantee' and offering those tags to nonresidents with less than maximum bonus points; but to take away any of the few nonresident opportunities would likely put drawing any of the high demand tags (that already take at least 10 years to draw) well out of reach for most but the very lucky.

Written Comment: August 7, 2015. As a nonresident with extremely slim odds due to the amount of tags already available to

nonresidents, I strongly oppose any changes to the nonresident tag quota. I already have a lot of money invested in Arizona, so I believe my opinion should count. I would be for this new change if 50% of the 20% nonresident tags went to random draw for nonresidents-only. If this new proposed nonresident tag quota goes through, I will burn up or just forfeit the bonus points I have and never apply in Arizona again. This bait and switch tactic is a complete burn on nonresident sportsman. Do not follow through with this proposed rule change.

Written Comment: August 7, 2015. As a nonresident hunter, I do not support the proposed changes. I have been in the draw system for 19 years. I have been paying for a license for all those years. Don't change the rules now.

Written Comment: August 7, 2015. I am opposed to the proposed rule change that could theoretically take away 50% of the tags currently issued to nonresidents of Arizona under the 10% rule.

Written Comment: August 7, 2015. It is my understanding that only 5% of tags would be guaranteed to nonresidents under the new proposed system. I have no illusions in my mind that one day I may draw a rifle hunt mule deer on the strip, be it under the old or new proposed system. The odds would be astronomical in either case. However, I did begin the process of applying for bonus points in Arizona with the understanding that 10% of draw tags would go to nonresidents. I would like a quality hunt in a quality unit and the "10% guaranteed" rule helps ensure that for persons like me. I have been applying for deer, elk, antelope, and bighorn sheep bonus points in Arizona as a nonresident for five years. I have spent over $1,000 so far in pursuit of these bonus points. I made the trip to Kingman for no other reason than to take Hunter Education Course for the additional bonus points. Consider the nonresidents and the significant sums of money they have sent to Arizona before deciding to cut the guaranteed tag numbers in half.

Written Comment: August 7, 2015. As a resident of Texas, I apply for tags in six other states for the opportunity to chase my passion of hunting. I know that a nonresident hunter like me invests substantial amounts of time and money in other state's wildlife programs, so that not only we, our children, and grandchildren may enjoy the privileges of hunting, fishing, and watching wildlife. I am strongly against the proposed rule change to the allocation of nonresident tags simply because it has the potential to drive away financial support and well-meaning interest in Arizona's hunting industry. These changes could cause Arizona to miss out on out-of-state income from hunters like me and damage the opportunities those funds could have to improve the health of Arizona wildlife, habitat, and the Department. These changes could hurt me, my children, and Arizona. I urge the Department to reconsider and abandon the proposed rule change to the way tags are allocated to nonresidents. I am eager to come and spend my dollars hunting in Arizona as are thousands just like me.

Written Comment: August 7, 2015. I do not support the proposal to change the way nonresident permit are issued. We nonresidents get so few permits as it is. Also, remember some of us nonresidents were former residents or natives of Arizona.

Written Comment: August 7, 2015. I send Arizona a lot of money every year for a chance to hunt. Now the Department is going to cut nonresident tags in half. The Department should have to give every nonresident hunter who has invested in Arizona an optional refund for the years of bonus points.

Written Comment: August 7, 2015. As a nonresident big game hunter who has faithfully built (purchased) bonus points every year, I am opposed to any cuts or modifications to the 10% nonresident tag allocation. I feel this is a slap in the face as I have faithfully participated in the bonus point system for many years. Not only have I built up a significant number of bonus points for myself, but I have diligently built them for my children so that one day they may have an opportunity to hunt in Arizona. Changing the bonus point allocation at this juncture punishes people like me who have patiently waited to enjoy the opportunities the current bonus point system would eventually provide. I lived in Arizona for five years and fell in love with the mountains and desert and consider it to be one of my all-time favorite states to hunt big game in (when I can draw a tag). I want my children to experience the same hunts that I have been fortunate to draw. Although my sons were born in Arizona, they are no longer residents and only through the bonus point system will they ever participate in some of the fantastic elk, deer, and bighorn sheep hunts Arizona has to offer. I offer an alternative process, leave the nonresident tag allocation at 10% and then allocate an additional 5% or 10% of the tags to all applicants regardless of bonus point status, not just the residents. It is a well-known fact that a large portion of the revenue for many of the state wildlife agencies come from out-of-state hunters. By offering a small percentage of tags for high demand hunts to all applicants, more nonresident hunters would be willing to participate in the draw system and put money into the Game and Fish fund.

Written Comment: August 7, 2015. The Department should rethink the change being proposed to the current draw system. The only way the random draw will be beneficial to nonresidents is if the Department were to guarantee 10% of the tags would be made available to nonresidents; not "up to" 10%" of the available tags. The proposed rule change will decrease the number of tags nonresidents can draw across the board. It already takes 20 or more years to draw most high demand tags. This change will guarantee most nonresidents will drop out of the draw unless they already have a lot of bonus points. This is completely unfair considering the amount of money I have tied up in a tag for decades before it is even drawn. Thanks in advance from a nonresident hunter who has taken the Hunter Education Course, has one less than maximum deer bonus points, and has 18 (or more) bonus points for all other species.

Written Comment: August 7, 2015. As a nonresident who has been buying licenses and tags, applying for draws, and hunting in Arizona for over 20 years, I have always been disappointed that more tags do not go to nonresidents. Under the proposed rule changes, the number of tags going to nonresidents will be even less. While I understand the good intentions of the proposal, mathematically the fact is a resident will receive a tag that otherwise would have gone to a nonresident. Do not set a 50% maximum bonus point allocation.

Written Comment: August 7, 2015. Does the Department realize the positive economic impact nonresidents have on Arizona when we draw a tag? I drew an elk tag a few years back and spent thousands of dollars while there. We are not allocated many tags in the current draw; your local towns and outfitters would suffer financially.

Written Comment: August 7, 2015. Reconsider the proposed nonresident tag allocation process. On the surface it gives non-

residents a chance to draw high demand tags, but in actuality it probably takes chances away from nonresidents to draw these tags. A better idea would be to guarantee 10% of tags to nonresidents and give half of them to nonresidents in a random draw.

Written Comment: August 7, 2015. Stop the proposal to limit nonresident tags. Nonresidents significantly impact your communities with tourism money and provide a source of revenue for the Department that the resident hunters are unwilling to provide. The federal public lands in Arizona belong to everyone and the opportunity for nonresidents to hunt on federal public land in Arizona is precious for the future of big game hunting across the U.S.

Written Comment: August 7, 2015. As a nonresident who has faithfully applied for tags and bought nonresident licenses yearly, I do not support the proposed rule changes to how the nonresident tags are allocated. I would like to keep the process the way it is.

Written Comment: August 7, 2015. I oppose the proposed rule changes to the nonresident tag allocation. For many years I have paid into a system knowing that one day I would receive a tag. Now the Department wants to change the rules after thousands of nonresidents have faithfully applied for tags year after year. There is nothing wrong with the way the nonresident tag allocation is set up now. If anything, I think a lot of nonresidents will no longer apply knowing they will never have a chance to ever draw a premium tag in Arizona. If this does go through, I will never spend another dime to apply for a tag in Arizona.

Written Comment: August 7, 2015. I would prefer the nonresident tag allocation stay the same as it is now.

Written Comment: August 7, 2015. I know giving everyone a slim chance of drawing a tag will raise revenue at first, but when people realize how slim the odds are they will eventually stop buying a license and the additional revenue will be lost. Then others, who despite the long odds will continue to build bonus points in the hopes of someday drawing a tag, will quit applying when they realize that these long odds are now worse. As a nonresident with maximum bonus points for deer, I feel the proposed rule change is taking away my chance at a once in a lifetime tag that, given my age and amount of people in maximum bonus points pool, I would almost certainly draw at some point in my life. I have played by the rules the Department set forth and to change the rules now seems unfair. I have donated many license fees to Arizona, just to have a chance at these tags. If my chances are depleted, I will most likely not continue to do so. I realize if I do draw a tag I will no longer have bonus points and will try for less desirable hunts. But, I feel I should be allowed to play the bonus point game as it was set forth until I am given a chance to use them on a hunt worthy of them.

Written Comment: August 7, 2015. As someone who has been building bonus points in Arizona for many years, I am extremely concerned over the current proposed rule change to the way nonresident tags are allocated. One of the primary reasons I continue to apply and buy hunting licenses is the know ledge that eventually (when I have enough bonus points) I will draw a tag. If the proposed rules are implemented it may take so long to draw a tag that it will no longer be worthwhile for me as a nonresident to continue to apply in Arizona. I would ask that the Department leave the current system of allocating tags in place.

Written Comment: August 7, 2015. I believe the current method of tag allocations and preference point system should remain the same; as it is now.

Written Comment: August 7, 2015. I have applied for hunts in Arizona for 18 years and have spent a lot of money for the chance to draw some quality hunts in my lifetime. The proposed rule changes would remove my chance from ever drawing and would be unfair. Do not change the current system. I will not continue to spend money on the Arizona draw in this happens.

Written Comment: August 7, 2015. I like a lot of maximum bonus point holders, obviously do not want any changes to the draw. I have put a lot of time and money into this bonus point game to lose half of my chances at drawing. I lost work time to go to Kingman to take Hunter Education Course also my loyalty to Arizona.

Written Comment: August 7, 2015. I have been waiting over 10 years to hunt in Arizona. I almost feel like someone is stepping in line in front of me. I have been patient and will continue, but to me it is not fair for someone just applying first time and drawing the tag.

Written Comment: August 7, 2015. It is obvious the Department's proposed rule change is nothing more than an attempt to reduce the amount of tags guaranteed to nonresidents. It looks like there will be a 50% reduction on guaranteed tags to nonresidents. Basically it boils down to the difference between “shall” and “may.” Also, it is blatantly unfair to those of us who have been playing the game and paying for the privilege of obtaining bonus points. The trade-off was that someday I thought I would gain the advantage of making it to the maximum bonus point pool. Now, the Department wants to jerk the carpet out from under me.

Written Comment: August 7, 2015. I consistently apply and contribute to Arizona monetarily in order to continue to accumulate bonus points. I do this knowing that over time, I will accumulate bonus points and dramatically increase my odds of drawing one of the coveted trophy tags. By cutting the nonresident guaranteed allotment in half, the Department makes me question my desire to continue to apply in Arizona.

Written Comment: August 7, 2015. I am opposed to any nonresident draw changes. I have 20 bonus points for elk and, if the rule change goes into effect, my chances to draw a tag in Unit 1 for early rifle would decrease by 50% or more. I have waited a long time to draw this tag. I do not think it is fair to change the program after I have relied on this current program for so long, along with many other hunters.

Written Comment: August 7, 2015. Establish a separate quota for nonresidents (e.g., 10% of given tags for a given species in a given unit for deer, elk and antelope), then apply the bonus pass rules (20%) to these units. It's essentially the Wyoming system where nonresident applicants are placed in a separate draw for the allocation of their potion of tags. A percentage is given to maximum preference point holders and a percentage is awarded through the random draw so that there is some chance of drawing with less than maximum bonus points. So for a deer unit like 13B, if there were 50 tags available, five would set aside for a

separate draw for nonresidents. One (or perhaps more, depending on how the breakdown should be) of those tags would be allocated to maximum bonus point holders and four (or less) would be issued through the random draw. As the system currently stands, those with less than maximum bonus points are wasting their time and money applying in Arizona with respect to the most coveted tags. As I understand the proposed rule changes, a nonresident will likely lose their tag unless a separate nonresident allocation is set aside. Arizona residents are not hurt by a proposal like the one outlined here, they are giving up 10% of the tags as it is. But nonresidents, who buy licenses every year for over a hundred dollars, are protected and now have a chance, no matter how small, to draw the most sought after tags.

Written Comment: August 7, 2015. Reconsider the new proposed draw rule change, especially as it applies to nonresidents. I believe the change is good by making half of the top 20% permits available for the random draw, but I would like to see that the remaining permits still will be available and guaranteed up to the 10% for nonresidents. I have been fortunate enough to draw a few Arizona permits over the years and have spent a considerable amount of money in Arizona when doing these hunts, also the license fee for receiving bonus points has been a substantial investment. I really appreciate the opportunity to hunt in Arizona and do not want to quit putting into the draws like a few of my friends have, who said it is not worth paying so much with so little chance of drawing a tag. The new rule would help, but only if the remaining tags are very available to nonresidents.

Written Comment: August 7, 2015. I am a nonresident who has applied for the Arizona big game draw for over 20 consecutive years. There have been several changes to the process and allocations over the years. I actually wish no bonus points system were ever started and a person could base their choices on the hunts available year-to-year. The most frustrating thing about bonus points system is that on top of demand, a person has no clue about possible future changes to the system. So here I am, sacrificing hunting lesser units for almost 20 years thinking I will get one strip tag before I die. Now the odds will be 50:50. I would have hunted lesser units more often had I known the rules would change. Yes, I get that locking out all but maximum bonus point holders is wrong. But if the Department wants credibility with a system, it should keep it consistent. I would almost prefer the Department eliminate bonus points all together and go to straight random draw and never change again. One hit and done. Do not make us have to squirm and worry and get upset every time change the rules.

Written Comment: August 7, 2015. I have been dreaming of hunting an elk in Arizona with my bow; I have faithfully applied and purchased a nonresident hunting license for the past 16 years. This has turned into a considerable investment, but I feel that my chance of a lifetime hunt might happen soon. I am no longer a spring chicken and if the tag numbers are reduced, I may not be able to get around and chase the elk of my dreams. I think nonresidents have as much right to hunt on federal land as residents do. Keep the nonresident tag numbers the same as 2015.

Written Comment: August 7, 2015. As a nonresident hunter, these proposed rule changes will drastically lower my chances of ever getting the chance to hunt Arizona and greatly lower the Department's revenue from hunting and fishing across the board. Do not make it harder for hard working Americans to enjoy the great outdoors and the tradition of hunting.

Written Comment: August 7, 2015. Many of us hunters have waited 10 to 20 years for the tag that we wanted. It is wrong to start giving more tags to hunters with fewer bonus points. Hunters with more bonus points have to wait even longer.

Written Comment: August 8, 2015. Leave the rules for allocating the proportion of nonresident tags as is. It is reasonably fair and the proposed rule change takes away the benefit of nonresident fidelity to the system. Why should we continue to spend the necessary large application fees if there are dwindling numbers of available tags for nonresident applicants with the maximum bonus points? The Department will kill the goose that is paying the bulk of your application fees if the Department implements the proposed rule changes.

Written Comment: August 8, 2015. I am a concerned sportsman who enjoys entering the Arizona big game draw every year. I understand there may be reasons for some proposed rule changes this year. While it may be sensible to make some of the changes, I do not think it is a good idea to take some of the tags that would go to nonresidents with the most bonus points and offer those tags in the random draw; especially if many of those tags could be given to residents or nonresidents. I imagine there is a thought that some sportsmen may be discouraged to enter the draw if they know they will not be drawn in high demand units unless they have maximum bonus points. If they are made to believe that they have a chance in the random draw, they may initially be happier until they see what their draw odds really are for these great units (I'm sure it will be horrible knowing what it is in other states). They will likely stop applying. In the meantime, the Department may sell more applications and appease the sportsmen and women who think they are somehow benefitting from a very few tags in the random draw. But, we are shooting the nonresidents in the foot because they cannot count on the odds of drawing with lots of bonus points and the tags they would have obtained with bonus points could go to residents in the random draw. Allocating more tags in the random draw is shortsighted for both hunters and the Department. This opinion comes from a person who has only three bonus points. I am not trying to protect my own current situation. I am looking out for the long-term interest of all nonresidents. Do not change this rule to make more money on applications or to appease the folks who think tags in the random draw will have reasonable odds; they will not. There are already few enough tags going to nonresidents in states across the west; and all states, including New Mexico are making it harder. The long-term success of the Arizona lottery depends on a fair system. So many hunters enjoy Colorado, which has a pure preference point system. But, Arizona already has a system which grants less-than-maximum bonus point holders many tags in many of the units. I think that part of the Arizona system is great and does not need to be changed. When nonresident sportsmen and women see that some of their already precious few tags disappear and that their odds of drawing an Arizona Strip tag is 1:5,000, they will want the current system back. Many sportsmen and women nowadays calculate the draw odds or get books that contain them. They do not just look at a pamphlet saying that Arizona Strip tags are now available in the random draw.

Written Comment: August 8, 2015. Reconsider changing the allocation of the nonresident bonus points this will a negative impact on all hunters patiently waiting to draw a high demand tag.

Written Comment: August 8, 2015. I am concerned about the nonresident hunting changes. I've invested 11 years and the appropriate dollars in the Arizona bonus point program for nonresident tags for elk, deer and bighorn sheep. I think the rule changes will hurt my chances for a once-in-a-lifetime hunting opportunity in Arizona. Take into consideration the opinions of

hunters who are in the preference bonus point pool when the Department makes its decision.

Written Comment: August 8, 2015. Do not change the rules. I have been applying in Arizona for decades and spend a lot of money on hunting licenses, which I am forced to buy in order to apply for a tag. Arizona is a very difficult state to draw a tag in and your proposed rule changes will make it even harder for me. **Subsequent Comment: August 8, 2015.** Do not change the rules on allocation of tags.

Written Comment: August 8, 2015. Do not change the current draw for nonresidents. Many years ago the Department made the rules for how tags would be issued to nonresident hunters. For the last 17 years, I have been following the Department's rules to accumulate bonus points in the hopes of someday getting a once in my lifetime chance to hunt the Arizona strip. Now that I have finally accrued maximum bonus point holder status for deer (along with approximately 147 other nonresidents) I have a chance over the next 15 years of drawing a 13B or 13A tag. At the age of 65, I just need to live another 15 years to realize my dream. If the Department changes the rules for the nonresident tag drawing, it will reduce my odds of drawing the tag I have diligently worked for over the past 17 years. The proposed rule changes would likely prevent me from ever drawing the tag I have worked so long for. It would not be fair to me and so many others who have paid the fees and submitted the applications the Department required and been loyal to the process the Department designed and implemented in the first place. Do not change the rules now. **Subsequent Written Comment: August 10, 2015.** Do not change the nonresident draw process. I am a maximum bonus point holder for deer; it took me 17 years of following the Department's requirements to get to this point. It would not be fair to me and hundreds of other bonus point holders if the Department changes the rules.

Written Comment: August 8, 2015. I have been building bonus points in Arizona, which is not cheap. I am against the proposed rule changes. I do not like the fact that half of what is now guaranteed will not be so moving forward.

Written Comment: August 8, 2015. I am opposed to the nonresident tag allotment rule changes being proposed in Arizona. If the Department is going to make it more difficult to draw a tag in Arizona, I and my friends will most likely no longer apply. As we now purchase a license so that we may accumulate preference points, the Department will have "killed the goose that laid the golden egg."

Written Comment: August 8, 2015. I am a Texas resident and have been putting into the draw in Arizona for 18 years. Luckily, and with the help of my dad, I have accumulated quite a few bonus points and in 2011 drew a mule deer tag on the strip. With the proposed rule changes, I may not have had the same opportunity and more than likely will not get to go on these hunts that I have planned in the future. I planned on elk and bighorn sheep in 2017. Consider all the time that has gone into preparing for these hunts. I hope that the Department will reconsider these proposed rule changes.

Written Comment: August 8, 2015. I am asking the Department to reconsider the proposed rule change to the draw. I have spent 14 years investing my hard earned money in the maximum bonus point system with the hope that I would someday draw a high demand tag. Now that I am getting close to this goal, the proposed rule change could change the draw to the extent that I may never draw a high demand tag. Allow the nonresident draw rules to remain the same.

Written Comment: August 8, 2015. I am a nonresident who is against the proposed rule changes to the nonresident tag allocations. Allowing less than the 10% of the already permitted tags would make me reconsider whether Arizona is worth applying for. Do not change the structure of the draw.

Written Comment: August 8, 2015. I am writing in opposition of the proposed rule changes to the current bonus point structure. As a former native of Arizona now turned nonresident, I am acutely aware of the challenges the Department faces in managing the limited resources in Arizona while balancing quality and opportunity. It is a problem being dealt with by wildlife agencies across the West; however, Arizona's situation is unique given the high demand and limited opportunities. Many solutions have been experimented with varying degrees of success, but I honestly feel that Arizona's system is the most fair and balanced. While it does not afford me the opportunity to go on a dream hunt every year, which would not be realistic or feasible, it does give me the chance to plan my hunts every year and look forward with a high degree of certainty to the year I will draw a tag. This is invaluable to me as a hunter and I look forward with great anticipation as I approach the year I will have a chance to draw a tag because of my accumulated bonus points. For elk, I can do this every six to twelve years depending on the unit I choose. If the system is changed as proposed, I will not be able to draw a tag with any degree of certainty for nearly twice that time, which is not very appealing to me. Reconsider and leave the current system 'as is'. I love hunting Arizona and I think the current bonus point system is the best and fairest way to accomplish that for residents and nonresidential alike.

Written Comment: August 8, 2015. I appreciate the Department is looking at making changes to their current draw system. It appears that the Department is trying to make it more advantageous for hunters with less than maximum bonus points to draw, which I am in favor of. Trying to have a system in place that allows those who have been unsuccessful for years a higher probability to draw is great as well as giving those with few bonus points an opportunity. Balancing resident and nonresident tags is difficult. From my perspective as a nonresident and the perspective of wildlife enhancement, it appears keeping greater potential of drawing as a nonresident would bring more money into Arizona and thus for wildlife enhancement. As a nonresident who has applied just long enough to be heavily invested, I would hate to stop applying. However, with these changes it appears there is a potential the odds will get worse because these tags have the potential go to residents. I think it would be a decent option to set them aside for nonresidents, only. It is almost at the point where it may be more beneficial to me to save money and pay for a guided hunt in a state that has land owner tags. I hope the Department will look at other options that will help nonresidents and keep money flowing into Arizona from out-of-state.

Written Comment: August 8, 2015. I am from Canada and have been applying in Arizona for five years; building my bonus points so that one day I can draw a Unit 9 tag. With the proposed rule changes, I may never draw a tag and will probably stop applying in Arizona. When I was drawn in New Mexico, I dropped a few thousand dollars into their economy (renting and buying things while I was hunting). I would suggest leaving the draw process as it is or even increase the number of tags made available to nonresidents, as the number of tags available to residents is quite high and we bring a lot more into your economy when drawn.

Written Comment: August 8, 2015. I have been applying and purchasing a license for many years and have spent a considerable amount of money, in good faith, to participate in the draw system the Department set-up. I am opposed to the proposed rule change that would reduce the number of nonresident tags available from the already meager current levels. My intent 16 years ago was to wait out the draw for a chance to hunt the Arizona Strip or Kaibab areas until I did the math and confirmed I would not draw one of those tags until the age of 118. The Department operated its revenue plan under the "buyer beware" doctrine as I was never warned or provided illustrations indicating the practicality of drawing a tag. In fact, I was told by a Department biologist that the only mule deer hunting available in Arizona was in the Arizona Strip or Kaibab areas. Later, research revealed otherwise and I have attempted to utilize my points for other units, albeit of noted lesser quality hunting. I respect the rights of Arizona residents but to the extent that any hunts are conducted on federal land I would expect full and equal rights as a federal tax payer. Rethink this penalty the Department is proposing to impose on those who have participated in the Department's program fairly and in good faith. If the changes are put through, I expect a full refund of all license and the related fees that I have paid to the Department.

Written Comment: August 8, 2015. I am against any rule changes that would reduce nonresident tags. I prefer the tag allocation for nonresidents remain the same as it is now.

Written Comment: August 8, 2015. I am not in favor of the proposed rule changes to the nonresident draw quota. Do not reduce the quota pool for nonresident tags. Nonresident hunters are a boost to the Arizona economy by spending money in the state.

Written Comment: August 8, 2015. As a longtime supporter and nonresident, I object to the proposed rule change regarding nonresident draw and tag allocation. Although well intentioned, changing the 20% rule will reduce nonresident tag allocation to less than 10% by putting 10% of the tags in random draw where they could be awarded to residents. Make the system more fare by keeping the 10% nonresident allocation intact.

Written Comment: August 8, 2015. I am a nonresident hunter who has invested thousands of dollars over the past 20 years or so in license and application fees just to have a chance to hunt on federal land in Arizona (which my tax dollars support). The odds of drawing a reasonably good trophy tag are already ridiculous. To, in effect, reduce the number of tags by 50% is an injustice to nonresident hunters, not to mention the loss of revenue to Arizona's residents and businesses that depend upon nonresident hunters for a significant portion of their livelihood. I just completed a bison hunt on the Kaibab in which I spent over $10,000, benefiting Arizona. I assure you, the resident bison hunters that I encountered may have contributed a few hundred dollars, at most, to Arizona's economy. If the Commission approves this change, I will probably go to my grave with bonus points on the books. In all fairness to nonresident hunters, for the benefit of conservation (nonresident license fees) and for the economic welfare of your residents. I urge the Department to not make this change.

Written Comment: August 8, 2015. As a nonresident, I have supported the current regulations for 19 years and have paid substantial funds into Arizona funds with no complaints. The system was established and I lived with it. Those who were most fortunate to draw these coveted tags have no doubt spent a substantial sum of money, paying into the Arizona economy; including supporting Arizona's local outfitters and spending a large amount of money when drawn. The change could result in more of these tags going to residents or nonresidents, with no guarantees. With the current system, I understand the rules and they are fixed. Also, as I understand the change, someone with less than maximum bonus points will have a chance to draw the most coveted tags. I think the Department is doing a disservice to the loyal nonresidents who have participated for years. I live close to the Arizona border and do my shopping in Arizona. But, I will be a disgruntled nonresident who may no longer spend a dime in Arizona and just may forget about Arizona for all my hunting needs (which goes beyond hunting mule deer). Why not just leave the system alone rather than mess with the financial support the Department gets from nonresidents.

Written Comment: August 8, 2015. I encourage the Department in whatever changes it makes to the nonresident draw sequence, process, and quota to refrain from lowering the number of tags to nonresidents. This change will discourage nonresidents from putting in as they will feel the odds are just too low to be drawn, which equals lower revenue to the Department. This change will lower the number guides hired as out-of-state hunters hire guides at a higher rate. Treating people fairly is the right thing to do.

Written Comment: August 8, 2015. I oppose the proposed rule change that would reduce the number of tags allocated to nonresidents. This is an extremely unfair proposal and should not be undertaken. There is no reason nonresidents should shoulder the burden of the proposed rule changes targeting the allocation of nonresident tags with the potential impact of a 50% reduction. Nonresidents already must purchase licenses at the increased nonresident prices for a resource that is restricted in participation. It is unfair that after 21 years of paying fees and waiting my turn as a nonresident elk applicant, I am told the rules will change and now my specific chances are further reduced. The Department cannot simply target nonresidents just because they have waited and accumulated bonus points. We have followed the rules even after the 20% maximum bonus point and 10% tag allocation cap were implemented. This is an unfair and biased proposal. If the Department wants to offer a random opportunity to those with no or low bonus points, it should take those tags from all tags, not just the nonresident's tag pool. Colorado, Idaho, Montana, Utah, and Wyoming offer limited random opportunities, albeit slim, but still a chance. Nonresidents cannot have the rules changed years into a process just because a few who are late into the game are upset because they do not have a chance. If the Department wants everyone to have a chance it should eliminate the 10% nonresident tag allocation cap and give everyone a chance. The Department cannot say it wants everyone to have an opportunity and then take away opportunity from someone who has paid my dues and followed rules. A more fair allocation structure must be found. Do not implement this rule change as outlined regarding the maximum bonus point allocation.

Written Comment: August 8, 2015. I do not support any changes that would take away the number of tags allocated to nonresidents. I spend a lot of money applying in Arizona year after year; if my draw odds were to decrease, I would not continue applying.

Written Comment: August 8, 2015. I support keeping the nonresident tag allocations the same as they have been for many

years. I have been applying in Arizona for many years and have built my bonus points so that I can have a chance at the high demand tags. After I have spent a lot of money buying licenses and tag applications for myself and family, it would be a kick in the pants to have the system changed and cut our chances in half (or less). We went through this with New Mexico and it is a state that is way less attractive to apply and bring money to now.

Written Comment: August 8, 2015. I am not in favor of the proposed rule changes due to the potential loss of tags to nonresidents below 10%. I have applied in Arizona almost every year for the past 15 years. I did the same in New Mexico, but stopped applying when they drastically changed the nonresident allocation. I did the same for Montana. While I think your changes are well intentioned, the result may not be as intended.

Written Comment: August 8, 2015. I support the changes to the draw system, but nonresidents should be guaranteed 10% of the tag quota. By guaranteeing 10% of the tags to the nonresidents, new applicants will continue to apply, the Department will make more money off of license sales, and nonresidents will not stop applying for hunts in Arizona. 10% of the tags is a reasonable compromise and is similar to other western states.

Written Comment: August 8, 2015. The Department would be crazy to cut nonresident tag allocations in half. Does the Department realize how much money nonresidents bring to Arizona? This is a horrible idea.

Written Comment: August 8, 2015. While I understand the good intent behind the changes to nonresident tag allocations in the maximum bonus point draw, it has consequences for those who have supported the Department for years. For 12 years, I have been applying in Arizona for myself and my two sons. It is a significant investment for my family, but I have done so with the understanding that one day we would be eligible to draw a hunt of a lifetime. As a nonresident, I am already challenged in drawing a tag within the 10% allocation limitation. To institute a change in the maximum bonus point pool percentage draw will cut my chances in half, leaving the odds even farther from reality. Again, I've made a significant investment in building our bonus points to the point where we are seeing light at the end of the tunnel. Opportunities are few and far between on high demand hunts for those who do not have the budget to simply pay for the opportunity. It is sad to see this becoming more and more a rich man's sport. I sincerely hope the Department will consider keeping all as it is today, so my sons and I can experience a hunt of a lifetime. We hope the Department will remember those persons who have been applying for years with the same understanding of the investment being made for the future opportunity within Arizona. I also commend the Department for proposing to allow a tag to be returned once in a lifetime. Life certainly can throw one many twists and turns and to draw a tag of a lifetime to see it go unused due to personal strife is hard to imagine after years of investing and dreaming of the opportunity. Not to mention my own personal experience where I accidentally submitted an application with the wrong hunt number. I watched the tag go unused and lost my bonus points due to my error. I wish all could be without error, while it was a terrible learning lesson to learn on my part (one that I am sure not to repeat), the bonus points I had saved were gone forever and I am not getting any younger.

Written Comment: August 8, 2015. The rule change will affect my long awaited chance of drawing a nonresident tag for a bighorn sheep hunt. I have been applying for 17 years and was hopping my odds were getting better. With the new rule change, my odds are getting worse. I am getting older and, at some point, may not be able to make a hunt. I was hoping with the amount of bonus points I have that my odds were improving, but with this new rule change my odds will decrease. I understood the rules going into the drawing of bighorn sheep tags in Arizona when I was in my forties. Now that I am in my sixties, the rules are changing. It is not a fair way to play the game. If I had known the Department was going to change the rules, I would have never applied for a bighorn sheep tag in Arizona. With this rule change, is the Department going to give me back my application fees or a percentage of them? To me that is only fair. Do the math; after 17 years of applying for bighorn sheep hunts and some elk and deer hunts, I have given your Department a good income stream. If this rule is passed, I will stop applying for permits in Arizona and book my bighorn sheep and deer hunts in Mexico.

Written Comment: August 8, 2015. I understand there are some changes being made that may affect the draw for nonresidents; take into consideration the nonresident who have been putting in and playing the odds for 20 years. Do not make any change that will affect us, were not bad people we just want to go hunting.

Written Comment: August 8, 2015. Do not change the current bonus point system.

Written Comment: August 8, 2015. As a nonresident who has supported the Department for the past 17 years by purchasing nonresident hunting licenses which have gone unused, except for one season, so that I may have a chance in a high demand hunt draw, I oppose the proposed rule changes. Just when my bonus points are accumulating to a point where I feel I have a legitimate chance to draw a high demand tag; the rule changes will reduce my odds of drawing. I support the fact that nonresidents are limited to a percentage of the number of available tags, but this change will reduce those numbers to unacceptable levels, considering the financial windfall the Department depends upon from the nonresident applications. I will seriously consider whether I wish to continue to invest in Arizona's wildlife resources considering the Department's approach to the high demand hunt draw. Do not change the draw rules, the proposed rule changes may have a farther reaching financial impact on Department than is realized.

Written Comment: August 8, 2015. The recent proposal to reduce the number of nonresident hunting permits by approximately 50% is a development that I find troubling. I have been purchasing a hunting license every year so I could accrue preference points and eventually hunt big game in Arizona. Changing the rules after happily taking our money for the last several decade's smacks of extortion. At the very least, it seems to indicate how disingenuous and political the Commissioners and Department has become. While I seriously doubt my comments will be considered, I urge the Department to leave the percentage of tags allocated to resident and nonresident hunters as they have been.

Written Comment: August 8, 2015. As a nonresident with numerous accumulated bonus points for big game in Arizona and paying around $165 a year to apply for hunts or bonus points, I feel current proposed draw rule changes for bonus point nonresident hunters is not fair. Nonresidents only receive 10% of the draw tags available. If proposed rules become effective, it will leave the nonresident percentage at 5% on hard to draw units. The other 5% of the tags will go at random, but are not guaranteed to go to nonresidents. This rule change is not fair to nonresidents who have been sending money to Arizona just to build bonus

points. I have 12 bonus points for elk in Arizona.

Written Comment: August 8, 2015. Do not amend the rules regarding nonresident tags. I have been applying for 23 years and feel the rule change is unfair.

Written Comment: August 8, 2015. I do not support the proposal to cut the number of nonresident tags and make them available in the random draw. This change penalizes those nonresidents who have spent their hard earned money and time accumulating bonus points and loyalty points. I urge the Department to not implement this proposed rule change and ask that the Department be fair in its decision making process.

Written Comment: August 8, 2015. In order to keep the 10% of the tags allocated to nonresidents, I believe the other 5% of the random draw should be limited to a random nonresident-only draw to justify the total application cost for the reduced chance to draw a tag.

Written Comment: August 8, 2015. As a hunter who has been putting in for Arizona tags for many years, this new proposal is wrong. Will the Department refund the money I spent for years under the old rules? Changing rules midstream is not fair to the people who have been supporting hunting in Arizona. Think about those who have supported the Department for years.

Written Comment: August 8, 2015. I have been putting in for the Arizona big game for 13 or more years as a nonresident. This means I have spent thousands on licenses I knew I would never use to get to this point. The proposed rule change in high demand tag allocation will unintentionally (at least I hope it is unintentional) result in fewer, potentially many fewer, tags being allocated to nonresidents. Allocating only up to 10% of high demand tags is bad enough, but to lower that number even more is patently unfair to those of us who have been paying and waiting for our chance. If the Department decides to make fewer tags available to nonresidents with maximum bonus points and make the others subject to the draw, that's fine but the Department need to make the ones allocated by draw only available to nonresidents to assure the Department are not reducing nonresident draws to an even lower level.

Written Comment: August 8, 2015. I am writing to voice my opinion about the proposed rule changes that will affect the way nonresidents receive tags. I do not support this proposal. We already have low odds as is being nonresidents. I believe it would have a negative effect.

Written Comment: August 9, 2015. I love elk hunting and the dream of finally getting to hunt the best place ever is amazing. I am a blue collar father of three and have an amazing wife who has allowed me to apply for elk hunts in Arizona for ten years. This has been an investment for me. Every year I get closer to getting into the maximum bonus point pool. I am not someone who has neither the means nor the desire to pay $10,000 to hunt on someone's ranch and shoot a bull feeding on a bale of hay; I want to earn it. Keep in mind the average person who has the same dreams as everyone when deciding to make any changes.

Written Comment: August 9, 2015. As a nonresident who has been faithfully paid approximately $175 per year since 2002 to apply for the Arizona big game draws (a small fortune to a person who gets paid by the hour), I strongly oppose the 50% tag allocation rule change. The benefits of the current system: it rewards patience; it allows a hunter to plan ahead (by examining past draw analysis); and it makes it fair for those persons who have traveled to Arizona to take the hunter education course. To me, the fairest systems incorporate "square bonus points," percentage to the highest bonus points, and a percentage to nonresidents. If the problem is nonresidents are complaining that they basically have no opportunity to draw a tag in the random draw, then increase the percentage of tags available to nonresident by 5% and put those in the random draw; especially if nonresidents constitute a higher percentage of the applications.

Written Comment: August 9, 2015. I am against the proposed rule change in nonresident deer permit allocations. I have been applying for six years and feel this change will not only stop me from applying in the future, but make me feel cheated for all of my past applications.

Written Comment: August 9, 2015. As a nonresident who has been applying for tags in Arizona for over 16 years, which adds up to a lot of money with nothing to show for it. Changing the system would be good if the Department started allowing nonresidents 25% of the tags since the majority of the land is federal land to start with. Any changes that will reduce the chance to draw a tag for those who have been applying for years would be a slap in the face and wrong. Arizona is on the verge of turning hunters away to other states with better chances to draw and cheaper prices.

Written Comment: August 9, 2015. It is my understanding that the Department is considering making a change to the current rules that will allocate 50% of the tags in the maximum bonus point pass available to nonresidents to be available in the random draw. Although this makes tags available to everyone, this will take away 50% of the tags from the maximum bonus point draw applicants who have dedicated time and money over the years to accumulate bonus points. I have double digit bonus points for several species in Arizona and am cautiously optimistic that, if I continue to accumulate bonus points in coming years, I will have a realistic chance of drawing tags for those species. It seems to me that if 50% of the maximum bonus point tags are taken away, the possibility of me drawing one of those tags with my accumulated bonus points is substantially diminished. Moreover, the fact that I potentially could draw in a random draw is so remote that it does not justify taking away 50% of the tags available to maximum bonus point holders. Given the fact that I have faithfully paid license and application fees to Arizona for over a decade, I ask the Department to reconsider its proposal to make a portion of the nonresident maximum bonus point tags available in the random draw.

Written Comment: August 9, 2015. I am opposed to the proposed rule changes for the way tags are allocated to nonresidents. The current method of allocating tags to nonresidents allows me to plan. I understand that it will take a very long time to draw one of the high demand tags, but at least I know that someday I will have a legitimate chance. I have already spent a lot of time and money over the last 16 years purchasing nonresident licenses in order to gain bonus points so that someday I would have a real chance of drawing. The proposed rule changes to the allocation of nonresident tags will cut the number of tags allocated to nonresidents in half. I understand the other half of tags currently allocated to nonresidents may go to residents, but it is just as

possible they will not. In other words there is no guarantee that the other half would go to nonresidents, they could just as easily go to residents and that is what I am opposed to. My first preference is to leave it the way it is, and lets us "pay our dues" in order to have a chance that, in the future, I can plan for one of the high demand hunts that I dream about.

Written Comment: August 9, 2015. I have been applying for high demand tags in Arizona for the past twenty years, which also means I have purchased (and many years did not use) a nonresident license for 20 or more years. I have traveled to Arizona to take the Hunter Education Course and am now in the maximum bonus point pool for deer. The fact that the Department is now considering a rule change that would cut the tags available to me in the draw by half is very concerning to me. Especially since there is no guarantee the tags being taken away from the maximum points draw will be issued to other nonresident applicants. This rule impacts the nonresident maximum bonus point holder, but will also impact other nonresidents by taking tags from the nonresident bonus point draw and putting them back into the random draw, where they can be drawn by residents and nonresidents. The proposed rule has the potential to reduce the tags given to nonresidents by half. The Department is changing the rules in the middle of a game I have played for twenty years, which hardly seems fair.

Written Comment: August 9, 2015. I am from Texas and I have been applying for Arizona draw hunts for years. The quality of big game animals are the best of any state that I apply in. The first tag I drew was in 1991, it was for desert bighorn sheep and I had a great hunt. It took me 22 years to draw my next tag. It was for elk and, once again, I had a great hunt. Several years ago, I flew to Arizona to attend the Hunter Education Course, which I completed and enjoyed. This put me in maximum bonus point pool to hunt mule deer in the famed Arizona Strip. I have been applying for many years for this hunt, as you know I had to in order to be in the maximum bonus point pool. Now, with the proposed rule change, my chances are cut in half. I am asking the Department to consider not making these changes and keep the 10% of tags available to the maximum bonus point holders. I have worked hard to be in the maximum bonus point pool.

Written Comment: August 9, 2015. I have been applying, unsuccessfully, for a desert bighorn sheep tag in Arizona for nearly 40 years. I applied for desert bighorn sheep tags before the Department started a bonus point system. My 26 or 27 bonus points have cost me approximately $4,000. I have not only applied for a desert bighorn sheep tag, I have worked tirelessly to fund and support all kinds of wildlife projects in Arizona during my 22 years as a Director for Minnesota-Wisconsin Foundation for North American Wild Sheep (MN-WI FNAWS), now the Midwest Chapter of the Wild Sheep Foundation. During those 22 years I served as our Chapters President and live auction chair for 10 years. I have not only 'talked the talk,' but I have 'walked the walk' when it came to Arizona desert bighorn sheep. What the Department is proposing to do is wrong. The vast majority of land in Arizona is federal. The majority of the Department's revenue comes from nonresidents. What the Department is proposing to do is unethical and nonsensical. Think of all nonresident have done and will continue to do for wildlife in Arizona and do not cut the number of nonresident opportunities to hunt big game in Arizona.

Written Comment: August 9, 2015. As a nonresident I do not support of the proposed rule changes to the big game draw. The Department is not afraid to over-charge us; so, step up and do the right thing. Give nonresidents a guaranteed allocation of tags, 20-25%.

Written Comment: August 9, 2015. I have enjoyed hunting Arizona for over 50 years. As a nonresident successful permit holder, I have contributed thousands of dollars in revenue to Arizona, several times passing on elk and deer because I did not want to fill a tag on just any animal. Arizona is a very well-managed state with great opportunity; do not change the draw regulations reducing our ability to hunt your wonderful state.

Written Comment: August 9, 2015. I like the proposed rule changes that give chances to hunters with fewer bonus points. However, there should be a provision that guarantees 10% of the tags will be issued to nonresidents. I am not a fan of taking tags away from nonresidents. It seems Arizona would want at least 10% of the tags going to nonresidents, so that it would increase revenue in Arizona. Nonresidents spend a lot of money, in many places, when they enter Arizona.

Written Comment: August 9, 2015. I have been informed of the recent proposed rule change that could affect tag allocations to nonresidents by only allowing 50% of the nonresident tags to be issued in the bonus point pass and placing the other 50% in the random draw. I ask the Commission to consider guaranteeing that 10% of all draw tags will be made available to nonresidents. This seems to be the only fair approach, considering the huge investment that nonresident hunters have in the Arizona draw system. My wife and I have been applying for hunts in Arizona for the past 13 years. I am not asking for more tags, only a fair allocation of the 10% cap. I do not have any problem with only 50% of the available tags being issued in the bonus point pass; I would just like to make sure that 10% of the tags in any given hunt go to nonresidents.

Written Comment: August 9, 2015. When I thought the odds of drawing an elk tag could not get worse, they did. I have been applying for 19 years; I am now 58 years old. All I have wanted to do is hunt one of the top elk units in Arizona. I am convinced the only reason the Department issues any tags is so it can collect the $1,200 that I have paid in so far for nothing. Now the Department wants to cut the number of tags available to nonresidents even more. I wish I had never started putting in for Arizona tags. I am sure at this point; my dream of hunting some of the best in the West is over. I have 12 bonus points and I will use them on some weak unit that I really do not want to go to, then it will be over and I will never apply for a hunt in Arizona again. I have already given Arizona too much money. I do not want one dollar of federal money to go for wildlife in Arizona. Arizona is one greedy state. I apply to a lot of states and have been on some great hunts, but my dream of hunting in Arizona is coming to an end.

Written Comment: August 9, 2015. I have complied with the Department's discrimination against nonresident hunters. I spent three days to travel to Arizona and take a Hunter Education Course so that I would have a chance to draw a high demand tag. Now the Department wants to discriminate more by taking half the tags and putting them in a random draw for residents and nonresidents. Where will the discrimination against nonresidents end? Does the Department care how much revenue it is going to lose because nonresidents are getting tired of being mistreated and discriminated against? I used to think Arizona was a great state to hunt in, but the continued discrimination against nonresidents has caused me to think twice about supporting the Department or any other wildlife organizations in the future.

Written Comment: August 9, 2015. I disagree with the proposed rule changes. As a nonresident I have been applying for a few years now and these changes would impact all the hard work and money I have spent building bonus points for hunts in Arizona. Not to mention fewer available tags for nonresident hunts. I am against this proposal.

Written Comment: August 9, 2015. I am a 73 year old hunter who has had the good fortune to hunt two of the difficult to get Arizona hunts. I had to wait years to get those hunts and appreciate the position of those who are in the waiting period. Apparently, there is a possibility of changing the playing field for those who are waiting. Normally, when changes are made they are made for the new entrants while letting the old members pass by on attrition. It seems the plan here is to just change the rules. It is unfair to change the landscape for those who have applied year after year, taken the Hunter Education Courses, and foregone other hunting opportunities over the years to provide additional opportunities for people who are not willing to "wait their turn." Maintaining those really special hunting areas and times is important and so is maintaining the efforts of those who are deeply involved in the process of getting those special tags. For me, there is not enough time to get another "long term commitment" tag, but I am opposed to taking that chance away from those who have already waited a long time - in good faith. The wait involved is also part of the process that makes those tags so memorable; just getting lucky or, worse yet, buying one definitely reduces its true value. The next step to random draw is often just paying more for increased chances, another reduction in the value of a high demand hunt.

Written Comment: August 9, 2015. I oppose changing the tag allocation for nonresidents. I have been building my points (paying yearly license fees) with the expectation that the quota and allocation method would remain the same. If the Department changes the allocation method, I expect a full refund of all 15 years of applying in the draw when I did not receive a tag; this includes license and application fees. I will file suit to have these fees returned due to the classic 'bait and switch' tactic being proposed. It is ridiculous to collect money under one set of rules and then expect to keep that money after changing the rules. In addition, if the proposed change goes through, the Department should expect to see a dramatic drop in applicants and the nonresident revenue stream as I will simply stop applying in Arizona for a yearly hunting license that the Department intends to make sure I will never get to use. There is no hunting in Arizona that I cannot find elsewhere with cheaper application fees and better draw odds. If the Department wants to get greedy; go ahead, but it will cost you.

Written Comment: August 10, 2015. As a nonresident hunter, I am opposed to the proposed rule change in regards to allocation of the tag quota of nonresident tags. As I read it, the number of guaranteed nonresident tags would essentially be cut in half, with the other half going into a random draw for all applicants. Since there are more residents than nonresident's applying, nonresidents are giving up tags. Even with increased odds based on bonus points (10 points = 11 chances *vs*. 2 points = 3 chances), it looks like nonresidents will suffer. I am not in the maximum bonus point pool and it is unlikely that I will ever draw a strip mule deer rifle tag or a bighorn sheep tag and I understand this change would give me a chance. However, I would be more in favor of a change that gives me a small, random chance, yet "protects" the current nonresident quota.

Written Comment: August 10, 2015. As a nonresident hunter in Arizona, I do not support the proposed revision to the tag allocation system. The areas I hunt are federal land that belongs to all of us and I think all American citizens should have a reasonable chance of utilizing those lands regardless of their state of residence.

Written Comment: August 10, 2015. As a nonresident, I am in opposition to the re-allocation percentages of nonresidents tags. It is already extremely difficult for nonresidents to draw some of the better tags and this would make the situation even worse. Thousands of nonresident hunters have been building bonus points for years in hopes of drawing one of these coveted tags. And now, proposing a change to their chances would be devastating. This is not acceptable.

Written Comment: August 10, 2015. I am submitting these comments as a nonresident hunter who has applied for deer, pronghorn, elk, and bighorn sheep tags every year for over 10 years and have yet to draw a tag. While I do not think the current process where up to 10% of a unit's total tag allocation can go to nonresidents is perfect, I think it gives me a better chance of one day drawing my dream hunt than the proposed rule change will because, on average, more nonresident tags in total should be issued to nonresidents under the current system. While I understand and agree with the intent of the proposed draw system, to give every applicant at least a chance to draw rather than having to wait decades or never, I do not agree with taking tags presently awarded to nonresident maximum bonus point holders and making them available to both nonresidents and residents in the random draw. I feel a much better solution would be to keep these tags for nonresidents but make them available in a random draw process. This way, the nonresidents would not be potentially losing overall tags numbers. I understand the proposed random draw tags could go to residents or nonresidents, but they would not be guaranteed for nonresidents and I feel nonresidents will lose more than they will win and end up having less overall tags in the end. I am not a wealthy person who pays consultants a lot of money to apply in draws all over the country for me, I am just a hard-working, blue collar father who hopes to one day experience my dream hunt in Arizona. I've given Arizona approximately $2,000 of my hard-earned money over the last 10 or more years with the end goal of investing in my hunting future. I know how controversial nonresident draw processes can be and there is no perfect system. However, I feel that maximizing the nonresident opportunity should be priority number one and the proposed rule changes may very well reduce overall nonresident opportunities. I would support allocating a percentage of tags for the random draw, but I would like to see those tags be reserved for nonresidents.

Written Comment: August 10, 2015. Concerning the proposed rule change to nonresident tag allocation, I say no. Today, it is hard enough to get tags in other states. I live in Kansas where getting a tag is easy, even for nonresidents. Do not continue to hamstring people just for the sake of a few more dollars. As nonresidents pay the lion's share of the tag fees already, do not consider any changes to the current structure. There is no reason to go from bad to worse.

Written Comment: August 10, 2015. I would like to comment on the proposal to change the nonresident maximum bonus point pool allocation from 10% to 5%. I would like the Department to keep the nonresident maximum bonus point allocation at 10%. Every year nonresidents purchase the nonrefundable license for the opportunity to participate in the high demand hunt draws. In some cases, nonresidents have waited literally decades and invested thousands of dollars for the opportunity to someday hunt in Arizona. Those patient hunters see the Department's allocation system as an investment in the future. To see that investment cut in half after waiting so long would be disheartening to say the least. Do what is right for those who have consistently supported the Department and the Arizona's wildlife for such a long time. Do not cut us short. Keep the nonresident max-

imum bonus point tag allocation at 10%.

Written Comment: August 10, 2015. I would like the Department to keep the current draw system, I have invested many years in building bonus points in Arizona and I feel changing the rules now is wrong and unfair.

Written Comment: August 10, 2015. I do not support the new tag allocation rule changes. It is hard enough for an out-of-state hunter to draw tag in Arizona without taking half of the tags away. If this new rules pass, I will not apply for bonus points in Arizona. The possibility of drawing a tag will be too slim to warrant the cost of buying an out-of-state license.

Written Comment: August 10, 2015. I would like to comment on the rule change that proposes to use some of the tags currently allocated for maximum bonus point holders in the random draw phase of the computer draw. While this is good news for people with no or low bonus points, it may greatly affect the chances of those with many or maximum bonus points. I have 10 to 12 years invested in the Department's bonus point system for different species with the hopes of drawing a high demand mule deer tag in the next five years. With the proposed rule changes, it could easily change my odds of drawing a tag to 10 or 12 years; tags I am interested in and have been investing in for years. I realize it could possibly mean I could draw a tag sooner with the additional tags being available in the random draw, but I believe the odds of that are so far out that I would have just as good a chance winning the lottery. I do not believe the proposed rule change will be a good thing for a person in my position or persons who have more bonus points, years, and money invested. I also feel that it is unfair to eliminate these tags being available to the people with the most bonus points who have invested so much time and money in a system with certain expectations only to have the rules changed drastically so many years into their investment. Again, while I like the sound of more tags being available to those of us without maximum bonus points, I do not believe the odds that I will have to actually draw one of those tags will outweigh the benefit of our many years of investing in the current system. My vote would be to leave things as they are.

Written Comment: August 10, 2015. I disagree with the proposed draw changes for nonresident hunters. There is a system in place that I have been participating in for the past 17 years; paying my dues. I understood it would take time, but that in time I would get a high demand tag. Under the proposed rule changes, the Department would take half of the current tags set aside for nonresidents and making those available to residents also. If this were the system in place when I started applying all those years ago, I would have not started and the Department would never have received my license and application fees. This change is extremely unfair to persons with maximum bonus points and all nonresident hunters.

Written Comment: August 10, 2015. I do not support the proposed rule changes to Article 1 that would alter the manner in which tags are allocated, especially the 10% of the approved tags for any given unit that can be allotted to nonresidents. The proposed rule changes will drastically hurt all nonresidents' ability to ever draw high demand tags and to plan for potential future hunts. The trade-off that the proposed rule changes offer (the potential for less than maximum bonus point holders to draw a high demand tag) is so minuscule that it is simply not worth it at all.

Written Comment: August 10, 2015. Leave the Department's bonus point system alone. The Department has a good thing going. Do not make the same mistakes that other states make by changing the nonresident system. It is no secret the Departments relies heavily on the nonresident dollar. Making a nonresident's chance of drawing a tag less likely than before will affect the number of nonresidents who are willing to spend their hard earned money in Arizona. This will directly affect your budget. Just ask Montana's Fish, Wildlife, and Parks.

Written Comment: August 10, 2015. I am not in favor of the proposed rule change to the 10% tag allocation for nonresidents. I think this is changing the rules in the middle of the game for nonresidents who have been playing by the rules and building bonus points in the hopes of drawing an Arizona tag. The current system gives nonresidents limited access to tags at a comparatively high cost. My hunting experience has been that I waited 15 years to get a high demand elk tag in Arizona. During those 15 years, I spent approximately $3,000 in license and application fees before time I stepped foot in Arizona with an elk permit in my pocket. Then I spent another $1,000 or more at local businesses the week of hunt. It was an incredible hunt. I love hunting and I loved hunting in Arizona. However, if it took more money and a longer wait time to draw a tag I would not start on the quest. The problem is, I am part way through the quest for a tag as originally outlined when I made my initial decision to invest my time and money. To change it now would be similar to bait and switch tactic of sorts and it is not fair. I hope the Department will consider the positive financial impact that nonresidents provide to the Department and local economies. Also, consider the fairness aspect of making changes to the system at this juncture for nonresidents who are already participating in the system as originally designed.

Written Comment: August 10, 2015. As a hunter who has submitted license and application fees for over a decade, I am against the proposed allocation of tags as it pertains to nonresidents and random draw allocation. I have thousands of dollars and hours of time invested with the expectation that I will eventually draw a high demand tag. Changing my odds after so many years is troublesome to me, to say the least.

Written Comment: August 10, 2015. I request that the proposed rule change to limit the number of nonresident tags issued during the 20% maximum bonus point pas of the computer draw from 10% to 5% not be approved.

Written Comment: August 10, 2015. It would be interesting to know if the vocal few requesting this change are doing it for the greater good or for selfish reasons. Have they already drawn one of these high demand tags and now want to change the system to benefit them? Do the requesters truly have a worthy mission in making a change to the current system? My background and perspective: As a nonresident big game hunter, I have 18 bonus points in Arizona for antelope, deer, elk, and bighorn sheep. I also hold 438 preference points and bonus points for eight different species in nine western states. This should result in great hunts for several different species in a variety of states. Despite my good fortune, I believe all preference and bonus point systems should be abolished. These systems disadvantage young hunters and persons without the means to afford nonresident hunting licenses and applications. I have applied for 16 years and have not drawn one tag, but I continue to pursue my dream at considerable expense. Abolishing the Arizona bonus point system would greatly reduce my opportunity to draw a once in a lifetime hunt and turn my investment into ashes, but I would be okay with that. Realizing that abandoning the current system in Arizona is not probable, I accept it for what it is. To kill a trophy mule deer in Arizona, one has to hunt the Arizona Strip. More

typical mule deer grace the record book from Coconino County than any other county in Arizona. This is the home of the Kaibab, where arguably the best genetics in the country for mule deer reside. Potentially there are over 100 tags available for nonresidents in the Kaibab area and these permits can be drawn by anyone with 10 to 16 bonus points, well within reach of many nonresident hunters. When the habitat in the Kaibab maximizes its' potential again, this argument will be moot. Maximum bonus point holders will be knocking down the door to apply for units 12A and 12B, spreading the demand out. Arizona is also producing some monsters south of the Colorado River. The belief that only maximum bonus point holders can draw an Arizona Strip tag is false. There are archery tags available for hunting units 13A and 13B and these tags have gone to applicants with less than maximum bonus points. There is also a mule deer raffle that enables a hunter to hunt in any unit in Arizona for 365 days. Changing the bonus point system to a 5% instead of 10% maximum bonus point draw on the first pass will greatly improve the odds for persons with no or low bonus points. At first blush this change sounds like a great improvement over the current draw process. In reality the chance to draw one of these high demand tags is still abysmal. If the change is enacted in unit 13A, there will be potentially three deer permits available for 1,750 applicants in the second pass. That "improves" the odds for any applicant to.0017 percent or one in 583. In unit 13B the odds are even bleaker with 3,645 applicants "improving" the odds to.0008 or one in 1,215. This is all a best case scenario as there is a high likelihood that some of these tags, if not all, will not be issued to a nonresident. With a plethora of resident applicants these tags will likely be issued to residents, effectively not improving the draw odds at all for persons with no or low bonus points. The resulting change will also penalize the maximum bonus point holders who have invested thousands of dollars in hunting license fees and travel expenses to and from Arizona for a Hunter Education Course. This is not the right thing to do. Is it prudent to change a system that has been in place for over 20 years to make insignificant gains for a small few, while penalizing the loyal, persistent applicants who have already made a huge investment in the Department? I think not.

Written Comment: August 10, 2015. I have spent a lot of time and money to accrue bonus points. I have 12 bonus points and it bothers me that Arizona would make such a change that could affect my ability to ever draw an elk tag while I am still young enough to go. Do not make the proposed rule changes.

Written Comment: August 10, 2015. I am a resident of Iowa and have applied for Arizona tags for quite a number of years, but not enough to be in a maximum bonus point pool. I am dependent on the random draw and would appreciate the opportunity to apply for some of the high demand tags with a reasonable expectation of getting one. That being said, at a minimum I would like to see the 10% allocation to nonresidents is preserved whether through the maximum bonus point pool or the random draw. The idea that tags issued in the random draw pass could be at risk of going to residents is a tragedy and could lead to a substantial abandonment of applications by the nonresidents, as in New Mexico. All the Western States as a whole need to understand nonresidents are not the ones to sock with application and tag fees to sustain their budgets.

Written Comment: August 10, 2015. I oppose the proposed rule changes to the Arizona nonresident hunting computer draw process. This proposal devalues the hard earned bonus points I have paid for and waited for during the last 15 years and adds 10 years to my wait; plain and simple. It is not right to throw those of us who have contributed the most to the Department's finances and waited the longest under the bus. This proposal is nothing more than legalized theft. In the last 10 years, I have also done my part to stop commercialization of tags in several states, including Utah and New Mexico. In 2013, Crystal Cruz from KTVK granted me a television interview at the Department's headquarters which stopped Arizona House Bill 2072 in its tracks. I've worked hard to prevent charlatans from stealing tags from the public domain and this is my reward? Thanks for your consideration and do the right thing' the ethical thing. Stealing from the most deserving sportsmen is hardly what I call ethical.

Written Comment: August 10, 2015. I participate in many of the western states application process for big game hunting and have an above average understanding of how all the systems work. I believe the change being proposed is unfair to the nonresident applicant. Currently, the Department issues no greater than 10% of the high demand tags to nonresident applicants. If this proposal is adopted, it would reduce the 10% allocation to between 5 and 10%, depending on the draw. My statistical guess would put the reality of nonresident tags to between 5 and 6%, resulting in a reduction of 4%. This is significant when talking about a high demand tag. I know this because I am currently in the maximum bonus point pool for deer. I also understand that if a nonresident did not get in on the ground floor of the bonus points process they will have no chance of drawing a high demand tag. If the ultimate goal is to provide a more equitable process for all applicants, then simply allow for half of the 10% nonresident tags to be allocated to the maximum bonus point pool and the remainder of the tags are awarded in a random draw for nonresidents. I know this might rub some people the wrong way, guaranteeing 10% to nonresidents, but most of these high demand tags meet the 10% maximum every year anyway.

Written Comment: August 11, 2015. As a nonresident hunter, I want to express my concern about the proposed rule changes in the draw structure for hunting licenses. Do not change the current structure as it will significantly limit my chances as a nonresident to draw a tag. The revenue the Department gets from nonresidents is very important to the state and this change will likely drastically decrease that revenue as nonresidents would become disinterested in further applications due to the poor odds of drawing a tag.

Written Comment: August 10, 2015. I oppose the proposed rule changes to allocations of tags to nonresidents. I am a nonresident and have applied for many years to gain a higher percentage in draw odds. This proposed rule change takes away from the investment I've made over the past 18 years. Sometimes a person just needs to cut your losses. If this rule passes I will do just that.

Agency Response: The first phase of the current draw system issues available tags to those persons with the maximum number of bonus points. The computer draw system monitors the number of nonresidents drawn for tags and once the 10% nonresident cap, required under A.R.S. § 17-332, is reached it will eliminate all other nonresidents from the draw pool. Because nonresidents typically carry higher bonus point totals than residents, the 10% nonresident cap is sometimes reached in the first phase of the computer draw, which means a nonresident with no or few bonus points may never have the opportunity to draw a tag (this is especially true for high demand hunts). The bonus point system was established to reward loyal applicants while providing new applicants an opportunity to successfully participate in the computer draw; the intent has always been to allow every applicant a chance of drawing a tag, even when the odds are very low. The bonus point system has been successful in meeting its objective to improve odds for long-term participants, but not successfully enough for everyone. Over the years, the Department received

numerous comments from the public suggesting the Department modify the draw process to ensure all nonresidents, even those with no or low bonus points, are afforded an opportunity to draw a tag; even for the high demand hunts. As it is now, there are some hunts for which a nonresident applicant with no or low bonus points will never have a chance of drawing a tag due to the number of nonresident applicants with maximum bonus points. Therefore, the Commission proposes to amend the rule to bring the draw process back in line with the original intent and ensure all applicants, regardless of residency and number of bonus points, will have an opportunity to draw a tag in any given hunt. Most state wildlife agencies charge nonresident applicants higher license and tag fees than residents. It is important to note, 17-332(A) states, "The Commission shall limit the number of big game permits issued to nonresidents in a random drawing to 10% or fewer of the total hunt permits." The Department is unable to increase the percentage of tags allocated to nonresidents as the statute governing tag allocation to nonresidents (A.R.S. § 17-332), is very specific and states, "The commission shall limit the number of big game permits issued to nonresidents in a random drawing to ten per cent or fewer of the total hunt permits,…" A legislative amendment is required before the Department may amend the rule as suggested. To control and protect the wildlife populations, state wildlife agencies limit recreational hunting by limiting permits and imposing higher fees on nonresident hunters. This provides nonresident hunters with the opportunity to contribute to the state wildlife agency funds that are used to protect and manage wildlife. Resident hunters pay local and state taxes to support the wildlife and wildlife habitat in their areas. The higher fees for nonresidents help compensate for the taxes that residents pay.Therefore, nonresident fee and license regulations provide state wildlife agencies with funds to manage the wildlife, which in turn benefits both resident and nonresident hunters. Fee differentials for residents and nonresidents have been upheld in other areas. In Baldwin *vs* Fish and Game Commission of Montana, the U.S. Supreme Court upheld a higher hunting license fee imposed upon nonresidents by the State of Montana. The Court stated that, where the opportunity to enjoy a recreational activity is created or supported by a state, where there is no nexus between the activity and any fundamental right, and where by its very nature the activity can be enjoyed by only a portion of those who would enjoy it, a state may prefer its residents over the residents of other states or condition the enjoyment of the nonresident upon such terms as it sees fit. The proposed amendments do not impact a nonresident's ability to access federal (public) lands. Access to public lands is not the same as free access to hunting. A nonresident has access to public lands, and nonresident hunting regulations do not limit that access; they only limit hunting. Comments regarding establishing a separate quota for hunt units are not applicable to this rulemaking. Establishing a separate computer draw for nonresidents would be accomplished through a nonresident hunt (season) under R12-4-318. This comment will be placed in the rule record for Article 3 to be considered during the next Article 3 rule review. In 1990 through an extensive public process and a random survey of hunters, the bonus point system was established to reward loyal applicants while providing new applicants an opportunity to successfully participate in the draw; a bonus point system was preferred by the regulated public. The Commission does not propose to eliminate the bonus point system. The requirement to purchase a license with a big game draw application was put in place for hunt year 2005. The Commission, through an extensive public process, amended the rule to require both residents and nonresidents to purchase a hunting license in order to be considered during the hunt draw process. This requirement was put in place with the understanding that the ultimate beneficiaries are Arizona's wildlife resources and hunters (both resident and nonresident), since license fees go directly into wildlife conservation, development, and management. The Commission and Department hold that over time, the increased costs will create a benefit to all hunters who enjoy Arizona's wildlife opportunities by providing greater revenue for Department wildlife management objectives. Ultimately, this will enable the Department to maintain the nationally-recognized wildlife populations for which Arizona is known. In addition, several other western states require draw applicants to purchase a hunting license in order to participate in their limited draws: Idaho, Montana, Nevada, New Mexico, Utah, and Wyoming. Furthermore, while unsuccessful applicants may not have the opportunity to hunt the big game animal of their choice in Arizona, the license they purchase will allow them to participate in many other hunting opportunities within the state including over-the-counter archery deer hunts, population management hunts, and multiple small game and waterfowl hunting opportunities, to include cottontail rabbits, tree squirrels, upland game birds (quails, chukar, grouse, and pheasants), and migratory game birds (ducks, geese, swan, sandhill, cranes, coot, gallinule, common snipe, mourning and white-winged doves, and band-tailed pigeon). The Department is unable to refund any license or application fees, especially those from years ago. The statute governing licenses (A.R.S. § 17-332), is very specific and states, "No refunds may be made for the purchase of a license or permit." A legislative amendment is required before the Department may amend the rule as suggested. While the Department is sensitive to your frustration and appreciates the time and effort put into building bonus points, the Department believes providing opportunity to all applicants is the right thing to do.

The following comments address the proposed rule establishing the membership and tag surrender programs:

Written Comment: July 22, 2015. I do not know the full extent of changes the Department is proposing by "The rule is amended to specify that the tag surrender requirements established under the proposed R12-4-118 do not apply to a person who is requesting the reinstatement of expended bonus points due to mobilization, activation or required duty in response to a declared national or state emergency, or required duty in response to an action by the President, Congress, or a governor of the U.S. or its territories;" but, I am supportive of whatever the Department can do to aid military reservists like me. In January, after I had already applied for elk and antelope, I was sent to Afghanistan on one day's notice. I was not drawn, but if I had been and my tour had been extended, I would have been pretty upset about having paid for a tag I could not use and losing all my bonus points. It would be even worse with sheep, of course. The other states I apply in allow tag refunds and restoration of bonus points. I hope Arizona can do the same.

Agency Response: The reason the tag surrender requirements do not apply to a person who was unable to use their hunt permit-tag due to mobilization, activation or required duty is because this provision is already covered under another rule, R12-4-107 Bonus Points. Under that rule, a person need only submit proof of the mobilization, activation or required duty and the unused tag in order to have their bonus points reinstated. The Department is unable to issue a refund as the statute governing licenses (A.R.S. § 17-332), is very specific and states, "No refunds may be made for the purchase of a license or permit."

Written Comment: August 8, 2015. In regards to the proposed rule on hunt permit-tag surrender, R12-4-118: The whole program about memberships and levels is complex and confusing. Someone who applies for a hunt should go on the hunt or lose the tag. I might have missed my chance to hunt because John Doe got drawn instead of me, but if he decides he does not want to go, I cannot change my plans and apply for that tag a day before the hunt starts.

Agency Response: The Commission believes establishing a membership program will provide the public with a way to stay up-

to-date on the latest hunting, angling, volunteer, and Department activities; connect with others who have like interests; and make a positive impact on the greater hunter, angler, and wildlife viewer community. The rule provides the Commission and Department with the maximum flexibility necessary to reissue tags. The proposed rule enables the Department to re-issue or destroy the surrendered tag. The Department will base the decision to re-issue or destroy the surrendered tag using specific criteria, such as but not limited to the proximity to the start date of the hunt for which the tag is valid, the type of tag, and whether the tag is for a high demand hunt.

Written Comment: July 27, 2015. In an effort to assist the Department with the proposed Tag Surrender Program I have contacted 30 different states to determine if they have such a system in place. I wanted to know the guidelines for their program as well as the benefits and negative impacts. When contacting each state, I spoke with the person responsible for the oversight of their program and/or the person responsible for the implementation of their program. As one can imagine, each program varies greatly from state to state. There were however, several western states whose programs closely resembled each other. The questions that were asked are as follows: 1. Do you have a tag surrender program? Of the 30 states I contacted, all but six states have a surrender program. 2. What are the parameters of your program? The majority of the Western states run their programs as follows: If a tag holder surrenders their tag, the state keeps the tag fee and species bonus points are restored. If a tag holder requests a refund of the tag fee, the person loses their species bonus points. In either case, a species bonus point is still awarded to the tag holder for that year. Most states have a surcharge for surrendering the tag; fees range from $15 to $45. There were no limitations as to how many times a person can surrender a tag. The time-frame in which an person can surrender a tag varies from state to state. In some instances, the tag could be surrendered after the hunt had already begun. However, most states require the person to surrender the tag anywhere between 14 to 30 days prior to the start of the hunt. The tag is then issued to the next person in line or, at the discretion of the state or tag holder, to a qualified organization that provides hunts for wounded veterans or terminally ill children. For military personnel who receive deployment orders that will prevent them from participating in their hunt: the military member may surrender their tag (free of charge), receive a refund for the tag fee, retain their bonus points, and be awarded a species bonus point for that year. For Junior's: the youth may surrender their tag for any reason receive a refund for the tag fee, retain their bonus points, and be awarded a species bonus point for that year. General guidelines apply to circumstances involving medical disabilities. However, if state guidelines for medical disability are met, the person may receive a refund for the tag fee, retain their bonus points, and be awarded a species bonus point for that year. 3. Do you feel your program is beneficial/successful? What changes, if any, would you make to your program? The overall number of surrendered tags equals less than .025% of premium, high demand, or high quality tags - only (not the total number of tags issued for all species). Tag surrender numbers for antlerless animals and general season tags are so minimal they are not even tracked. Every person I spoke with stated that the fewer restrictions in place, the easier the program was to implement and manage. Their goal was to put a program in place that benefited both resident and nonresident sportsmen equally. They also stated it was not a revenue generator for the state. Abuse of the program is dealt with on a case-by-case basis. Each state emphasized it was better to deal with it on a case-by-case basis rather than a "shot gun" approach that might be so restrictive the sportsmen were unable to benefit from the program. For example, if a person or outfitter is found to be using high bonus point holders to help other persons or clients draw a tag they would otherwise not be eligible for that person or outfitter could lose their hunting privileges or outfitter license for up to five years. 4. What feedback have you received? During the initial implementations of the program, a very small but vocal group of sportsmen felt the program would be the demise of big game hunting in their state. However, over the years persons who utilized the system were supportive and grateful for the system; especially the nonresident, high bonus point holders. I have spoken with over 100 Arizona Deer Association (ADA) members, as well as over 100 nonresident hunters who came to Arizona to obtain their hunter education bonus point. Based on the feedback I have received, below are recommendations that ADA would like the Department to consider when implementing this program. For resident and nonresident single applicants: offer unlimited tag surrender; do not refund fees; implement some type of surcharge; the person must surrender their tag at least 14 days before start of hunt, the applicant retains all bonus points, and is awarded a bonus point for the year they turned their tag in. If a tag is surrendered, the person surrendering the tag can choose to donate the tag to a qualified organization that provides tags to terminally ill children or wounded veterans. If the person does not wish to donate the tag, then Department would award the tag to the next person in line. For resident and nonresident group applicants: offer unlimited tag surrender as described above. If the high bonus point holder of a group application surrenders their tag in consecutive years (or at any time during a three-year period from the initial surrender), the high bonus point holder loses all of their bonus points except their loyalty and hunter education bonus points. If the person surrendering the tag is a military member or youth, the Department should refund the tag fees and not charge a surcharge. For military members, the deployment orders must be received prior to the start of the hunt and indicate the military member will not be available during the time of the hunt. We would like to see a program implemented that is least restrictive as possible and deals with persons that are abusive on a case-by-case basis. The biggest concern of nonresidents is that they will not be awarded a bonus point for the year the tag is surrendered, in essence issuing a death penalty to them.

Agency Response: In February 2014, the Commission directed the Department to proceed with the concept of a membership program, to include bundling products and services, as a means to encourage participation in recreational activities and generate additional revenue for the Game and Fish Fund. The Commission believes establishing a membership program will provide the public with a way to stay up-to-date on the latest hunting, angling, volunteer, and Department activities; connect with others who have like interests; and make a positive impact on the greater hunter, angler, and wildlife viewer community. To solicit feedback and support for the membership program and tag surrender concepts, the Department deployed an outreach campaign beginning in March 2014 to inform the public of the proposed membership program, to include bundling products and services; and continuing in July through August 2014 to inform the public of the proposed membership program and collect feedback about the bundled products and services. In addition, the Department held meetings with key members of a number of conservation groups to discuss the membership program and the bundled products and services. The proposed rule specifies that different membership levels and prices will be based on the types of products and services offered. The Department evaluated the feedback received and developed the tag surrender program as described under R12-4-118. The tag surrender program is limited to a person who has a valid and active membership; "valid and active membership" means a paid and unexpired membership in any level of the Department's membership program. The number of tag surrenders is based on the person's membership level, the basic membership may include one tag surrender option. The Department will not refund any fees paid for the surrendered tag; prohibited under A.R.S. § 17-332(E). A person wishing to participate in tag surrender is required to surrender the unused, original hunt permit-tag prior to the close of business the day before the hunt begins. The Department will restore the bonus points expended for the surrendered tag and award any bonus points the person would have accrued had the person been unsuccessful in the computer draw for that surrendered tag. To prevent persons from abusing the system (as described in the comment above),

a person is only eligible to surrender a tag for a specific species once before the bonus points accrued for that species must be expended. While the proposed rule allows the Department to re-issue or destroy the surrendered tag; a person may instead choose to donate the tag to a nonprofit organization that provides hunting experiences to terminally ill children or wounded veterans.

Written Comment: August 10, 2015. On behalf of Arizona Sportsmen for Wildlife Conservation (AZSFWC), accept our comments and concerns on some of the proposed Article 1 Rule changes the Department is evaluating and planning on addressing at its September Commission meeting in Springerville. First, we appreciate having Amber Munig and Jim deVos attend our July 28, 2015 Board meeting to address many of the questions our member groups had. I believe the dialog helped explain the reasoning behind the proposed rules and addressed most of the initial concerns. In the process we went through a summary of those changes, line by line. By far our biggest concern for sportsmen in general, both now and into the future, relates to the proposed online membership program under R12-4-118. The rule change is simple enough, "Establish an online membership program that includes tag surrender, bonus point reinstatement, and tag re-issuance requirements." The future ramifications of this are problematic. Two years ago all the license and tag fees were changed and for the most part, their respective prices increased, some substantially. Sportsmen in general backed those changes, as they have most fee increases in the past. Candidly, one does not find many constituencies that consistently support raising prices on themselves. We think there is a difference here however. We feel this action has the potential to create a financial hardship for some families and persons. We also believe it sends the wrong message to the hunting community. Sportsmen in general fracture themselves enough by their preferred method of take, various passions for pursuit, as well as the type of game they pursue. So, to have the Commission infuse a membership program by fee into the mix is troubling. We wonder what the administrative costs are to handle tag surrenders, bonus point reinstatement, and tag reissuance. If costs related to such transactions are detrimental to the Department's budget, why not simply put a line item charge on each of them? Offer the "opportunity" to all sportsmen that want to take advantage of them and forgo dividing the hunting community into classes. We are opposed to any type of membership that divides sportsmen into different classes. If the Commission still chooses to do this, the amount charged for this class membership should be the lowest possible amount to cover administrative costs. If the proposed "online membership" is simply a means to generate revenue, we believe more harm will come with the money raised, than any benefit to the Department. While we appreciate the costs associated with running the agency continue to escalate, so do the household costs of sportsmen. We also know the Department appreciates the challenges associated with hunter recruitment and retention. Adding more fees now will negatively impact both of those critical areas going forward. We fully support tag donations and transfers to veterans and qualified 501(c)(3) organizations as outlined under R12-4-121, but have reservations about the ability to do this to anyone else simply to get your bonus points reinstated. (Reference R12-4-107) An exception would be relative to a significant injury, illness, or death ahead of a hunt. AZSFWC is a 501(c)(3) organization, dedicated to wildlife, habitat conservation work and educating sportsmen on related issues. Our member organizations reach across the spectrum of hunting, angling and outdoor recreation groups from all over Arizona. Our organization supports the Arizona Game and Fish Commission for much of what it does and undertakes. However as noted above, we have several concerns with some of the proposed rule changes and the subsequent implications they are likely to have with sportsmen, their families and future sportsmen.

Agency Response: Unlike most government agencies, the Department's principle operational revenue comes from the sale of hunting and fishing licenses, hunt permit-tags, stamps and matching funds from federal excise taxes hunters and anglers pay on guns, ammunition, fishing tackle, motorboat fuels, and related equipment. Over the past several years, sales of licenses, permits, stamps, and tags have trended downward while operational costs and Department responsibilities have either increased or expanded. In February 2014, the Commission directed the Department to proceed with the concept of a membership program, to include bundling products and services, as a means to encourage participation in recreational activities and generate additional revenue for the Game and Fish Fund. The membership program will provide the public with a way to stay up-to-date on the latest hunting, angling, volunteer, and Department activities; connect with others who have like interests; make a positive impact on the greater hunter, angler, and wildlife viewer community and surrender a tag they cannot use and retain the bonus points that were expended for that tag. Currently, there is no lawful way for a hunter to surrender a tag and retain earned bonus points. While a fee is associated with the membership program, membership is voluntary and enrollment will have no impact on the persons odds in any computer draw held by the Department. The Commission does not believe this proposal goes against the North American Model of Wildlife Conservation by creating a class system of hunters. The membership program is still being defined. This comment regarding financial hardship will be considered during that evaluation. The Department is unable to determine the administrative costs as the process is being developed. However, the Commission anticipates the fee will be reasonable and commensurate with the products and services offered. The rule authorizes the Commission to set prices for the membership program. Discussions regarding the products, services, and costs are still occurring and no determination has been made, but the Commission anticipates the fee will be reasonable and commensurate with the products and services offered. It is the responsibility of the Commission to ensure the future financial viability of the Department and to continue providing recreational services to all Arizonans. The Department relies on hunting and fishing license fees for the bulk of its revenue, with no money coming from the state's general fund (tax dollars). The loss of hunters and anglers are a long-term concern as the forecasted drop in future revenues make it difficult for the Department to afford the rising costs of conservation efforts and fund the acquisition of open space. The Commission believes the membership concept is a user-based option and is consistent with the North American Model of Wildlife Conservation. The Commission envisions the types of products and services will continue to expand and anticipates that, over time, the number of persons purchasing/enrolling in Department membership programs will grow. Thus ensuring the Department is able to continue to conserve and manage Arizona's wildlife populations and their habitats in the future. The Commission anticipates the proposed rule establishing the membership program will benefit the public by providing unique services for hunters and anglers: electronic accessibility to personalized content, the ability to surrender an unused, original hunt permit-tag and have a bonus point reinstated, opportunity to purchase surrendered tags, early access to draw results, and exclusive sales or special offers. The Commission anticipates the proposed rule establishing the membership program will benefit the Department by providing additional revenue. While a fee is associated with the membership program, membership is entirely voluntary and enrollment will have no impact on a person's odds in any computer draw held by the Department.

Written Comment: August 10, 2015. I am opposed to the proposed membership program. This is not for the rich or elite. Arizona's resources are for all, especially kids. Benefits and services should be for everyone, not just those that can pay more.

Agency Response: The membership program will provide the public with a way to stay up-to-date on the latest hunting,

angling, volunteer, and Department activities; connect with others who have like interests; make a positive impact on the greater hunter, angler, and wildlife viewer community and surrender a tag they cannot use and retain the bonus points that were expended for that tag. Currently, there is no lawful way for a hunter to surrender a tag and retain earned bonus points. The Commission does not believe this proposal goes against the North American Model of Wildlife Conservation. While a fee is associated with the membership program, membership is voluntary and enrollment will have no impact on the persons odds in any computer draw held by the Department.

12. All agency's shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

a. Whether the rule requires a permit, whether a general permit is used, and if not, the reason why a general permit is not used:

R12-4-103, R12-4-105, R12-4-113, R12-4-114, R12-4-115, and R12-4-121 require a general permit and comply with the requirements prescribed under A.R.S. § 41-1037. For all other rules amended by this rulemaking, the rules do not require a general permit.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law, and if so, citation to the statutory authority to exceed the requirements of federal law:

For R12-4-113(A)(2), 50 C.F.R. 21.41 and 21.43 are applicable to the subject of the rule. The Department has determined the rule is not more stringent than federal law.

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this State to the impact on business in other states:

The agency has not received an analysis that compares the rule's impact of competitiveness of business in this state to the impact on business in other states.

13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

R12-4-113(A)(2)(a) and (b) - 50 C.F.R. 21.41 and 21.43, revised October 1, 2014.

14. Whether the rule previously made, amended, or repealed as an emergency rule. If so, cite the notice published in the Register as specified in R1-4-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:

The rule was not previously made, amended, or repealed as an emergency rule.

15. The full text of the rules follows:

TITLE 12. NATURAL RESOURCES

CHAPTER 4. GAME AND FISH COMMISSION

ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS

Section
R12-4-101. Definitions
R12-4-103. Duplicate Tags and Licenses
R12-4-104. Application Procedures for Issuance of Hunt Permit-tags by ~~Drawing~~ Computer Draw and Purchase of Bonus Points
R12-4-105. License Dealer's License
R12-4-106. Special Licenses Licensing Time-frames
R12-4-107. Bonus Point System
R12-4-108. Management Unit Boundaries
R12-4-110. Posting and Access to State Land
R12-4-111. Identification Number
R12-4-112. Diseased, Injured, or ~~Chemically-Immobilized~~ Chemically-immobilized Wildlife
R12-4-113. Small Game Depredation Permit
R12-4-114. Issuance of Nonpermit-tags and Hunt Permit-tags
R12-4-115. Restricted Nonpermit-Tags; Supplemental Hunts and Hunter Pool
R12-4-116. Reward Payments
R12-4-117. Indian Reservations
R12-4-118. ~~Repealed~~ Hunt Permit-tag Surrender
R12-4-119. Arizona Game and Fish Department Reserve
R12-4-120. Issuance, Sale, and Transfer of Special Big Game ~~License Tags~~ License-tags
R12-4-121. Big Game ~~Permit or~~ Tag Transfer
R12-4-124. ~~Reserved~~ Proof of Domicile
~~R12-4-804.~~R12-4-125. ~~Emergency Expired~~ Public Solicitation or Event on Department Property

ARTICLE 3. TAKING AND HANDLING OF WILDLIFE

Section
R12-4-302. Use of Tags

ARTICLE 6. RULES OF PRACTICE BEFORE THE COMMISSION

Section
R12-4-611. Petition for Hearing Before the Commission When No Remedy is Provided in Statute, Rule, or Policy

ARTICLE 8. WILDLIFE AREAS AND DEPARTMENT PROPERTY

Section
R12-4-804. ~~Public Solicitation or Event on Department Property~~ Renumbered

ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS

R12-4-101. Definitions

A. In addition to the definitions provided under A.R.S. § 17-101, R12-4-301, R12-4-401, and R12-4-501, the following definitions apply to this Chapter, unless otherwise specified:

"Bobcat seal" means the tag a person is required to attach to the raw pelt or unskinned carcass of any bobcat taken by trapping in Arizona or exported out of Arizona regardless of the method of take.

"Bonus point" means a credit that authorizes the Department to issue an applicant an additional computer-generated random number.

"Certificate of insurance" means an official document issued by the sponsor's and sponsor's vendors or subcontractors insurance carrier providing insurance against claims for injury to persons or damage to property which may arise from or in connection with the solicitation or event as determined by the Department.

"Commission Order" means a document adopted by the Commission that does one or more of the following:

Open, close, or alter seasons,
Open areas for taking wildlife,
Set bag or possession limits for wildlife,
Set the number of permits available for limited hunts, or
Specify wildlife that may or may not be taken.

"Day-long" means the 24-hour period from one midnight to the following midnight.

"Department property" means those buildings or real property and wildlife areas under the jurisdiction of the Arizona Game and Fish Commission.

"Firearm" means any loaded or unloaded handgun, pistol, revolver, rifle, shotgun, or other weapon that will discharge, is designed to discharge, or may readily be converted to discharge a projectile by the action of an explosion caused by the burning of smokeless powder, black powder, or black powder substitute.

"Hunt area" means a ~~game~~ management unit, portion of a management unit, or group of management units, or any portion of Arizona described in a Commission Order and not included in a ~~game~~ management unit, opened to hunting ~~by a particular hunt number~~.

"Hunt number" means the number assigned by Commission Order to any hunt area where a limited number of hunt permits are available.

"Hunt permits" means the number of hunt permit-tags made available to the public as a result of a Commission Order.

"Hunt permit-tag" means a tag for a hunt for which a Commission Order has assigned a hunt number.

"Identification number" means the number assigned to each applicant or license holder by the Department, as established under R12-4-111.

"License dealer" means a business authorized to sell hunting, fishing, and other licenses as established under ~~to~~ R12-4-105.

"Live baitfish" means any species of live freshwater fish designated by Commission Order as lawful for use in taking aquatic wildlife under R12-4-317.

"Management unit" means an area established by the Commission for management purposes.

"Nonpermit-tag" means a tag for a hunt for which a Commission Order does not assign a hunt number and the number of tags is not limited.

"Person" has the meaning as provided under A.R.S. § 1-215.

"Proof of purchase," for the purposes of A.R.S. § 17-331, means an original, or any authentic and verifiable form of the original, of any Department-issued license, permit, or stamp that establishes proof of actual purchase.

"Restricted nonpermit-tag" means a tag issued for a supplemental hunt as established under R12-4-115.

"Solicitation" means any activity that may be considered or interpreted as promoting, selling, or transferring products, services, memberships, or causes, or participation in an event or activity of any kind, including organizational, educational, public affairs, or protest activities, including the distribution or posting of advertising, handbills, leaflets, circulars, posters, or other printed materials for these purposes.

"Solicitation material" means advertising, circulars, flyers, handbills, leaflets, posters, or other printed information.

"Sponsor" means the person or persons conducting a solicitation or event.

"Stamp" means a form of authorization in addition to a license that ~~allows~~ authorizes the license holder to take wildlife specified by the stamp.

"Tag" means the Department authorization ~~that an individual~~ a person is required to obtain before taking certain wildlife

as established under A.R.S. Title 17 and 12 A.A.C. 4.
"Waterdog" means the larval or metamorphosing stage of ~~salamanders~~ a salamander.
"Wildlife area" means an area established under 12 A.A.C. 4, Article 8.

B. If the following terms are used in a Commission Order, the following definitions apply:
"Antlered" means having an antler fully erupted through the skin and capable of being shed.
"Antlerless" means not having an antler, antlers, or any part of an antler erupted through the skin.
"Bearded turkey" means a turkey with a beard that extends beyond the contour feathers of the breast.
"Buck antelope" means a male pronghorn antelope.
"Adult bull buffalo" means a male buffalo any age or any buffalo designated by a Department employee during an adult bull buffalo hunt.
"Adult cow buffalo" means a female buffalo any age or any buffalo designated by a Department employee during an adult cow buffalo hunt.
"Bull elk" means an antlered elk.
"Designated" means the gender, age, or species of an animal or the specifically identified animal the Department authorizes to be taken and possessed with a valid tag.
"Ram" means any male bighorn sheep~~, excluding male lambs~~.
"Rooster" means a male pheasant.
"Yearling buffalo" means any buffalo less than three years of age or any buffalo designated by a Department employee during a yearling buffalo hunt.

R12-4-103. Duplicate Tags and Licenses

A. Under A.R.S. § 17-332(C), the Department and its license dealers ~~shall~~ may issue a duplicate license or tag to an applicant who ~~pays~~:
1. Pays the applicable fee prescribed ~~by~~ under R12-4-102 ~~for a duplicate license or tag~~, and ~~who signs~~
2. Signs an affidavit ~~that includes and attests to the following~~. The affidavit is furnished by the Department and is available at any Department office or license dealer.

B. The applicant shall provide the following information on the affidavit:
1. The applicant's ~~name and identification~~ personal information:
   a. Name;
   b. Department identification number, ~~if previously issued to the applicant~~ when applicable;
   c. Residency status and number of years of residency immediately preceding application, when applicable;
2. The ~~applicant purchased an~~ original license or tag~~;~~ information:
   a. Type of license or tag;
   b. Place of purchase;
   c. Purchase date, when available;
3. ~~The resident status and class of the original license or tag. If the applicant is a resident, the applicant shall also attest to the length of residency;~~
4. ~~The approximate date the applicant purchased the original license or tag;~~
5. ~~The license dealer from whom the applicant purchased the original license or tag;~~ and
6.3. ~~The applicant that purchased~~ Disposition of the original tag for which a duplicate is being purchased ~~did not use the tag, and that the~~:
   a. The tag was not used and is lost, destroyed, mutilated, or otherwise unusable; or
   7.b. ~~If applicable, the applicant~~ The tag was placed ~~the original tag~~ on a harvested animal that was subsequently condemned and the carcass and all parts of the animal were surrendered to a Department employee as required under R12-4-112(B) and (C). ~~B. If an~~ An applicant ~~is~~ applying for a duplicate tag under this subsection ~~(A)(7), the applicant~~ shall also submit ~~a~~ the condemned meat duplicate tag authorization form issued by the Department.

C. In the event the Department is unable to verify the expiration date of the original license, the duplicate license shall expire on December 31 of the current year.

R12-4-104. Application Procedures for Issuance of Hunt Permit-tags by ~~Drawing~~ Computer Draw and Purchase of Bonus Points

A. For the purposes of this Section, "group" means all applicants who ~~have~~ placed their names on a single application ~~form contained in a single envelope, or submitted electronically over the Internet~~ as part of the same application. ~~No more than four persons may apply as a group.~~

B. A person is eligible to apply:
1. For a hunt permit-tag if the person:
   a. Is at least 10 years ~~old~~ of age at the start of the hunt for which the person ~~applies~~ is applying;
   b. Has successfully completed a ~~department-approved~~ Department-sanctioned hunter education course by the start date of the hunt for which the person ~~applies~~ is applying, ~~if~~ when the person is under the age of 14; ~~and~~
   c. Has not reached the bag limit established under subsection (J) for that genus; and
   ~~c.~~d. ~~Does~~ Is not ~~have his or her license or license privileges to hunt in this state~~ suspended or revoked in this state as a result of an action under A.R.S. §§ 17-340 or 17-502 at the time the person submits an application~~, as a result of an action under either A.R.S. §§ 17-340 or 17-502~~.

2. For a bonus point if the person:
   a. Is at least 10 years ~~old~~ of age by the application deadline ~~to apply~~; and
   b. ~~Does~~ Is not ~~have his or her license or license privileges to hunt in this state~~ suspended or revoked in this state as a result of an action under A.R.S. §§ 17-340 or 17-502 at the time the person submits an application~~, as a result of an action under either A.R.S. §§ 17-340 or 17-502~~.

C. An applicant shall apply at the times, locations, and in the manner and method established by the hunt permit-tag application schedule published by the Department and available at any Department office, online at www.azgfd.gov, or a license dealer.
1. The Commission shall set application deadline dates for hunt permit-tag computer draw applications through the hunt permit-tag application schedule.
2. The Director has the authority to extend any application deadline date if a problem occurs that prevents the public from submitting a hunt permit-tag application within the deadlines set by the Commission.
3. The Commission, through the hunt permit-tag application schedule, shall designate the manner and method of submitting an application, which may require an applicant to apply online only. If the Commission requires applicant's to use the online method, the Department shall accept paper applications only in the event of a Department systems failure.

~~**C.**~~**D.** An applicant for a hunt permit-tag or a bonus point shall complete and submit a Hunt Permit-tag Application ~~Form,~~. The application form is available from any Department office, ~~the Department's Internet web site, or~~ a license dealer, or online at www.azgfd.gov. ~~An applicant shall apply at the times, locations, and in the manner established by the hunt permit-tag application schedule that is published by the Department and available at any Department office, the Department's Internet web site, or a license dealer. Under A.R.S. § 17-231, the Commission shall set application deadlines for hunt permit-tag drawing applications. The Director has the authority to extend any application deadline date if problems occur that prevent the public from submitting a hunt permit-tag application within the deadlines set by the Commission.~~

~~**D.** An applicant shall sign the Hunt Permit-tag Application Form, or provide permission for another person to sign the application form on behalf of the applicant. If applying electronically over the Internet, an applicant shall attest to, or provide permission for another person to attest to, the information electronically provided.~~

E. An applicant shall provide the following information on the Hunt Permit-tag Application ~~Form~~:
1. The applicant's personal information:
   a. Name;
   b. Date of birth;
   c. Social security number, as required under A.R.S. §§ ~~25-320(N)~~ 25-320(P) and 25-502(K);
   d. Department identification number, when applicable;
   e. Residency status and number of years of residency immediately preceding application, when applicable;
   f. Mailing address, when applicable;
   g. Physical address;
   h. Telephone number, when available; and
   i. E-mail address, when available; ~~and~~
2. If the applicant possesses a valid license authorizing the take of wildlife in this state, the number of the applicant's license;
3. If the applicant does not possess a valid license at the time of the application, the applicant shall purchase a license as established under subsection (L). The applicant shall provide all of the following information on the license application portion of the Hunt Permit-tag Application:
   a. Physical description, to include the applicant's eye color, hair color, height, and weight;
   b. Residency status and number of years of residency immediately preceding application, when applicable; ~~and~~
   c. Type of license for which the person is applying; and
4. Certify the information provided on the application is true and accurate;

~~4.~~5. An applicant who is:
   a. Under the age of ~~ten~~ 10 and is submitting an application for a hunt other than big game is not required to have a license under this Chapter. The applicant shall indicate "youth" in the space provided for the license number on the Hunt Permit-tag Application ~~Form~~.
   b. Age nine or older and is submitting an application for a big game hunt is required to purchase an appropriate license as required under this Section. The applicant shall either enter the appropriate license number in the space provided for the license number on the Hunt Permit-tag Application ~~Form~~ or purchase a license at the time of application, as applicable.

F. ~~An~~ In addition to the information required under subsection (E), an applicant shall ~~include as part of the hunt permit-tag application, the following~~ also submit all applicable fees ~~as~~ established under R12-4-102, as follows:
~~1. The fee for the applicable hunt permit-tag, unless the application is submitted electronically over the Internet or telephone;~~
~~2. The permit application fee; and~~
~~3. The license fee if the applicant does not possess a license that will be valid at the time of application deadline.~~
1. When applying electronically:
   a. The permit application fee; and

b. The license fee, when the applicant does not possess a valid license at the time of application. The applicant shall submit payment in U.S. currency using valid credit or debit card.
c. If an applicant is successful in the computer draw, the Department shall charge the hunt permit-tag fee using the credit or debit card furnished by the applicant.

2. When applying manually:
a. The fee for the applicable hunt permit-tag;
b. The permit application fee; and
c. The license fee if the applicant does not possess a valid license at the time of application. The applicant shall submit payment by certified check, cashier's check, or money order made payable in U.S. currency to the Arizona Game and Fish Department.

~~G. An applicant shall enclose payment for a hunt permit-tag with a single hunt permit-tag application form, made payable in U.S. currency to the Arizona Game and Fish Department, by certified check, cashier's check, money order, or personal check. If applying electronically over the Internet or telephone, an applicant shall include payment by valid credit card as a part of the hunt permit-tag application.~~

~~H.~~G. An applicant shall apply for a specific hunt or a bonus point by the current hunt number. If all hunts selected by the applicant are filled at the time the application is processed in the ~~drawing~~ computer draw, the Department shall deem the application unsuccessful, unless the application is for a bonus point.

~~I.~~1. An applicant shall make all hunt choices for the same genus within one application.

~~J.~~2. An applicant shall not include applications for different genera of wildlife in the same envelope.

~~K. All members of a group shall apply for the same hunt numbers and in the same order of preference. The Department shall not issue a hunt permit-tag to any group member unless sufficient hunt permit-tags are available for all group members.~~

~~L.~~H. An applicant shall submit only one valid application per genus of wildlife for any calendar year, except:

1. If the bag limit is one per calendar year, an unsuccessful applicant may re-apply for remaining hunt permit-tags in unfilled hunt areas, as specified in the hunt permit-tag application schedule ~~published by the Department~~.
2. For genera that have multiple draws within a single calendar year, a person who successfully draws a hunt permit-tag during an earlier season may apply for a later season for the same genus if the person has not taken the bag limit for that genus during a preceding hunt in the same calendar year.
3. If the bag limit is more than one per calendar year, a person may apply for remaining hunt permit-tags in unfilled hunt areas as specified in the hunt permit-tag application schedule ~~published by the Department for remaining hunt permit-tags in unfilled hunt areas~~.

I. All members of a group shall apply for the same hunt numbers and in the same order of preference.

1. No more than four persons may apply as a group.
2. The Department shall not issue a hunt permit-tag to any group member unless sufficient hunt permit-tags are available for all group members.

~~M.~~J. A person shall not apply for a hunt permit-tag for:

1. Rocky Mountain ~~bighorn sheep~~ or desert bighorn sheep if the person has met the lifetime bag limit for that sub-species. ~~A person shall not apply for a hunt permit-tag for buffalo~~
2. Buffalo if the person has met the lifetime bag limit for that species.
3. Any species when the person has reached the bag limit for that species during the same calendar year for which the hunt permit-tag applies.

~~N.~~K. To participate in:

1. The ~~drawing~~ computer draw system, an applicant shall possess an appropriate hunting license that shall be valid, either:
   i. On the last day of the application deadline for that computer draw, as established by the hunt permit-tag application schedule published by the Department, or
   ii. On the last day of an extended deadline date, as authorized under subsection (C)(2).
   iii. If an applicant does not possess an appropriate hunting license that meets the requirements of this subsection, the applicant shall purchase the license at the time of application.
2. The bonus point system, an applicant shall comply with the requirements established under R12-4-107.

~~O.~~L. The Department shall reject as invalid a Hunt Permit-Tag Application ~~Form~~ not prepared or submitted in accordance with this Section or not prepared in a legible manner. ~~If the Department rejects an application from any member of a group, the Department shall reject all members of the group application.~~

~~P.~~M. Any hunt permit-tag issued for an application that is subsequently found not to be in accordance with this Section is invalid.

~~Q.~~N. The Department or its authorized agent shall mail hunt permit-tags to successful applicants. The Department shall return application overpayments to the applicant designated "A" on the Hunt Permit-tag Application ~~Form~~. The Department shall not refund:

1. ~~Permit application fees shall not be refunded~~ A permit application fee.
2. ~~License fees~~ A license fee submitted with a valid application for a hunt permit-tag or bonus point ~~shall not be refunded~~.

3. An overpayment of five dollars or less. The Department shall consider the overpayment to be a donation to the Arizona Game and Fish Fund.

O. The Department shall award a bonus point for the appropriate species to an applicant when the payment submitted is less than the required fees, but is sufficient to cover the application fee and, when applicable, license fee.

R.P. ~~If the Director determines that Department error caused a person to submit an invalid application for a hunt permit-tag, prevented a person from lawfully submitting an application, caused the rejection of an application for a hunt permit-tag, or caused the denial of a hunt permit-tag, the Director may authorize an additional hunt permit-tag if the issuance of an additional hunt permit-tag will have no significant impact on the wildlife population to be hunted and the application for the hunt permit-tag would have otherwise been successful based on its random number. The Director may also authorize the awarding of a bonus point to correct the error if a hunt permit-tag is not issued. If the Director determines that Department error caused the failure to apply an applicant's bonus points to an application, the Director may authorize an additional hunt permit-tag to correct the error, if the issuance of an additional hunt permit-tag will have no significant impact on the wildlife population to be hunted. The Director may also authorize the awarding of a bonus point to correct the error if a hunt permit-tag is not issued. An individual who is denied a hunt permit-tag or a bonus point under this procedure may appeal to the Commission as provided under A.R.S. Title 41, Chapter 6, Article 10.~~ When the Department determines a Department error, as defined under subsection (3), caused the rejection or denial of a valid application:

1. The Director may authorize either:
   a. The issuance of an additional hunt permit-tag, provided the issuance of an additional hunt permit-tag will have no significant impact on the wildlife population to be hunted and the application for the hunt permit-tag would have otherwise been successful based on its random number, or
   b. The awarding of a bonus point when a hunt permit-tag is not issued.
2. A person who is denied a hunt permit-tag or a bonus point under this subsection may appeal to the Commission as provided under A.R.S. Title 41, Chapter 6, Article 10.
3. For the purposes of this subsection, "Department error" means an internal processing error that:
   a. Prevented a person from lawfully submitting an application for a hunt permit-tag,
   b. Caused a person to submit an invalid application for a hunt permit-tag,
   c. Caused the rejection of an application for a hunt permit-tag,
   d. Failed to apply an applicant's bonus points to a valid application for a hunt permit-tag, or
   e. Caused the denial of a hunt permit-tag.

R12-4-105. License Dealer's License

A. For the purposes of this Section, unless the context otherwise requires:

~~1.~~ "Dealer number" means ~~a~~ the unique number assigned by the Department to ~~each~~ a dealer outlet.

~~2.~~ "Dealer outlet" means a specified location authorized to sell licenses under a license dealer's license.

~~3.~~ "License" means any hunting or fishing license, permit, stamp, or tag~~, or permit~~ that may be sold by a dealer or dealer outlet under this ~~rule~~ Section.

~~4.~~ "License dealer" means a business licensed by the Department to sell licenses from one or more dealer outlets.

"License Dealer Portal" means the secure website provided by the Department for issuing licenses and permits and accessing a license dealer's account.

B. ~~The Department shall issue~~ A person is eligible to apply for a license dealer's license ~~if~~, provided all of the following criteria are met:

1. The ~~applicant has not had the~~ person's privilege to sell licenses for the Department has not been revoked or canceled under A.R.S. §§ 17-334, 17-338, or 17-339 within the ~~past~~ two calendar years immediately preceding the date of application;
2. The ~~applicant's~~ person's credit record or assets assure the Department that the value of the licenses shall be adequately protected;
3. The ~~applicant~~ person agrees to assume financial responsibility for licenses provided ~~to dealers and dealer outlets~~ by the Department at the maximum value established ~~in~~ under R12-4-102, less the dealer commission ~~allowed by~~ prescribed under A.R.S. § 17-338(B).

~~C. Upon denial of a license dealer's license by the Department, the applicant may appeal to the Commission as provided under A.R.S. Title 41, Chapter 6, Article 10.~~

~~D.~~C. ~~An applicant~~ A person shall apply for a license dealer's license ~~shall obtain~~ by submitting an application ~~form from the Department and submit it~~ to any Department office. The application is furnished by the Department and is available at any Department office. ~~The~~ A license dealer license applicant shall provide all of the following information on the ~~form~~ application:

~~1. Principal business or corporation name, address, and telephone number;~~

~~2. If not a corporation, the full name, address, and telephone number of each owners;~~

~~3. Name, business address, and business telephone number of an individual designated by the applicant to ensure compliance with this Section;~~

~~4. Whether the applicant has previously sold licenses under A.R.S. § 17-334;~~

~~5. Whether the applicant is seeking renewal of an existing license dealer's license;~~

~~6. Credit references and a statement of assets and liabilities; and~~

~~7. The name, address, and telephone number of each dealer outlet, and the name of a person responsible for the sale of licenses at each dealer outlet.~~

1. The principal business or corporation information:
   a. Name,
   b. Physical address, and
   c. Telephone number;
   d. If not a corporation, the applicant shall provide the information required under subsections (a), (b), and (c) for each owner;
2. The contact information for the person responsible for ensuring compliance with this Section:
   a. Name,
   b. Business address, and
   c. Business telephone number;
3. Whether the applicant has previously sold licenses under A.R.S. § 17-334;
4. Whether the applicant is seeking renewal of an existing license dealer's license;
5. Credit references and a statement of assets and liabilities; and
6. Dealer outlet information:
   a. Name,
   b. Physical address,
   c. Telephone number, and
   d. Name of the person responsible for ensuring compliance with this Section at each dealer outlet.

~~E.~~**D.** A license dealer may request to add dealer outlets to the license dealer's license, at any time during ~~a~~ the license year, by submitting the application form containing the information required ~~by~~ under subsection ~~(D)~~ (C) to the Department.

E. An applicant who is denied a license dealer's license under this Section may appeal to the Commission as provided under A.R.S. Title 41, Chapter 6, Article 10.

F. The Department shall ~~provide~~:
1. Provide to the license dealer all licenses that the license dealer will make available to the public for sale, ~~except~~
2. Authorize the license ~~dealers~~ dealer ~~that are authorized~~ to use ~~their~~ the dealer's own license stock, or
3. Authorize the license dealer to issue licenses and permits online via the Department's License Dealer Portal.

G. Upon receipt of licenses provided by the Department, the license dealer shall verify the licenses received are the licenses identified on the shipment inventory provided by the Department with the shipment.
1. Within five working days from receipt of shipment, the person performing the verification shall:
   a. Clearly designate any discrepancies on the shipment inventory,
   b. Sign and date the shipping inventory, and
   c. Return the signed shipping inventory to the Department.
2. The Department shall verify any discrepancies identified by the license dealer and credit or debit the license dealer's inventory accordingly.

~~G.~~**H.** A license dealer shall maintain ~~at each outlet~~ an inventory of licenses for sale to the public at each outlet.

I. A license dealer may request ~~that the Department provide~~ additional licenses ~~for sale~~ in writing or verbally.
1. ~~A~~ The request shall include ~~the~~:
   a. The name of the license dealer, ~~the~~
   b. The assigned dealer number, ~~a~~
   c. A list of the ~~items~~ licenses needed, and ~~the~~
   d. The name of the ~~individual~~ person making the request.
2. Within 10 calendar days from receipt of a request ~~from a license dealer~~, the Department shall provide ~~to an outlet~~ the licenses requested, unless:
   a. The license dealer failed to acknowledge licenses previously provided to the ~~outlet have not been acknowledged~~ license dealer, as required under subsection ~~(H)~~ (G); ~~or the outlet~~
   b. The license dealer failed to transmit license fees, as required under subsection (J); or
   c. The license dealer is not in compliance with this Section and all applicable statutes and rules.

~~**H.** Upon receipt of licenses from the Department, the license dealer shall verify that the licenses received are those licenses identified on the shipment inventory provided by the Department with the shipment. The individual performing the verification shall clearly designate any discrepancies on the shipment inventory, sign and date the shipping inventory, and return it to the Department within five working days from receipt of the shipment. The Department shall verify any discrepancies identified by the license dealer and credit or debit the license dealer's inventory accordingly.~~

J. A license dealer shall transmit to the Department all license fees collected by the tenth day of each month, less the dealer commission prescribed under A.R.S. § 17-338(B). Failure to comply with the requirements of this subsection shall result in the cancellation of the license dealer's license, as authorized under A.R.S. § 17-338(A).

~~I.~~**K.** A license dealer shall submit a monthly report to the Department by the tenth day of each month, as ~~required by~~ prescribed under A.R.S. § ~~17-338, on forms obtained from the Department, regardless of whether the license dealer makes a sale during the month~~ 17-339.
1. The monthly report form is furnished by the Department.
2. A monthly report is required regardless of whether or not activities were performed.

3. Failure to submit the monthly report in compliance with this subsection shall be cause to cancel the license dealer's license.
4. The license dealer shall include in the monthly report all of the following information for each outlet:
   ~~1.~~a. Name of the dealer ~~and the~~;
   b. The assigned dealer number;
   ~~2.~~c. Reporting period;
   ~~3.~~d. Number of sales and dollar amount of sales for reporting period, by type of license sold;
   ~~4.~~e. Dollar amount of commission authorized under A.R.S. § 17-338(B);
   ~~5.~~f. Debit and credit adjustments for previous reporting periods, if any;
   ~~6.~~g. Number of affidavits received for which a duplicate license was issued under R12-4-103~~. A license dealer who fails to submit an affidavit for an issued duplicate shall remit to the Department the face value of the original license replaced~~;
   ~~7.~~h. List of lost or missing licenses; and
   ~~8.~~i. ~~Signature~~ Printed name and signature of the preparer.
5. In addition to the information required under subsection (K), the license dealer shall also provide the affidavit for each duplicate license issued by the dealer during the reporting period.
   a. The affidavit is furnished by the Department and is included in the license book.
   b. A license dealer who fails to submit the affidavit for a duplicate license issued by the license dealer shall remit to the Department the actual cash value of the original license replaced.

~~J.~~**L.** The Department shall provide written notice of suspension and demand the return of all inventory within five calendar days from any license dealer who:
1. Fails to ~~remit~~ transmit monies due the Department under A.R.S. § 17-338 by the deadline established under subsection (J); ~~or~~
2. Issues to the Department more than one check with insufficient funds during a calendar year; or
3. Otherwise fails to comply with this Section and all applicable statutes and rules.

~~K.~~**M.** ~~The~~ As prescribed under A.R.S. § 17-338, the actual cash value of licenses not returned to the Department ~~in accordance with A.R.S. § 17-339;~~ is due and payable to the Department within 15 working days from the date the Department provides written notice to the license dealer. This includes, but is not limited to:
1. Licenses not returned upon termination of business by a license dealer; or
2. Licenses reported by a dealer outlet or discovered by the Department to be lost, missing, stolen, or destroyed for any reason~~, is due and payable to the Department within 15 working days from the date the Department provides written notice to the licensed dealer~~.

~~L.~~**N.** In addition to those violations that may result in revocation ~~or~~, suspension, or cancellation of a license dealer's license~~, provided~~ as prescribed under A.R.S. §§ 17-334, 17-338, and 17-339, the Commission may revoke a license dealer's license if the ~~licensed~~ license dealer or an employee of the ~~licensed~~ license dealer is convicted of counseling, aiding, or attempting to aid any person in obtaining a fraudulent license.

R12-4-106. Special Licenses Licensing Time-frames

A. For the purposes of this Section, the following definitions apply:
"Administrative review time-frame" has the same meaning as prescribed under A.R.S. § 41-1072(1).
"License" means any permit or authorization issued by the Department and listed under subsection (H).
"Overall time-frame" has the same meaning as prescribed under A.R.S. § 41-1072(2).
"Substantive review time-frame" has the same meaning as prescribed under A.R.S. § 41-1072(3).

~~A.~~**B.** As required ~~by~~ under A.R.S. § 41-1072 et seq., within the overall time-frames listed in the table below, the Department shall either ~~grant or deny the following licenses within the listed time-frames~~:
1. Grant a license to an applicant after determining the applicant meets all of the criteria required by statute and the governing rule; or
2. Deny a license to an applicant when the Department determines the applicant does not meet all of the criteria required by statute and the governing rule.
   a. The Department may deny a license at any point during the review process if the information provided by the applicant demonstrates the applicant is not eligible for the license as prescribed under statute or the governing rule.
   b. The Department shall issue a written denial notice when it is determined that an applicant does not meet all of the criteria for the license.
   c. The written denial notice shall provide:
      i. The Department's justification for the denial, and
      ii. When a hearing or appeal is authorized, an explanation of the applicant's right to a hearing or appeal.

C. During the overall time-frame:
1. The applicant and the Department may agree in writing to extend the overall time-frame.
2. The substantive review time-frame shall not be extended by more than 25% of the overall time-frame.

D. An applicant may withdraw an application at any time.

E. The administrative review time-frame shall begin upon the Department's receipt of an application.

1. During the administrative review time-frame, the Department may return to the applicant, without denial, ~~any incomplete~~ an application that is ~~lacking~~ missing any of the information required ~~by~~ under R12-4-409 and the ~~Section~~ rule governing the specific license. The Department shall issue to the applicant a written notice that ~~accompanies each returned application listing the~~ identifies all missing information ~~the~~ and indicates ~~that~~ the applicant ~~failed to provide~~ has 30 days in which to return the missing information.
2. The administrative review time-frame and the overall time-frame listed for the applicable license ~~in~~ under this Section are suspended from the date on the notice until the date ~~that~~ the Department receives the missing information ~~from the applicant~~.
3. If an applicant fails to respond to a request for missing information within 30 days, the Department shall consider the application withdrawn.

F. The substantive review time-frame shall begin when the Department determines an application is complete.

1. During the substantive review time-frame, the Department may make one comprehensive written request for additional information~~, except the~~. The written notice shall:
   a. Identify the additional information, and
   b. Indicate the applicant has 30 days in which to submit the additional information.
   c. The Department and the applicant may mutually agree in writing to allow the agency to submit supplemental requests for additional information.
   d. If an applicant fails to respond to a request for additional information within 30 days, the Department shall consider the application withdrawn.
2. The substantive review time-frame and the overall time-frame listed for the applicable license ~~in~~ under this Section are suspended from the date on the request until the date ~~that~~ the Department receives the additional information ~~from the applicant~~.

G. If the last day of the time-frame period falls on a Saturday, Sunday, or an official State holiday, the Department shall consider the next business day the time-frame period's last day. All periods listed are ~~calendar~~:

1. Calendar days, and ~~all are maximum~~
2. Maximum time periods.

H. ~~Licenses may be reviewed and issued or denied in less time~~ The Department may grant or deny a license in less time than specified below.

Name of Special License	Governing Rule	Administrative ~~Completeness~~ Review Time-frame	Substantive Review Time-frame	Overall Time-frame
Aquatic Wildlife Stocking Permit	R12-4-410	10 days	170 days	180 days
Authorization for Use of Drugs on Wildlife	R12-4-309	20 days	70 days	90 days
Challenged Hunter Access/Mobility Permit	R12-4-217	1 day	29 days	30 days
Crossbow Permit	R12-4-216	1 day	29 days	30 days
Disabled Veteran's License	R12-4-202	1 day	29 days	30 days
Fishing Permits	R12-4-310	10 days	20 days	30 days
~~Game Bird Field Training Permit~~	~~R12-4-416~~	~~10 days~~	~~20 days~~	~~30 days~~
~~Game Bird Field Trial License~~	~~R12-4-415~~	~~10 days~~	~~20 days~~	~~30 days~~
~~Game Bird Hobby License~~	~~R12-4-419~~	~~10 days~~	~~20 days~~	~~30 days~~
Game Bird ~~Shooting Preserve~~ License	R12-4-414	10 days	20 days	30 days
Guide License	R12-4-208	10 days	20 days	30 days
License Dealer's License	R12-4-105	10 days	20 days	30 days
Live Bait Dealer's License	R12-4-411	10 days	20 days	30 days
Pioneer License	R12-4-201	1 day	29 days	30 days
Private Game Farm License	R12-4-413	10 days	20 days	30 days
Scientific Collecting Permit	R12-4-418	10 days	20 days	30 days
Small Game Depredation Permit	R12-4-113	10 days	20 days	30 days
Sport Falconry License	R12-4-422	10 days	20 days	30 days
Watercraft Agents	R12-4-509	10 days	20 days	30 days
White Amur Stocking License	R12-4-424	10 days	20 days	30 days

Wildlife Holding License	R12-4-417	10 days	20 days	30 days
Wildlife Rehabilitation License	R12-4-423	10 days	50 days	60 days
Wildlife Service License	R12-4-421	10 days	50 days	60 days
Zoo License	R12-4-420	10 days	20 days	30 days

~~**B.** Issuance of Special License Tags is governed by R12-4-120. Proposals are accepted between March 1 to May 31 of each year. Administrative review is completed by the Department within 10 days. The Game and Fish Commission makes its decision on issuance or denial in an open meeting within 30 days after the closing date for proposals. The substantive review time-frame is 110 days and the overall time-frame is 120 days.~~

R12-4-107. Bonus Point System

A. For the purpose of this Section, the following definitions apply:
"Bonus point hunt number" means the hunt number assigned ~~by the Commission~~ in a Commission Order for use by an applicant who is applying ~~only~~ for a bonus point only ~~for a genus identified in this Section; and~~.
"Loyalty bonus point" means a bonus point awarded to a person who has submitted a valid application for a hunt permit-tag or a bonus point for a specific genus identified in subsection (B) at least once annually for a consecutive five-year period.

B. The bonus point system grants a person one random number entry in each ~~drawing~~ computer draw for antelope, bear, bighorn sheep, buffalo, deer, elk, javelina, or turkey for each bonus point that person has accumulated under this Section.
1. Each bonus point random number entry is in addition to the entry normally granted under R12-4-104.
2. When processing a "group" ~~applications~~ application, as defined under R12-4-104, the Department shall use the average number of bonus points accumulated by all persons in the group, rounded to the nearest whole number. If the average number of bonus points is equal to or greater than .5, the total will be rounded to the next higher number.
3. The Department shall credit a bonus point under an applicant's Department identification number for the genus on the application.
4. The Department shall not transfer bonus points between persons or genera.

C. The Department shall award one bonus point to an applicant who submits a valid Hunt Permit-tag Application ~~Form if all of~~ provided the following apply:
1. The application is unsuccessful in the ~~drawing or the~~ computer draw or the application is for a bonus point only;
2. The application is not for a hunt permit-tag leftover after the ~~drawing~~ computer draw and available on a first-come, first-served basis as established under R12-4-114; and
3. The applicant either provides the appropriate hunting license number on the application~~,~~ or submits an application and fees for the applicable license with the Hunt Permit-tag Application ~~Form~~, as applicable.

D. An applicant who purchases a bonus point only shall:
1. Submit a valid Hunt Permit-tag Application ~~Form~~, as prescribed under R12-4-104, with the ~~Commission~~-assigned bonus point hunt number for the particular genus as the first-choice hunt number on the application. The Department shall reject any application that:
   a. Indicates the bonus point only hunt number as any choice other than the first-choice, or
   b. Includes any other hunt number on the application;
2. Include the applicable fees:
   a. Application fee, and
   b. Applicable license fee, required when the applicant does not possess a valid license at the time of application; and
3. Submit only one Hunt Permit-tag Application ~~Form~~ per genus per ~~drawing~~ computer draw.

E. With the exception of the hunter education bonus point, each accumulated bonus point is valid only for the genus designated on the Hunt Permit-tag Application ~~Form~~.

F. ~~Except for~~ With the exception of a permanent bonus point awarded for hunter education~~, or~~ and a loyalty bonus ~~points~~ point ~~that are~~ which is accrued and forfeited as ~~prescribed in~~ established under subsection ~~(K)~~ (L), ~~all of~~ a person's accumulated bonus points for a genus are ~~forfeited~~ expended if:
1. The person is issued a hunt permit-tag for that genus in a computer ~~drawing~~ draw; ~~or~~
2. The person fails to submit a Hunt Permit-tag Application ~~Form~~ for that genus for five consecutive years; or
3. The person purchases a surrendered tag as prescribed under R12-4-118(F)(1), (2), or (3).

G. Notwithstanding subsection (F), the Department shall restore any expended bonus points to a person who surrenders or transfers a tag in compliance with R12-4-118 or R12-4-121.

~~**G.**~~**H.** An applicant issued a first-come, first-served hunt permit-tag under ~~R12-4-114(C)(2)(d)~~ R12-4-114(C)(2)(e) after the computer ~~drawing~~ draw does not ~~lose~~ expend bonus points for that genus~~, and a valid but unsuccessful applicant for a first-come, first-served hunt permit-tag remaining after the computer drawing does not gain a bonus point~~.

I. An applicant who is unsuccessful for a first-come, first-served hunt permit-tag made available by the Department after the computer draw is not eligible to receive a bonus point.

~~**H.**~~**J.** The Department shall award one permanent bonus point for each genus upon a person's first graduation from ~~the Department's~~ a Department-sanctioned Arizona Game and Fish Department Hunter Education Course ~~or for serving as a Department hunter education instructor~~.

1. ~~The Department shall credit a person who graduated after January 1, 1980, but before January 1, 1991, or a person certified by the Department as an active hunter education instructor after January 1, 1980, with one permanent bonus point for each genus if the person provides the following information on a form available from the Department: Department identification number; name; address; residency status, and length of Arizona residency, if applicable; date of birth; sex; weight; height; color of hair and eyes; and, for a person other than an instructor, the month and year of graduation from the Department's Arizona Hunter Education Course.~~ Course participants are required to provide the following information upon registration, the participants:
   a. Name;
   b. Mailing address;
   c. Telephone number;
   d. E-mail address, when available;
   e. Date of birth; and
   f. Department ID number, when applicable.
2. ~~An instructor or a person who has graduated from the Department's Arizona Hunter Education Course shall submit the required form 30 days before a drawing's application deadline, as specified in the hunt permit-tag application schedule, in order for the bonus point to be counted by the Department in that drawing.~~ The Arizona Game and Fish Department-certified Instructor shall submit the course paperwork to the Department within 10 business days of course completion. Course paperwork must be received by the Department no less than 30 days before the computer draw application deadline, as specified in the hunt permit-tag application schedule in order for the Department to assign hunter education bonus points in the next computer draw.
3. The Department shall not award hunter education bonus points for any of the following specialized hunter education courses:
   a. Bowhunter Education,
   b. Trapper Education, or
   c. Advanced Hunter Education.

~~I.~~**K.** The Department ~~shall make~~ provides an applicant's total number of accumulated bonus points ~~available~~ on the Department's application web site or IVR telephone system.
1. If ~~the applicant disagrees with~~ a person believes the total number of accumulated bonus points is incorrect, the ~~applicant~~ person may request ~~from the Department~~ proof of compliance with this Section, from the Department, to prove Department error.
2. In the event of an error, the Department shall correct the ~~applicant's~~ person's record.

~~J. The Department shall credit bonus points under an applicant's Department identification number for the genus on the application. The Department shall not transfer bonus points between individuals or genera.~~

~~K.~~**L.** The following provisions apply to the loyalty bonus point program:
1. ~~The Department shall award a loyalty bonus point if an~~ An applicant who submits a valid application at least once a year for a hunt permit-tag or a bonus point for a specific genus consecutively for a five-year period shall accrue a loyalty bonus point for that genus.
2. ~~An~~ Except as established under subsection (N), once a loyalty bonus point is accrued, the applicant ~~retains a~~ shall retain the loyalty bonus point ~~once accrued as long as~~ provided the applicant annually submits ~~a valid~~ an application, with funds sufficient to cover all application fees and applicable license fees for each applicant listed on the application, ~~annually~~ for a hunt permit-tag or a bonus point for the genus for which the loyalty bonus point was accrued.
3. ~~If an~~ An applicant who ~~has accrued a loyalty bonus point~~ fails to apply in any calendar year for a hunt permit-tag or bonus point for the genus for which the loyalty bonus point was accrued~~, the applicant's~~ shall forfeit the loyalty bonus point for that genus ~~is forfeited~~.

~~4. For the purpose of the loyalty bonus point program, year one of the calculation of consecutive application years is 2001, and the Department shall award a loyalty bonus point to an applicant who qualifies for the loyalty bonus point on or after the effective date of this Section.~~

~~5.~~4. A loyalty bonus point is accrued in addition to all other bonus points.

~~L.~~**M.** ~~The Department shall reinstate any bonus points forfeited for a successful hunt permit-tag application for military personnel, military reserve personnel, national guard personnel, or public agency employees who are unable to use the hunt permit-tag due to mobilization, activation, or required duty in response to a declared national or state emergency, or required duty in response to an action by the President, Congress, or a governor of the United States or its territories. Under A.R.S. § 17-332(E), no refunds for a license or hunt permit-tag will be issued to an applicant who applies for reinstatement of bonus points under this subsection.~~ A military member, military reserve member, member of the National Guard, or emergency response personnel with a public agency may request the reinstatement of any expended bonus points for a successful Hunt Permit-tag Application.
1. To request reinstatement of ~~forfeited~~ expended bonus points under these circumstances, an applicant shall submit all of the following information to the Arizona Game and Fish Department, Draw Section, 5000 W. Carefree Highway, Phoenix, AZ 85086:

~~1. A letter from the applicant requesting reinstatement of bonus points;~~

~~2. The hunt number for which the hunt permit-tag is valid;~~

~~3.~~a. Evidence of mobilization or change in duty status, such as a letter from the public agency or official orders; or

~~4.~~b. An official declaration of a state of emergency from the public agency or authority making the declaration of emergency, if applicable; and

~~5.~~c. The valid, unused hunt permit-tag~~, which must be received before the beginning date of the hunt for which the hunt permit-tag is valid, or evidence of mobilization or activation that precluded the applicant from submitting the tag before the beginning date of the hunt~~.

2. The Department shall deny requests post-marked after the beginning date of the hunt for which the hunt permit-tag is valid, unless the person also submits, with the request, evidence of mobilization, activation, or a change in duty status that precluded the applicant from submitting the hunt permit-tag before the beginning date of the hunt.

3. Under A.R.S. § 17-332(E), no refunds for a license or hunt permit-tag will be issued to an applicant who applies for reinstatement of bonus points under this subsection.

4. Reinstatement of bonus points under this subsection is not subject to the requirements established under R12-4-118.

N. It is unlawful for a person to purchase a bonus point by fraud or misrepresentation and any bonus point so obtained shall be removed from the person's Department record.

R12-4-108. Management Unit Boundaries

A. For the purpose of this Section, parentheses mean "also known as," and the following definitions shall apply:

1. "FH" means "forest highway," a paved road.
2. "FR" means "forest road," an unpaved road.
3. "Hwy" means "Highway."
4. "mp" means "milepost."

B. The state is divided into units for the purpose of managing wildlife. Each unit is identified by a number, or a number and letter. For the purpose of this Section, Indian reservation land contained within any management unit is not under the jurisdiction of the Arizona Game and Fish Commission or the Arizona Game and Fish Department.

C. Management unit descriptions are as follows:

Unit 1 - No change

Unit 2A -- No change

Unit 2B -- No change

Unit 2C -- No change

Unit 3A -- No change

Unit 3B - No change

Unit 3C -- No change

Unit 4A -- No change

Unit 4B -- Beginning at AZ Hwy 260 and the Sitgreaves National Forest boundary with the Tonto National Forest; northeasterly on AZ Hwy 260 to AZ Hwy 277; northeasterly on AZ Hwy 277 to Hwy 377; northeasterly on AZ Hwy 377 to AZ Hwy 77; northeasterly on AZ Hwy 77 to I-40 Exit 286; northeasterly along the westbound lane of I-40 to Exit 292; north on AZ Hwy 77 to the Navajo Indian Reservation boundary; west along the reservation boundary to the Little Colorado River; southerly along the Little Colorado River to Chevelon Creek; southerly along Chevelon Creek to Woods Canyon; westerly along Woods Canyon to Woods Canyon Lake Rd. (FH 151); westerly and southerly along the Woods Canyon Lake Rd. (FH 151) to the Mogollon Rim; easterly along the Mogollon Rim to the intersection of AZ Hwy 260 and the Sitgreaves National Forest boundary with the Tonto National Forest.

Unit 5A -- No change

Unit 5B -- Beginning at Lake Mary-Clint's Well Rd. (FH3) and Walnut Canyon (mp 337.5 on FH3); southeasterly on FH3 to AZ Hwy 87; northeasterly on AZ Hwy 87 to FR 69; westerly and northerly on FR 69 to I-40 (Exit 233); west on I-40 to Walnut Canyon (mp 210.2); southwesterly along the bottom of Walnut Canyon to Walnut Canyon National Monument; southwesterly along the northern boundary of the Walnut Canyon National Monument to Walnut Canyon; southwesterly along the bottom of Walnut Canyon to FH3 (mp 337.5).

Unit 6A - Beginning at the junction of U.S. Hwy 89A and FR 237; southwesterly on U.S. Hwy 89A to the Verde River; southeasterly along the Verde River to ~~Childs~~ the confluence with Fossil Creek; ~~easterly on the Childs-Strawberry Rd. to~~ northeasterly along Fossil Creek ~~north on the creek~~ to Fossil Springs; southeasterly on FS trail 18 (Fossil Spring Trail) to the top of the rim; northeasterly on the rim to Nash Point on the Tonto-Coconino National Forest boundary; easterly along this boundary to AZ Hwy 87; northeasterly on AZ Hwy 87 to Lake Mary-Clint's Well Rd. (FH3); northwesterly on FH3 to FR 132; southwesterly on FR 132 to FR 296; southwesterly on FR 296 to FR 296A; southwesterly on FR 296A to FR 132; northwesterly on FR 132 to FR 235; westerly on FR 235 to Priest Draw; southwesterly along the bottom of Priest Draw to FR 235; westerly on FR 235 to FR 235A; westerly on FR 235A to FR 235; southerly on FR 235 to FR 235K; northwesterly on FR 235K to FR 700; northerly on FR 700 to Mountainaire Rd.; west on Mountainaire Rd. to FR 237; westerly on FR 237 to U.S. Hwy 89A except those portions that are sovereign tribal lands of the Yavapai-Apache Nation.

Unit 6B -- No change

Unit 7 - No change
Unit 8 -- No change
Unit 9 -- No change
Unit 10 -- No change
Unit 11M - Beginning at the junction of Lake MaryClint's Well Rd (FH3) and Walnut Canyon (mp 337.5 on FH3); northeasterly along the bottom of Walnut Canyon to the Walnut Canyon National Monument boundary; northeasterly along the northern boundary of the Walnut Canyon National Monument to Walnut Canyon; northeasterly along the bottom of Walnut Canyon to I-40 (mp 210.2); east on I-40 to the 345 KV transmission lines 1&2 (mp 212 on I-40); north and northeasterly along the power line to FR 545 (Sunset Crater Rd); west along FR 545 to the Sunset Crater National Monument boundary; westerly along the southern boundary of the Sunset Crater National monument to FR 545; west on FR 545 to US Hwy 89; across US Hwy 89 to FR 420 (Schultz Pass Rd); southwesterly on FR 420 to the Transwestern Gas Pipeline; westerly along the Transwestern Gas Pipeline to FR 171; south on FR 171 to I-40 (mp 184.4 on I-40); east on I-40 to a point just north of the eastern boundary of the Navajo Army Depot (mp 188.5 on I-40); south along the eastern boundary of the Navajo Army Depot to the southeast corner of the Depot; southeast approximately 1/3 mile to forest road in section 33; southeasterly along that forest road to FR 231 (Woody Mountain Rd); easterly on FR 231 to FR 533; southerly on FR 533 to US Hwy 89A; southerly on US Hwy 89A to FR 237; northeasterly on FR 237 to Mountainaire Rd; easterly on Mountainaire Rd to FR 700; southerly on FR 700 to FR 235K; southeasterly on FR 235K to FR 235; northerly on FR 235 to FR 235A; easterly on FR 235A to FR 235; easterly on FR 235 to Priest Draw; northeasterly along the bottom of Priest Draw to FR 235; easterly on FR 235 to FR 132; southeasterly on FR 132 to FR 296A; northeasterly on FR 296A to FR 296; northeasterly on FR 296 to FR 132; northeasterly on FR 132 to FH 3; southeasterly on FH 3 to the south rim of Walnut Canyon (mp 337.5 on FH3)
Unit 12A -- ~~Beginning at U.S. Hwy 89A and the Kaibab National Forest boundary near mp 566; southerly and easterly along the forest boundary to Grand Canyon National Park; southerly and westerly along the park boundary to Kanab Creek; northerly along Kanab Creek to Snake Gulch; northerly, easterly and southerly around the Kaibab National Forest boundary to U.S. Hwy 89A near mp 566~~ Beginning at the confluence of the Colorado River and South Canyon; southerly and westerly along the Colorado River to Kanab Creek; northerly along Kanab Creek to Snake Gulch; northerly, easterly, and southerly around the Kaibab National Forest boundary to South Canyon; northeasterly along South Canyon to the Colorado River.
Unit 12B -- No change
Unit 13A -- No change
Unit 13B -- No change
Unit 15A -- No change
Unit 15B -- Beginning at Kingman on I-40 (Exit 48); northwesterly on U.S. Hwy 93 to Hoover Dam; north and east along the Colorado River to Pearce Ferry; southerly on the Pearce Ferry Rd. to Antares Rd.; southeasterly on Antares Rd. to AZ Hwy 66; easterly on AZ Hwy 66 to Hackberry Rd.; southerly on the Hackberry Rd. to its junction with U.S. Hwy 93; north ~~and west~~ on U.S. Hwy 93 ~~and~~ to I-40 (Exit 71); west on I-40 to Kingman (Exit 48).
Unit 15C -- No change
Unit 15D -- No change
Unit 16A -- Beginning at Kingman ~~Exit 48~~ on I-40 (Exit 48); south and west on I-40 to U.S. Hwy 95 (Exit 9); southerly on U.S. Hwy 95 to the Bill Williams River; easterly along the Bill Williams and Santa Maria rivers to U.S. Hwy 93; north ~~and west~~ on U.S. Hwy 93 ~~and~~ to I-40 (Exit 71); west on I-40 to Kingman (Exit 48).
Unit 16B -- No change
Unit 17A -- Beginning at the junction of the Williamson Valley Rd. (County Road 5) and the Camp Wood Rd. (FR 21); westerly on the Camp Wood ~~road~~ Rd. to the west boundary of the Prescott National Forest; north along ~~this~~ the forest boundary to the Baca Grant; east, north and west around the grant to the west boundary of the Prescott National Forest; north and east along ~~this~~ the forest boundary to the Williamson Valley Rd. (County Rd. 5, FR 6); southerly on Williamson Valley Rd. (County Rd. 5, FR 6) to the Camp Wood Rd.
Unit 17B -- Beginning ~~in Prescott;~~ at the junction of Iron Springs Rd. (County Rd. 10) and Williamson Valley Rd. (County Road 5) in Prescott; westerly on the Prescott-Skull Valley-Hillside-Bagdad Rd. to Bagdad; northeast on the Bagdad-Camp Wood Rd. (FR 21) to the Williamson Valley Rd. (County Rd. 5, FR 6); south on the Williamson Valley Rd. (County Rd. 5, FR 6) to the Iron Springs Rd.
Unit 18A -- No change
Unit 18B -- Beginning at Bagdad; southeast on AZ Hwy 96 to the Santa Maria River; southwest along the Santa Maria River to U.S. Hwy 93; northerly on U.S. Hwy 93 to Cane Springs Wash; easterly along Cane Springs Wash to the Big Sandy River; northerly along the Big Sandy River to Trout Creek; northeasterly along Trout Creek to the Davis Dam-Prescott power line; southeasterly along the power line to the west boundary of the Prescott National Forest; south along the forest boundary to the Baca Grant; east, south and west along the ~~joint Baca Grant-Prescott Forest Boundary. Continuing~~ forest boundary; south along the west boundary of the Prescott National Forest; to the Camp

Wood-Bagdad Rd.; southwesterly on the Camp Wood-Bagdad Rd. to Bagdad; except those portions that are sovereign tribal lands of the Hualapai Indian Tribe.

Unit 19A -- No change

Unit 19B -- No change

Unit 20A -- No change

Unit 20B -- Beginning at the Hassayampa River and U.S. Hwy ~~93~~ 60/93 (in Wickenburg); northeasterly along the Hassayampa River to the Kirkland Junction-Wagoner- Crown King-Cordes road (at Wagoner); southerly and northeasterly along the Kirkland Junction-Wagoner-Crown King-Cordes Rd. (at Wagoner) to I-17 (Exit 259); south on the southbound lane of I-17 to the New River Road (Exit 232); west on the New River Road to State ~~Highway~~ Hwy 74; west on AZ Hwy 74 to the junction of AZ Hwy 74 and U.S. Hwy ~~93~~ 60/93; northwesterly on U.S. Hwy ~~93~~ 60/93 to the Hassayampa River.

Unit 20C -- Beginning at U.S. Hwy ~~93~~ 60/93 and the Santa Maria River; northeasterly along the Santa Maria River to AZ Hwy 96; easterly on AZ Hwy 96 to Kirkland Junction; southeasterly along the Kirkland Junction-Wagoner-Crown King-Cordes road to the Hassayampa River (at Wagoner); southwesterly along the Hassayampa River to U.S. Hwy ~~93~~ 60/93; northwesterly on U.S. Hwy ~~93~~ 60/93 to the Santa Maria River.

Unit 21 -- No change

Unit 22 -- Beginning at the junction of the Salt and Verde Rivers; north along the Verde River to ~~Childs~~ the confluence with Fossil Creek; ~~easterly on the Childs-Strawberry Rd. to~~ northeasterly along Fossil Creek ~~north on the creek~~ to Fossil Springs; southeasterly on FS trail 18 (Fossil Spring Trail) to the top of the rim; northeasterly on the rim to Nash Point on the Tonto-Coconino National Forest boundary along the Mogollon Rim; easterly along this boundary to Tonto Creek; southerly along the east fork of Tonto Creek to the spring box, north of the Tonto Creek Hatchery, and continuing southerly along Tonto Creek to the Salt River; westerly along the Salt River to the Verde River; except those portions that are sovereign tribal lands of the Tonto Apache Tribe and the Fort McDowell ~~Mohave-Apache Community~~ Yavapai Nation.

Unit 23 -- No change

Unit 24A -- No change

Unit 24B -- No change

Unit 25M -- No change

Unit 26M -- No change

Unit 27 -- No change

Unit 28 - No change

Unit 29 -- No change

Unit 30A -- No change

Unit 30B -- No change

Unit 31 -- No change

Unit 32 -- No change

Unit 33 -- No change

Unit 34A -- No change

Unit 34B -- No change

Unit 35A -- No change

Unit 35B - No change

Unit 36A - No change

Unit 36B - No change

Unit 36C -- No change

Unit 37A -- Beginning at the junction of I-10 and Tangerine Rd. (Exit 240); southeast on I-10 to Avra Valley Rd. (Exit 242); west on Avra Valley Rd. to Sandario Rd.; south on Sandario Rd. to AZ Hwy 86; southwest on AZ Hwy 86 to the Tohono O'odham ~~(Papago) Indian Reservation~~ Nation boundary; north, east, and west along ~~the reservation~~ this boundary to Battaglia Rd.; east on Battaglia Rd. to Toltec Rd.; north on Toltec Rd. to I-10 (Exit 203); southeast on I-10 to AZ Hwy 87 (Exit 211); north on AZ Hwy 87 to AZ Hwy 287; east on AZ Hwy 287 to AZ Hwy 79 at Florence; southeast on AZ Hwy 79 to its junction with AZ Hwy 77; south on AZ Hwy 77 to Tangerine Rd.; west on Tangerine Rd. to I-10.

Unit 37B -- No change

Unit 38M -- No change

Unit 39 -- Beginning at AZ Hwy 85 and the Gila River; east along the Gila River to the western boundary of the Gila River Indian ~~Reservation~~ Community; southeasterly along ~~the reservation~~ this boundary to AZ Hwy 347 (John Wayne Parkway); south on AZ Hwy 347 (John Wayne Parkway) to AZ Hwy 84; east on AZ Hwy 84 to Stanfield; south on the Stanfield-Cocklebur Rd. to I-8; westerly on I-8 to Exit 87; northerly on the Agua Caliente Rd. to the Hyder Rd.; northeasterly on Hyder Rd. to 555th Ave.; north on 555th Ave. to Lahman Rd.; east on Lahman Rd., which becomes Agua Caliente Rd.; northeasterly on Agua Caliente Rd. to Old Hwy 80; northeasterly on Old Hwy

80 to Arizona Hwy 85; southerly on AZ Hwy 85 to the Gila River; except those portions that are sovereign tribal lands of the Tohono O'odham Nation and the Ak-Chin Indian Community.

Unit 40A -- No change
Unit 40B -- No change
Unit 41 -- No change
Unit 42 -- No change
Unit 43A -- No change
Unit 43B -- No change
Unit 44A -- No change
Unit 44B - No change
Unit 45A -- No change
Unit 45B -- Beginning at O-O Junction; north from O-O Junction on the Kofa Mine Rd. to the Evening Star Mine; north on a line over Polaris Mountain to Midwell-Alamo Spring-Kofa Cabin Rd. (Wilbanks Rd.); north on the Midwell-Alamo Spring-Kofa Cabin Rd. (Wilbanks Rd.) to the El Paso Natural Gas Pipeline Rd.; north on a line from the junction to the north Kofa National Wildlife Refuge boundary; east to the east refuge boundary; south and west along the Kofa National Wildlife Refuge boundary to the Stone Cabin-King Valley Rd. (Wellton-Kofa Rd./Ave 40E); north and west on the Stone Cabin-King Valley Rd. (Wellton-Kofa Rd./Ave 40E) to O-O Junction.
Unit 45C -- No change
Unit 46A -- No change
Unit 46B -- No change

R12-4-110. Posting and Access to State Land

A. For the purpose of this Section:
1. "Corrals," "feed lots," or "holding pens" mean completely fenced areas used to contain livestock for purposes other than grazing~~, including feeding, roundup, branding, doctoring, and other related purposes~~.
2. "Existing road" means any maintained or unmaintained road, way, highway, trail, or path that has been used for motorized vehicular travel, and clearly shows or has a history of established vehicle use, and is not currently closed by the Commission.
3. "State lands" means all land owned or held in trust by the state that is managed by the State Land Department and lands that are owned or managed by the Game and Fish Commission.

B. In addition to ~~those prohibitions~~ the prohibition against posting ~~in~~ proscribed under A.R.S. § 17-304, ~~an individual~~ a person shall not lock a gate, construct a fence, place an obstacle, or otherwise commit an act that denies legally available access to or use of any existing road upon state lands by persons lawfully taking or retrieving wildlife or conducting any activities that are within the scope of and take place while lawfully hunting or fishing. ~~An individual~~
1. A person in violation of this Section shall take immediate corrective action to remove any lock, fence, or other obstacle ~~that~~ unlawfully ~~blocks~~ preventing access to state lands.
2. If immediate corrective action is not taken, a representative of the Department may remove any unlawful posting and remove any lock, fence, or other obstacle that unlawfully ~~blocks~~ prevents access to state lands.
3. In addition, the Department may take appropriate legal action to recover expenses incurred in the removal of any unlawful posting or obstacle that ~~blocks~~ prevented access to state land.

C. The provisions of this Section do not allow any ~~individual~~ person to trespass upon private land to gain access to any state land.

D. ~~An individual~~ A person may post state lands as closed to hunting, fishing, or trapping without further action by the Commission when the state land is within ~~1/4~~ one-quarter mile of any ~~occupied~~:
1. Occupied residence, cabin, lodge, or other building ~~and lands within corrals,~~; or
2. Corrals, feed lots, or holding pens containing concentrations of livestock other than for grazing purposes ~~as closed to hunting, fishing, or trapping without further action by the Commission~~.

E. The Commission may grant permission to lock, tear down, or remove a gate or close a road or trail that provides legally available access to state lands for persons lawfully taking wildlife or conducting any activities that are within the scope of and take place while lawfully hunting or fishing if access to such lands is provided by a reasonable alternate route.
1. Under R12-4-610, the Director may grant a permit to a state land lessee to temporarily lock a gate or close an existing road that provides access to state lands if the taking of wildlife will cause unreasonable interference during a critical livestock or commercial operation. This permit shall not exceed 30 days.
2. Applications for permits for more than 30 days shall be submitted to the Commission for approval.
3. If a permit is issued to temporarily close a road or gate, a copy of the permit shall be posted at the point of the closure during the period of the closure.

~~E.~~**F.** ~~An individual~~ A person may post state lands other than those ~~referred to in~~ referenced under subsection (D) as closed to hunting, fishing, or trapping ~~only if~~, provided the ~~individual~~ person has obtained a permit from the Commission~~, and the~~ authorizing the closure. A person possessing a permit authorizing the closure of state lands shall post signs in compliance with A.R.S. 17-304(C). The Commission ~~determines that the closing~~ may permit the closure of state land when it is necessary:
1. Because the taking of wildlife constitutes an unusual hazard to permitted users;

2. To prevent unreasonable destruction of plant life or habitat; or
3. For proper resource conservation, use, or protection, including but not limited to high fire danger, excessive interference with mineral development, developed agricultural land, or timber or livestock operations.

~~F.~~G. ~~An individual~~ A person shall submit an application for posting state land to prohibit hunting, fishing, or trapping under subsection ~~(E)~~ (F), or to close an existing road under subsection ~~(J)~~ (E), as required ~~by~~ under R12-4-610. If an application to close state land to hunting, fishing, or trapping is made by ~~an individual~~ a person other than the state land lessee, the Department shall provide notice to the lessee and the State Land Commissioner before the Commission considers the application. The state land lessee or the State Land Commissioner shall file any objections with the Department, in writing, within 30 days after receipt of notice, after which the matter shall be submitted to the Commission for determination.

~~G.~~H. ~~An individual~~ A person may use a vehicle on or off a road to pick up lawfully taken big game animals.

~~H.~~I. The closing of state land to hunting, fishing, or trapping shall not restrict any other permitted use of the land.

~~I.~~J. State trust land may be posted with signs that read "State Land No Trespassing," but such posting shall not prohibit access to such land by any ~~individual~~ person lawfully taking or retrieving wildlife or conducting any activities that are within the scope of and take place while lawfully hunting or fishing.

~~J. The Commission may grant permission to lock or obliterate a gate or close a road or trail that provides legally available access to state lands for licensed hunters and fishermen if access to such lands is provided by a reasonable alternate route. Under R12-4-610, the Director may grant a permit to a state land lessee to temporarily lock a gate or close an existing road that provides access to state lands if the taking of wildlife will cause unreasonable interference during a critical livestock or commercial operation. This permit shall not exceed 30 days. Applications for permits for more than 30 days shall be submitted to the Commission for approval. If a permit is issued to temporarily close a road or gate, a copy of the permit shall be posted at the point of the closure during the period of the closure.~~

K. When hunting, fishing, or trapping on state land, a license holder shall not:
1. Break or remove any lock or cut any fence to gain access to state land;
2. Open and not immediately close a gate;
3. Intentionally or wantonly destroy, deface, injure, remove, or disturb any building, sign, equipment, marker, or other property;
4. Harvest or remove any vegetative or mineral resources or object of archaeological, historic, or scientific interest;
5. Appropriate, mutilate, deface, or destroy any natural feature, object of natural beauty, antiquity, or other public or private property;
6. Dig, remove, or destroy any tree or shrub;
7. Gather or collect renewable or non-renewable resources for the purpose of sale or barter unless specifically permitted or authorized by law; ~~or~~
8. Frighten or chase domestic livestock or wildlife, or endanger the lives or safety of others when using a motorized vehicle or other means; or
9. Operate a motor vehicle off road or on any road closed to the public by the Commission or landowner, except to retrieve a lawfully taken big game animal.

R12-4-111. Identification Number

~~An applicant for a Department identification number may either:~~
~~1. Assign his or her own number by using his or her social security number; or~~
~~2. Obtain a number from the Department by providing the Department with full name and any aliases, date of birth, and mailing address.~~

A person applying for a Department identification number, as defined under R12-4-101, shall provide the person's:
1. Full name,
2. Any additional names the person has lawfully used in the past or is known by,
3. Date of birth, and
4. Mailing address.

R12-4-112. Diseased, Injured, or ~~Chemically Immobilized~~ Chemically-immobilized Wildlife

~~A. The Director may authorize Department employees to condemn the carcass of lawfully taken and lawfully possessed diseased, injured, or chemically immobilized wildlife taken under any permit tag that is, in the opinion of the employee, unfit for human consumption, if the individual who took the wildlife requests it and this condition was not created by the actions of the individual who took the wildlife. A Department employee may condemn wildlife that has been chemically immobilized if the wildlife was taken during the established withdrawal period of that immobilizing drug.~~

~~B. The individual who took the wildlife shall surrender the entire condemned wildlife carcass and any parts thereof to the Department employee.~~

~~C. After condemnation and surrender of the wildlife, the Department employee shall provide written authorization to the individual who took the wildlife to purchase and use a duplicate tag. The license holder may purchase the tag from any dealer where the tag is available. The license dealer shall forward the written authorization to the Department with the report of the tag sale.~~

A. A person who lawfully takes and possesses wildlife believed to be diseased, injured, or chemically-immobilized may request an inspection of the wildlife carcass provided:
1. The wildlife was lawfully taken and possessed under a valid hunt permit- or nonpermit-tag, and
2. The person who took the wildlife did not create the condition.

B. The Department, after inspection, may condemn the carcass if it is determined the wildlife is unfit for human consumption. The Department shall condemn chemically-immobilized wildlife only when the wildlife was taken during the immobilizing drug's established withdrawal period.

C. The person shall surrender the entire condemned wildlife carcass and any parts thereof to the Department.
1. Upon surrender of the condemned wildlife, the Department shall provide to the person written authorization allowing the person to purchase a duplicate hunt permit- or nonpermit-tag.
2. The person may purchase a duplicate tag from any Department office or license dealer where the permit-tag is available.

D. If the duplicate tag is issued by a license dealer, the license dealer shall forward the written authorization to the Department with the report required under R12-4-105(K).

R12-4-113. Small Game Depredation Permit

~~**A.** Under A.R.S. § 17-239(D), the Commission determines that it is impractical to resolve property damage problems caused by small game by establishing special seasons or bag limits for the purpose of taking small game by hunters. The Commission finds it necessary to waive license fees, bag limits, and seasons for small game causing property damage.~~

~~**B.** The Department shall issue a complimentary small game depredation permit to take small game to a landowner, lessee, livestock operator, or municipality suffering property damage, if the Department determines that all other remedies in A.R.S. § 17-239(A), (B), and (C) have been exhausted and the take of the small game is necessary to alleviate the damage. A small game depredation permit is not valid for migratory birds unless the permit holder obtains a federal special purpose permit under 50 CFR 21.27, revised October 1, 1988, not including any later amendments or editions, which is incorporated by reference herein. A copy of the incorporated matter is available for inspection at any Department office, or it may be ordered from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.~~

~~**C.** Notwithstanding the requirements of R12-4-304 and R12-4-318, individuals or municipalities issued a small game depredation permit under this Section may take depredating small game by whatever safe and humane means are practical for the particular situation.~~

A. The Department shall issue a small game depredation permit authorizing the take of small game and the allowable methods of take only after the Department has determined all other remedies prescribed under A.R.S. § 17-239(A), (B), and (C) have been exhausted and the take of the small game is necessary to alleviate the property damage. A small game depredation permit is:
1. A complimentary permit.
2. Not valid for the take of migratory birds unless the permit holder:
   a. Obtains and possesses a federal special purpose permit under 50 C.F.R. 21.41, revised October 1, 2014, which is incorporated by reference; or
   b. Is exempt from permitting requirements under 50 C.F.R. 21.43, revised October 1, 2014, which is incorporated by reference;
   c. For subsections (A)(2)(a) and (b), the incorporated material is available at any Department office, online at www.gpoaccess.gov, or it may be ordered from the U.S. Government Printing Office, Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197-9000. This incorporation by reference does not include any later amendments or editions of the incorporated material.

B. A person desiring a small game depredation permit shall submit to the Department an application requesting the permit. The application form is furnished by the Department and is available at any Department office and online at www.azgfd.gov. The person shall provide all of the following information on the form:
1. Full name or, when submitted by a municipality, the name of the agency and agency contact;
2. Mailing address;
3. Telephone number or, when submitted by a municipality, agency contact number;
4. E-mail address, when available, or, when submitted by a municipality, agency contact e-mail address;
5. Description of property damage suffered;
6. Species of animal causing the property damage; and
7. Area the permit would be valid for.

R12-4-114. Issuance of Nonpermit-tags and Hunt Permit-tags

A. ~~In accordance with A.R.S. § 17-332 and the provisions of this Section, the~~ The Department ~~shall annually provide~~ provides numbered tags for sale to the public. The Department shall ensure ~~that~~ each tag ~~includes~~:
1. Includes a transportation and shipping permit as prescribed ~~in~~ under A.R.S. §§ 17-332 and 17-371, and ~~that each tag is made of tear-resistant material with an adhesive back covered by a detachable paper backing and clearly~~
2. Clearly identifies the animal for which the tag is valid.

B. If the Commission establishes a big game season for which a hunt number is not assigned, the Department or its authorized agent, or both, shall sell nonpermit-tags.
1. ~~To obtain a nonpermit-tag, an applicant shall provide to a license dealer or Department office the applicant's name, home mailing address, and Department identification number~~ A person purchasing a nonpermit-tag shall provide all of the following information to a Department office or license dealer at the time of purchase; the applicant's:
   a. Name,
   b. Mailing address, and

c. Department identification number.

2. An applicant shall not ~~apply for or~~ obtain nonpermit-tags in excess of the bag limit ~~prescribed~~ established by ~~the~~ Commission Order when it established the season for which the nonpermit-tags are valid.

C. If the number of hunt permits for a species in a particular hunt area must be limited, a Commission Order establishes a hunt number for that hunt area~~,~~ and a hunt permit-tag is required to take the species in that hunt area.

1. ~~To apply for~~ A person applying for a hunt permit-tag~~, an applicant~~ shall submit an application as described under R12-4-104.
2. The Department shall ~~use the following procedure to~~ determine whether a hunt permit-tag will be issued to an applicant as follows:
   a. The Department shall reserve a maximum of 20% of the hunt permit-tags for each hunt number, except as established under subsection (C)(2)(b), for antelope, bear, deer, elk, javelina, and turkey ~~to issue to individuals and groups that have bonus points. The Department shall reserve~~ and reserve a maximum of 20% of the hunt permit-tags for all hunt numbers combined statewide for bighorn sheep and buffalo to issue to ~~individuals and groups that~~ persons who have bonus points and shall issue the hunt permit-tags as established under subsection (C)(2)(c).
   b. For antelope, bear, deer, elk, javelina, and turkey, the Department shall reserve one hunt permit-tag for any hunt number with fewer than five, but more than one, hunt permit-tags and shall issue the tag as established under subsection (C)(2)(c). When this occurs, the Department shall adjust the number of available hunt permit-tags in order to ensure the total number of hunt permit-tags available does not exceed the 20% maximum specified in subsection (C)(2)(a).
   ~~b.~~c. The Department shall issue the reserved hunt permit-tags for hunt numbers that eligible applicants designate as their first or second choices. The Department shall issue the reserved hunt permit-tags by random selection:
      i. First, to eligible applicants with the highest number of bonus points for that genus;
      ii. Next, if there are reserved hunt permit-tags remaining, to eligible applicants with the next highest number of bonus points for that genus; and
      iii. If there are still tags remaining, to the next eligible applicants with the next highest number of bonus points; continuing in the same manner until all of the reserved tags have been issued or until there are no more applicants for that hunt number who have bonus points.
   ~~c.~~d. The Department shall ensure that all unreserved hunt permit-tags are issued by random ~~drawing~~ selection:
      i. First, to hunt numbers designated by eligible applicants as their first or second choices; and
      ii. Next, to hunt numbers designated by eligible applicants as their third, fourth, or fifth choices.
   e. Before each of the three passes listed under (C)(2)(c)(i),(ii), and (iii), each application is processed through the Department's random number generator program. A random number is assigned to each application; an additional random number is assigned to each application for each group bonus point, including the Hunter Education and Loyalty bonus points. Only the lowest random number generated for an application is used in the computer draw process. A new random number is generated for each application for each pass of the computer draw.
   ~~d.~~f. If the bag limit ~~established by Commission Order~~ is more than one per calendar year, or if there are unissued hunt permit-tags remaining ~~unissued~~ after the random ~~drawings~~ computer draw, the Department shall ensure ~~that~~ these hunt permit-tags are available ~~on a set date~~ on a first-come, first-served basis as specified in the annual hunt permit-tag application schedule ~~published annually~~.

D. A person may purchase hunt permit-tags equal to the bag limit for a genus.

1. A person shall not exceed the established bag limit for that genus.
2. A person shall not apply for any additional hunt-permit-tags if the person has reached the bag limit for that genus during the same calendar year.
3. A person who surrenders a tag in compliance with R12-4-118 is eligible to apply for another hunt permit-tag for the same genus during the same calendar year, provided the person has not reached the bag limit for that genus.

~~**D.**~~**E.** The Department shall ~~not~~ make available ~~more than one~~ to nonresidents:

1. For bighorn sheep and buffalo, no more than one hunt permit-tag or 10% of the total hunt permit-tags, whichever is greater, for bighorn sheep or buffalo in any computer draw ~~to nonresidents~~. The Department shall not make available more than 50% nor more than two bighorn sheep or buffalo hunt permit-tags of the total in any hunt number ~~to nonresidents~~.

~~**E.**~~2. ~~The Department shall not make available more than 10%~~ For antelope, antlered deer, bull elk, or turkey, no more than 10%, rounded down to the next lowest number, of the total hunt permit-tags in any hunt number ~~to nonresidents for antelope, antlered deer, bull elk, javelina, or turkey~~. If a hunt number for antelope, antlered deer, bull elk, ~~javelina~~ or turkey has 10 or fewer hunt permit-tags ~~or fewer~~, no more than one hunt permit-tag will be made available ~~to a nonresident, except that if a~~ unless the hunt number has only one hunt permit-tag, then that tag shall only be available to a resident.

F. The Commission may, at a public meeting, increase the number of hunt permit-tags issued to nonresidents in a computer draw when necessary to meet management objectives.

G. The Department shall not issue under subsection (C)(2)(c), more than half of the hunt permit-tags made available to

nonresidents under subsection (E).

~~F.~~**H.** A nonresident cap established under this Section applies only to hunt permit-tags issued by ~~random drawing~~ computer draw under subsections ~~(C)(2)(b)~~ (C)(2)(c) and ~~(c)~~ (d).

R12-4-115. Restricted Nonpermit-Tags; Supplemental Hunts and Hunter Pool

~~**A.** For the purposes of this Section, the following definitions apply:~~

~~"Management objectives" means goals, recommendations, or guidelines contained in Commission-approved wildlife management plans, which include hunt guidelines, operational plans, or hunt recommendations;~~

~~"Hunter pool" means all persons who have submitted an application for a supplemental hunt; and~~

~~"Supplemental hunt" means a season established by the Commission for the following purposes:~~

~~Take of depredating wildlife under A.R.S. § 17-239;~~

~~Take of wildlife under an Emergency Season if the Commission adopts, amends, or repeals a Commission Order for reasons constituting an immediate threat to the health, safety, or management of wildlife or its habitat, or to public health or safety; or~~

~~Take of wildlife under a population management hunt if the Commission has prescribed restricted nonpermit-tags by Commission Order for the purpose of meeting management objectives because regular seasons are not, have not been, or will not be sufficient or effective to achieve management objectives.~~

~~**B.** For the purposes of authorizing a population management hunt, the Commission through Commission Order shall open a season or seasons and prescribe a maximum number of restricted nonpermit-tags that the Director may issue under this Section.~~

~~**C.** The Director shall implement a population management hunt under the open season or seasons prescribed in subsection (B) if the Director finds that:~~

~~1. Regular seasons have not met or will not meet management objectives;~~

~~2. Take of wildlife is necessary to meet management objectives; and~~

~~3. Issuance of a specific number of restricted nonpermit-tags is likely to meet management objectives.~~

~~**D.** To implement a population management hunt under subsection (B), the Director shall do the following:~~

~~1. Select season dates, within the range of dates prescribed by the Commission through Commission Order;~~

~~2. Select specific hunt areas, within the range of hunt areas prescribed by the Commission through Commission Order;~~

~~3. Select the legal animal that may be taken from the list of legal animals prescribed by the Commission through Commission Order;~~

~~4. Determine the number of restricted nonpermit-tags that will be issued from the maximum number of tags prescribed by the Commission through Commission Order; and~~

~~5. Reduce restricted nonpermit-tag fees up to 75% if the normal fee structure will not generate adequate participation from either the hunter pool or hunt permit-tag holders under subsection (J).~~

~~**E.** The Director shall not issue more restricted nonpermit-tags than the maximum number prescribed by the Commission through Commission Order.~~

~~**F.** A restricted non-permit tag is valid only for the supplemental hunt for which it is issued. To participate in a supplemental hunt, a person shall:~~

~~1. Obtain a restricted non-permit tag as prescribed under this Section, and~~

~~2. Possess a valid hunting license. If the applicant does not possess a valid license or the license will expire before the supplemental hunt, the applicant shall purchase an appropriate license at the time of application.~~

~~**G.** If the season dates and open areas of a supplemental hunt prescribed by the Commission through Commission Order exactly match the season dates and open areas of another big game animal for which a hunt number is assigned and hunt permit-tags are issued through the draw, the Department shall make the restricted nonpermit-tags available only to holders of the hunt permit-tags, and not the hunter pool.~~

~~**H.** To obtain a restricted nonpermit-tag under subsection (G), an applicant shall provide to a Department office the applicant's name, address, Department identification number, and hunt permit-tag number on a form prescribed by the Department.~~

~~1. The applicant shall provide verification that the applicant legally obtained the hunt permit-tag for the hunt described under subsection (G) by presenting the hunt permit-tag to a Department office for verification.~~

~~2. The applicant shall not apply for or obtain a restricted nonpermit-tag to take wildlife in excess of the bag limit prescribed by the Commission.~~

~~**I.** The Department or its authorized agent shall maintain a hunter pool for supplemental hunts and shall randomly select applicants from the hunter pool for participation in a supplemental hunt, if the season dates and open areas of the supplemental hunt do not exactly match the season dates and open areas of another big game animal for which a hunt number is assigned and hunt permit-tags are issued through the draw.~~

~~**J.** When issuing restricted nonpermit-tags to the hunter pool, the Department or its authorized agent shall randomly select applicants from the hunter pool. The Department or its authorized agent shall attempt to contact each randomly-selected applicant by telephone at least three times during a 24-hour period. If an applicant cannot be contacted or cannot participate in the supplemental hunt, the Department or its authorized agent shall return the application to the hunter pool and draw another application. The Department or its authorized agent shall draw no more applications after the number of restricted nonpermit-tags prescribed in subsection (D)(4) has been issued.~~

~~**K.** The Department shall purge and renew the hunter pool annually.~~

~~L. An applicant for a supplemental hunt shall submit the following information on a form available from the Department or its authorized agent:~~
~~1. Applicant's name, home mailing address, whether a resident or nonresident, and date of birth;~~
~~2. Daytime and evening telephone numbers;~~
~~3. The species that the applicant would like to hunt if drawn; and~~
~~4. The applicant's hunting license number.~~
~~M. Along with the application form, an applicant for a supplemental hunt shall submit the permit application fee established under R12-4-102.~~
~~N. The Department shall not accept group applications, as described under R12-4-104, for supplemental hunts.~~
~~O. A hunter pool applicant who is drawn and who wishes to participate in a supplemental hunt shall submit the following to the Department to obtain a restricted nonpermit-tag:~~
~~1. The fee for the tag as established under R12-4-102 or subsection (D)(5) if the fee has been reduced, and~~
~~2. The applicant's hunting license number. The applicant shall possess an appropriate license that is valid at the time of the supplemental hunt.~~
~~P. The Department shall reserve a restricted nonpermit-tag for an applicant only for the period specified by the Department when contact is made with the applicant. The Department shall issue a restricted nonpermit-tag not purchased within the specified period to another person whose application is drawn from the hunter pool as prescribed by this Section. The Department or its authorized agent shall remove from the hunter pool the application of any successful applicant who does not purchase a tag after being contacted and agreeing to purchase the tag.~~
~~Q. A person who participates in a supplemental hunt through the hunter pool shall be removed from the supplemental hunter pool for the genus for which the person participated. A person who participates in a supplemental hunt shall not reapply for the hunter pool for that genus until that hunter pool is renewed.~~
~~R. The provisions of R12-4-104, R12-4-107, R12-4-114, and R12-4-609 do not apply to supplemental hunts. A supplemental hunt application submitted in accordance with this Section does not invalidate any application for a hunt permit-tag. The issuance of a restricted nonpermit-tag does not authorize a person to exceed the bag limit established by the Commission.~~

A. For the purposes of this Section, the following definitions apply:
"Companion tag" means a restricted nonpermit-tag valid for a supplemental hunt prescribed by Commission Order that exactly matches the season dates and open areas of another big game hunt, for which a hunt number is assigned and hunt permit-tags are issued through the computer draw.
"Emergency season" means a season established for reasons constituting an immediate threat to the health, safety or management of wildlife or its habitat, or public health or safety.
"Management objectives" means goals, recommendations, or guidelines contained in Department or Commission-approved wildlife management plans, which include hunt guidelines, operational plans, or hunt recommendations;
"Hunter pool" means all persons who have submitted an application for a supplemental hunt.
"Restricted nonpermit-tag" means a permit limited to a season for a supplemental hunt established by the Commission for the following purposes:
Take of depredating wildlife as authorized under A.R.S. § 17-239;
Take of wildlife under an Emergency Season; or
Take of wildlife under a population management hunt if the Commission has prescribed nonpermit-tags by Commission Order for the purpose of meeting management objectives because regular seasons are not, have not been, or will not be sufficient or effective to achieve management objectives.

B. The Commission shall, by Commission Order, open a season or seasons and prescribe a maximum number of restricted nonpermit-tags to be made available under this Section.

C. The Department shall implement a population management hunt under the open season or seasons established under subsection (B) if the Department determines the:
1. Regular seasons have not met or will not meet management objectives;
2. Take of wildlife is necessary to meet management objectives; and
3. Issuance of a specific number of restricted nonpermit-tags is likely to meet management objectives.

D. To implement a population management hunt established by Commission Order, the Department shall:
1. Select season dates, within the range of dates listed in the Commission Order;
2. Select specific hunt areas, within the range of hunt areas listed in the Commission Order;
3. Select the legal animal that may be taken from the list of legal animals identified in the Commission Order;
4. Determine the number of restricted nonpermit-tags that will be issued from the maximum number of tags authorized in the Commission Order.
   a. The Department shall not issue more restricted nonpermit-tags than the maximum number prescribed by Commission Order.
   b. A restricted nonpermit-tag is valid only for the supplemental hunt for which it is issued.

E. The provisions of R12-4-104, R12-4-107, R12-4-114, and R12-4-609 do not apply to a supplemental hunt.

F. If the Department anticipates the normal fee structure will not generate adequate participation, then the Department may reduce restricted nonpermit-tag fees up to 75%, as authorized under A.R.S.§ 17-239(D).

G. A supplemental hunt application submitted in accordance with this Section does not invalidate any other application submitted by the person for a hunt permit-tag.
1. The Department shall not accept a group application, as defined under R12-4-104, for a restricted nonpermit-tag.

2. An applicant shall not apply for or obtain a restricted nonpermit-tag to take wildlife in excess of the bag limit established by Commission Order.
3. The issuance of a restricted nonpermit-tag does not authorize a person to exceed the bag limit established by Commission Order.

H. To participate in a supplemental hunt, a person shall:
1. Obtain a restricted nonpermit-tag as prescribed under this Section, and
2. Possess a valid hunting license. If the applicant does not possess a valid license or the license will expire before the supplemental hunt, the applicant shall purchase an appropriate license.

I. The Department or its authorized agent shall maintain a hunter pool for supplemental hunts other than companion tag hunts.
1. The Department shall purge and renew the hunter pool on an annual basis.
2. An applicant for a restricted nonpermit-tag under this subsection shall submit a hunt permit-tag application to the Department. The application is available at any Department office, an authorized agent, or online at www.azgfd.gov. The applicant shall provide all of the following information on the application:
   a. The applicant's:
      i. Name,
      ii. Mailing address,
      iii. Number of years of residency immediately preceding application,
      iv. Date of birth, and
      v. Daytime and evening telephone numbers,
   b. The species that the applicant would like to hunt, if selected,
   c. The applicant's hunting license number.
3. In addition to the requirements established under subsection (I)(2), at the time of application the applicant shall submit the application fee required under R12-4-102.
4. When issuing a restricted nonpermit-tag, the Department or its authorized agent shall randomly select applicants from the hunter pool.
   a. The Department or its authorized agent shall attempt to contact each randomly-selected applicant by telephone at least three times within a 24-hour period.
   b. If an applicant cannot be contacted or is unable to participate in the supplemental hunt, the Department or its authorized agent shall return the application to the hunter pool and draw another application.
   c. In compliance with subsection (D)(4), the Department or its authorized agent shall select no more applications after the number of restricted nonpermit-tags establish by Commission Order are issued.
5. The Department shall reserve a restricted nonpermit-tag for an applicant only for the period specified by the Department when contact is made with the applicant. If an applicant fails to purchase the nonpermit-tag within the specified period, the Department or its authorized agent shall:
   a. Remove the person's application from the hunter pool, and
   b. Offer that restricted nonpermit-tag to another person whose application is drawn from the hunter pool as established under this Section.
6. A person who participates in a supplemental hunt through the hunter pool shall be removed from the supplemental hunter pool for the genus for which the person participated. A hunter pool applicant who is selected and who wishes to participate in a supplemental hunt shall submit the following to the Department to obtain a restricted nonpermit-tag:
   a. The fee for the tag as established under R12-4-102 or subsection (F) if the fee has been reduced, and
   b. The applicant's hunting license number. The applicant shall possess an appropriate license that is valid at the time of the supplemental hunt. The applicant shall purchase a license at the time of application when:
      i. The applicant does not possess a valid license, or
      ii. The applicant's license will expire before the supplemental hunt.
7. A person who participates in a supplemental hunt shall not reapply for the hunter pool for that genus until the hunter pool is renewed.

J. The Department shall only make a companion tag available to a person who possesses a matching hunt permit-tag and not a person from the hunter pool. Authorization to issue a companion tag occurs when the Commission establishes a hunt in Commission Order under subsection (B).
1. The requirements of subsection (D) are not applicable to a companion tag issued under this subsection.
2. To obtain a companion tag under this subsection, an applicant shall submit a hunt permit-tag application to the Department. The application is available at any Department office and online at www.azgfd.gov. The applicant shall provide all of the following information on the application, the applicant's:
   a. Name,
   b. Mailing address,
   c. Department identification number, and
   d. Hunt permit-tag number, to include the hunt number and permit number, corresponding with the season dates and open areas of the supplemental hunt.

3. In addition to the requirements established under subsection (J)(2), at the time of application the applicant shall:
   a. Provide verification that the applicant lawfully obtained the hunt permit-tag for the hunt described under this subsection by presenting the hunt permit-tag to a Department office for verification, and
   b. Submit all applicable fees required under R12-4-102.

R12-4-116. Reward Payments

A. Subject to the restrictions ~~in~~ prescribed under A.R.S. § 17-315, ~~an individual~~ a person may claim a reward from the Department ~~if~~ when the ~~individual~~ person provides information that leads to an arrest through the Operation Game Thief Program. The ~~individual~~ person who reports the unlawful activity will then become eligible to receive a reward as ~~prescribed in~~ established under subsections (C) and (D), provided ~~that~~ funds are available in the Wildlife Theft Prevention Fund and:

~~1. Funds are available in the wildlife theft prevention fund;~~

~~2.~~1. The ~~individual~~ person who reported the violation provides the Operation Game Thief control number issued by Department law enforcement personnel, as ~~prescribed in~~ established under subsection (B);

~~3. If more than one individual provides information or evidence that leads to an arrest for a violation, the Department may divide the reward payment among the individuals that provided the information if the total amount of the reward payment does not exceed the maximum amount of a monetary reward prescribed in subsections (C) or (D);~~

~~4.~~2. The information provided relates to a violation of any provisions of A.R.S. Title 17, A.A.C. Title 12, Chapter 4, or federal wildlife laws enforced by and under the jurisdiction of the Department, but not on Indian Reservations; ~~and~~

3. The person did not first provide information during a criminal investigation or judicial proceeding; and

~~5.~~4. The ~~individual~~ person who reports the violation is not ~~the individual who committed the violation, the individual did not provide information during a criminal investigation or judicial proceeding, or the individual is not a peace officer, a Department employee, or an immediate family member of a Department employee~~:
   a. The person who committed the violation,
   b. A peace officer,
   c. A Department employee, or
   d. An immediate family member of a Department employee.

B. The Department shall inform ~~an individual who provides~~ the person providing information regarding a wildlife violation of the procedure for claiming a reward if the information results in an arrest. The Department shall also provide the ~~individual~~ person with the control number assigned to the reported violation.

C. ~~The following are the criteria for reward~~ Reward payments for information that results in an arrest for the reported violation are as follows:

1. For cases that involve antelope, eagles, bear, bighorn sheep, buffalo, deer, elk, javelina, mountain lion, turkey, or ~~bald eagles~~ endangered or threatened wildlife as defined under R12-4-401, ~~$350;~~ $500;

~~2. For cases that involve antelope, bear, deer, javelina, mountain lion, turkey, or endangered or threatened wildlife as defined in R12-4-401, $250;~~

~~3.~~2. For cases that involve wildlife that are not ~~covered in subsections~~ listed under subsection (C)(1) ~~or (2)~~, a minimum of $50, not to exceed $150, ~~unless excepted~~ except for additional amounts authorized under subsection ~~(C)(4)~~ (C)(3); and

~~4.~~3. For cases that involve any wildlife, an additional $1,000 may be made available based on:
   a. The value of the information;
   b. The unusual value of the wildlife;
   c. The number of individual animals taken;
   d. Whether or not the ~~individual~~ person who committed the unlawful act was arrested for commercialization of wildlife; and
   e. Whether or not the ~~individual~~ person who committed the unlawful act is a repeat offender.

D. If more than one person independently provides information or evidence that leads to an arrest for a violation, the Department may divide the reward payment among the persons who provided the information if the total amount of the reward payment does not exceed the maximum amount of a monetary reward established under subsections (C) or (E);

~~**D.**~~**E.** Notwithstanding subsection (C), the Department may offer and pay a reward up to the minimum civil damage value of the wildlife unlawfully taken, wounded or killed, or unlawfully possessed as prescribed ~~in~~ under A.R.S. § 17-314, if ~~a violation is discovered and~~ the Department believes that ~~a~~ an enhanced reward ~~may result in sufficient information to make an arrest~~ offer is merited due to the specific circumstances of the case.

R12-4-117. Indian Reservations

A state license, permit, or tag~~, or permit~~ is not required to hunt or fish on any Indian reservation in this ~~state~~ State. Wildlife lawfully taken on an Indian reservation may be transported or processed anywhere in the ~~state~~ State if it can be identified as to species and legality as provided in A.R.S. § ~~17-309(A)(20)~~ 17-309(A)(19). All wildlife transported anywhere in this State is subject to inspection under the provisions of A.R.S. § 17-211(E)(4).

R12-4-118. ~~Repealed~~ Hunt Permit-tag Surrender

A. The Commission authorizes the Department to implement a tag surrender program if the Director finds:

1. The Department has the administrative capacity to implement the program;

2. There is public interest in such a program; or
3. The tag surrender program is likely to meet the Department's revenue objectives.

B. The tag surrender program is limited to a person who has a valid and active membership in a Department membership program.
1. The Department may establish a membership program that offers a person various products and services.
2. The Department may establish different membership levels based on the type of products and services offered and set prices for each level.
   a. The lowest membership level may include the option to surrender one hunt permit-tag during the membership period.
   b. A higher membership level may include the option to surrender more than one hunt permit-tag during the membership period.
3. The Department may establish terms and conditions for the membership program in addition to the following:
   a. Products and services to be included with each membership level.
   b. Membership enrollment is available online only and requires a person to create a portal account.
   c. Membership is not transferable.
   d. No refund shall be made for the purchase of a membership, unless an internal processing error resulted in the collection of erroneous fees.

C. The tag surrender program is restricted to the surrender of an original, unused hunt permit-tag obtained through a computer draw.
1. A person must have a valid and active membership in the Department's membership program with at least one unredeemed tag surrender that was valid:
   a. On the application deadline date for the computer draw in which the hunt permit-tag being surrendered was drawn, and
   b. At the time of tag surrender.
2. A person who chooses to surrender an original, unused hunt permit-tag shall do so prior to the close of business the day before the hunt begins for which the tag is valid.
3. A person may surrender an unused hunt permit-tag for a specific species only once before any bonus points accrued for that species must be expended.

D. To surrender an original, unused hunt permit-tag, a person shall comply with all of the following conditions:
1. A person shall submit a completed application form to any Department office. The application form is available at any Department office and online at www.azgfd.gov. The applicant shall provide all of the following information on the application form:
   a. The applicant's:
      i. Name,
      ii. Mailing address,
      iii. Department identification number,
      iv. Membership number,
   b. Applicable hunt number,
   c. Applicable hunt permit-tag number, and
   d. Any other information required by the Department.
2. A person shall surrender the original, unused hunt permit-tag as required under subsection (C) in the manner described by the Department as indicated on the application form.

E. Upon receipt of an original, unused hunt permit-tag surrendered in compliance with this Section, the Department shall:
1. Restore the person's bonus points that were expended for the surrendered tag, and
2. Award the bonus point the person would have accrued had the person been unsuccessful in the computer draw for the surrendered tag.
3. Not refund any fees the person paid for the surrendered tag, as prohibited under A.R.S. § 17-332(E).

F. The Department may, at its sole discretion, re-issue or destroy the surrendered original, unused hunt permit-tag. When re-issuing a tag, the Department may use any of the following methods in no order of preference:
1. Re-issuing the surrendered tag, beginning with the highest membership level in the Department's membership program, to a person who has a valid and active membership in that membership level and who would have been next to receive a tag for that hunt number, as evidenced by the random numbers assigned during the Department's computer draw process;
2. Re-issuing the surrendered tag to a person who has a valid and active membership in any tier of the Department's membership program with a tag surrender option and who would have been next to receive a tag for that hunt number, as evidenced by the random numbers assigned during the Department's computer draw process;
3. Re-issuing the surrendered tag to an eligible person who would have been next to receive a tag for that hunt number, as evidenced by the random numbers assigned during the Department's computer draw process; or
4. Offering the surrendered tag through the first-come, first-served process.

G. For subsections (F)(1), (2), and (3); if the Department cannot contact a person qualified to receive a tag or the person declines to purchase the surrendered tag, the Department shall make a reasonable attempt to contact and offer the sur-

rendered tag to the next person qualified to receive a tag for that hunt number based on the assigned random number during the Department's computer draw process. This process will continue until the surrendered tag is either purchased or the number of persons qualified is exhausted. For purposes of subsections (G) and (H), the term "qualified" means a person who satisfies the conditions for re-issuing a surrendered tag as provided under the selected re-issuing method.

H. When the re-issuance of a surrendered tag involves a group application and one or more members of the group is qualified under the particular method for re-issuing the surrendered tag, the Department shall offer the surrendered tag first to the applicant designated "A" if qualified to receive a surrendered tag.

1. If applicant "A" chooses not to purchase the surrendered tag or is not qualified, the Department shall offer the surrendered tag to the applicant designated "B" if qualified to receive a surrendered tag.
2. This process shall continue with applicants "C" and then "D" until the surrendered tag is either purchased or all qualified members of the group application choose not to purchase the surrendered tag.

I. A person who receives a surrendered tag shall submit the applicable tag fee as established under R12-4-102 and provide their valid hunting license number.

1. A person receiving the surrendered tag as established under subsections (F)(1), (2), and (3) shall expend all bonus points accrued for that genus, except any accrued Hunter Education and loyalty bonus points.
2. The applicant shall possess a valid hunting license at the time of purchasing the surrendered tag and at the time of the hunt for which the surrendered tag is valid. If the person does not possess a valid license at the time the surrendered tag is offered, the applicant shall purchase a license in compliance with R12-4-104.
3. The issuance of a surrendered tag does not authorize a person to exceed the bag limit established by Commission Order.
4. It is unlawful for a person to purchase a surrendered tag when the person has reached the bag limit for that genus during the same calendar year.

J. A person is not eligible to petition the Commission under R12-4-611 for reinstatement of any expended bonus points, except as authorized under R12-4-107(M).

K. For the purposes of this Section and R12-4-121, "valid and active membership" means a paid and unexpired membership in any level of the Department's membership program.

R12-4-119. Arizona Game and Fish Department Reserve

A. The Commission shall establish an Arizona Game and Fish Department Reserve under A.R.S. § 17-214, consisting of commissioned reserve officers and noncommissioned reserve volunteers.

B. Commissioned reserve officers shall:

1. Meet and maintain the minimum qualifications and training requirements necessary for peace officer certification by the Arizona Peace Officer Standards and Training Board as prescribed ~~in~~ under 13 A.A.C. 4, and
2. Assist with wildlife enforcement patrols, boating enforcement patrols, off-highway vehicle enforcement patrols, special investigations, and other enforcement and related non-enforcement duties as ~~designated by~~ the Director designates.

C. Noncommissioned reserve volunteers shall:

1. Meet qualifications that the Director determines are related to the services to be performed by the volunteer and the success or safety of the program mission, and
2. Perform any non-enforcement duties designated by the Director for the purposes of conservation and education to maximize paid staff time.

R12-4-120. Issuance, Sale, and Transfer of Special Big Game ~~License Tags~~ License-tags

A. ~~Proposals for~~ An incorporated nonprofit organization that is tax exempt under section 501(c) seeking special big game license-tags as authorized under A.R.S. § 17-346 shall ~~be submitted~~ submit a proposal to the Director of the Arizona Game and Fish Department from March 1 ~~to~~ through May 31 preceding the year when the tags may be legally used. The proposal shall ~~contain and identify~~ include all of the following information for each member of the organization coordinating the proposal:

1. The name of the organization making the proposal and the ~~name, address, and telephone~~:
   a. Name;
   b. Mailing address;
   c. E-mail address, when available; and
   d. Telephone number ~~of each member of the organization who is coordinating the proposal~~;
2. Organization's previous involvement with wildlife management;
3. Organization's conservation objectives;

~~2.~~4. ~~The number~~ Number of special big game license-tags and the species requested;

~~3.~~5. ~~The purpose~~ Purpose to be served by the issuance of these tags;

~~4.~~6. ~~The method~~ Method or methods by which the tags will be marketed and sold ~~and transferred~~;

7. Proposed fund raising plan;

~~5.~~8. ~~The estimated~~ Estimated amount of money to be raised and the rationale for that estimate;

~~6.~~9. Any special needs or particulars relevant to the ~~proposal, including time-frame, limitations, or schedules~~ marketing of the tags;

~~7.~~10.~~Unless a current and correct copy is already on file with the Department, one~~ A copy of the organization's articles of incorporation and evidence that the organization has tax-exempt status under Section 501(c) of the Internal Revenue Code, unless a current and correct copy is already on file with the Department;

~~8.~~11.~~The proposal or a letter accompanying the proposal shall include a statement~~ Statement that the ~~individual~~ person or organization ~~that is~~ submitting the proposal agrees to the conditions ~~in~~ established under A.R.S. § 17-346 and this Section~~.~~;

~~9.~~12.~~The proposal or the letter accompanying the proposal shall be signed and dated by~~ Printed name and signature of the president and secretary-treasurer of the organization or their equivalent; and

13. Date of signing.

B. The Director shall return to the ~~applicant~~ organization any ~~application~~ proposal that does not comply with the requirements ~~of~~ established under A.R.S. § 17-346 and this Section. Because proposals are reviewed for compliance after the May 31 deadline, an organization that receives a returned proposal cannot resubmit a corrected proposal, but may submit a proposal that complies with the requirements established under A.R.S. § 17-346 and this Section the following year.

C. The Director shall submit ~~any~~ all timely and valid ~~application~~ proposals to the Commission for consideration.

1. In selecting an ~~applicant~~ organization, the Commission shall consider the ~~written proposal, the proposed uses for tag proceeds, the qualifications of the applicant as a fund raiser, the proposed fund raising plan, the applicant's previous involvement with wildlife management, and the~~:
   a. Written proposal;
   b. Proposed uses for tag proceeds;
   c. Qualifications of the organization as a fund raiser;
   d. Proposed fund raising plan;
   e. Organization's previous involvement with wildlife management; and
   f. Organization's conservation objectives.
2. The Commission may accept any proposal in whole or in part and may reject any proposal if it is in the best interest of wildlife to do so.
3. Commission approval and issuance of any special big game license-tag is contingent upon compliance with this Section.

~~**C.**~~**D.** A successful ~~applicant~~ organization shall agree in writing to all of the following:

1. To underwrite all promotional and administrative costs to sell and transfer each special big game license-tag;
2. To transfer all proceeds to the Department within 90 days of the date that the ~~applicant~~ organization sells or awards the tag~~. A special tag shall not be issued until the Department receives all proceeds~~;
3. To sell and transfer each special big game license-tag as described in the proposal; and
4. To provide the Department with the name, address, and physical description of each ~~individual~~ person to whom a special big game license-tag is transferred.

~~**D.**~~**E.** The Department and the successful ~~applicant~~ organization shall coordinate on:

1. The specific projects or purposes identified in the proposal;
2. The arrangements for the deposit of the proceeds, the accounting procedures, and final audit; and
3. The dates when the wildlife project or purpose will be accomplished.

~~**E.**~~**F.** The Department shall dedicate all proceeds generated by the sale or transfer of a special big game license-tag to the management of the species for which the tag was issued.

   a. A special license-tag shall not be issued until the Department receives all proceeds from the sale of license-tags.
   b. The Department shall not refund proceeds.

~~**F.**~~**G.** A special big game license-tag is valid only for the ~~individual~~ person named on the tag, for the season dates on the tag, and for the species for which the tag was issued.

1. A hunting license is not required for the tag to be valid.
2. Possession of a special big game license-tag ~~does~~ shall not invalidate any other big game tag or application for any other big game tag.
3. Wildlife taken under the authority of a special big game license-tag ~~does~~ shall not count towards the ~~normal~~ established bag limit for that species.

R12-4-121. Big Game ~~Permit or~~ Tag Transfer

A. For the purposes of this Section~~,~~:

"Authorized nonprofit organization" means a nonprofit organization approved by the Department to receive donated unused tags.

"~~unused~~ Unused tag" means a big game hunt permit-tag, ~~non-permit tag~~ nonpermit-tag, or special license tag that has not been attached to any animal.

B. A parent, grandparent, or guardian issued a big game hunt permit-tag, ~~non-permit tag~~ nonpermit-tag, or special license tag may transfer the unused tag to the parent's, grandparent's, or guardian's minor child or grandchild.

1. A parent, grandparent, or guardian issued a tag may transfer the unused tag to a minor child or grandchild at any time prior to the end of the season for which the unused tag was issued.

2. A parent, grandparent, or guardian may transfer the unused tag by providing all of the following documentation in person at any Department office:
   a. Proof of ownership of the unused tag to be transferred,
   b. The unused tag, and
   c. The minor's valid hunting license.
3. If a parent, grandparent, or legal guardian is deceased, the personal representative of the ~~individual's~~ person's estate may transfer an unused tag to an eligible minor. The ~~individual~~ person acting as the personal representative shall present:
   a. The deceased ~~individual's~~ person's death certificate, and
   b. Proof of the ~~individual's~~ person's authority to act as the personal representative of the deceased ~~individual's~~ person's estate.
4. To be eligible to receive an unused tag from a parent, grandparent, or legal guardian, the minor child shall meet the criteria established under subsection (D).
5. A minor child or grandchild receiving an unused tag from a parent, grandparent, or legal guardian shall be accompanied into the field by any grandparent, parent, or legal guardian of the minor child.

C. ~~An individual~~ A person issued a tag or the ~~individual's~~ person's legal representative may donate the unused tag to a ~~non-profit~~ an authorized nonprofit organization for use by a minor child ~~who has~~ with a life threatening medical condition or permanent physical disability or a veteran of the Armed Forces of the United States with a service-connected disability.

~~1. A qualifying organization:~~
   ~~a. Is exempt from federal taxation under Section 501(c) of the Internal Revenue Code; and~~
   ~~b. Provides hunting opportunities and experiences to children with life-threatening medical conditions or permanent physical disabilities.~~

~~2.~~1. The ~~individual~~ person or legal representative ~~that~~ who donates the unused tag shall provide the ~~non-profit~~ authorized nonprofit organization with a written statement indicating the unused tag is voluntarily donated to the organization.

~~3.~~2. ~~The non-profit~~ An authorized nonprofit organization receiving a donated tag under this subsection may transfer the unused tag to an eligible minor child or veteran by contacting any Department office.
   a. To obtain a transfer, the ~~non-profit~~ nonprofit organization shall:
      i. Provide proof of donation of the unused tag to be transferred;
      ii. Provide the unused tag;
      iii. Provide proof of the minor child's or veteran's valid hunting license~~; and~~.
   b. To be eligible to receive a donated unused tag from ~~a qualifying~~ an authorized nonprofit organization, ~~the~~ a minor child shall meet the criteria established under subsection (D).

3. A person who donates an original, unused hunt permit-tag issued in a computer drawing to an authorized nonprofit organization may submit a request to the Department for the reinstatement of the bonus points expended for that unused tag, provided all of the following conditions are met:
   a. The person has a valid and active membership in the Department's membership program with at least one unredeemed tag surrender on the application deadline date, for the computer draw in which the hunt permit-tag being surrendered was drawn, and at the time of tag surrender.
   b. The person submits a completed application form as described under R12-4-118;
   c. The person provides acceptable proof to the Department that the tag was transferred to an authorized nonprofit organization; and
   d. The person submits the request to the Department:
      i. No later than 60 days after the date on which the tag was donated to an authorized nonprofit organization; and
      ii. No less than 30 days prior to the computer draw application deadline for that genus, as specified in the hunt permit-tag application schedule.

D. To receive an unused tag authorized under subsections (B) or (C), an eligible minor child shall meet the following criteria:
1. Possess a valid hunting license, ~~and~~
2. Has not reached the applicable annual or lifetime bag limit for that genus, and
~~2.~~3. Is 10 to 17 years of age on the date of the transfer. A minor child under the age of 14 shall have satisfactorily completed a ~~Department-approved~~ Department-sanctioned hunter education course before the beginning date of the hunt.

E. To receive an unused tag authorized under subsection (C), an eligible veteran of the Armed Forces of the United States with a service-connected disability shall meet the following criteria:
1. Possess a valid hunting license, and
2. Has not reached the applicable annual or lifetime bag limit for that genus.

F. A nonprofit organization is eligible to apply for authorization to receive a donated unused tag, provided the nonprofit organization:
1. Is qualified under section 501(c)(3) of the United States Internal Revenue Code, and

2. Affords opportunities and experiences to:
   a. Children with life-threatening medical conditions or physical disabilities, or
   b. Veterans with service-connected disabilities.
3. This authorization is valid for a period of one-year, unless revoked by the Department for noncompliance with the requirements established under A.R.S. § 17-332 or this Section.
4. A nonprofit organization shall apply for authorization by submitting an application to any Department office. The application form is furnished by the Department and is available at any Department office. A nonprofit organization shall provide all of the following information on the application:
   a. Nonprofit organization's information:
      i. Name,
      ii. Physical address,
      iii. Telephone number;
   b. Contact information for the person responsible for ensuring compliance with this Section:
      i. Name,
      ii. Address,
      iii. Telephone number;
   c. Signature of the president and secretary-treasurer of the organization or their equivalents; and
   d. Date of signing.
5. In addition to the application, a nonprofit organization shall provide all of the following:
   a. A copy of the organization's articles of incorporation and evidence that the organization has tax-exempt status under Section 501(c)(3) of the Internal Revenue Code, unless a current and correct copy is already on file with the Department;
   b. Document identifying the organization's mission;
   c. A letter stating how the organization will participate in the Big Game Tag Transfer program; and
   d. A statement that the person or organization submitting the application agrees to the conditions established under A.R.S. § 17-332 and this Section.
6. An applicant who is denied authorization to receive donated tags under this Section may appeal to the Commission as provided under A.R.S. Title 41, Chapter 6, Article 10.

R12-4-124. ~~Reserved~~ Proof of Domicile

A. An applicant may be required to present acceptable proof of domicile in Arizona to the Department upon request.

B. Acceptable proof of domicile in Arizona may include, but is not limited to, one or more of the following lawfully obtained documents:
1. Arizona Driver's License;
2. Arizona Resident State Income Tax Return filing;
3. Arizona school records containing satisfactory proof of identity and relationship of the parent or guardian to the minor child, when applicable;
4. Arizona Voter Registration Card;
5. Certified copy of an Arizona court order such as an order of probation, parole, or mandatory release;
6. Selective Service Registration Acknowledgement Card indicating an address in Arizona;
7. Social Security Administration document indicating an address in Arizona; or
8. Current documents issued by the U.S. military indicating Arizona as state of residence or an address in Arizona.

~~R12-4-804.~~R12-4-125.~~Emergency Expired~~ Public Solicitation or Event on Department Property

~~**A.** In addition to the definitions provided under A.R.S. § 17-101, the following definitions apply to this Section, unless otherwise specified:~~

~~"Applicant" means a person who submits to the Department an application to conduct a solicitation or event on Department property.~~

~~"Certificate of insurance" means an official document issued by the solicitor's or event organizer's insurance carrier providing coverage for the solicitor or event organizer for general commercial, professional, workers compensation, auto, real, and personal property liability coverage determined by the Department as adequate for the solicitation or event activities.~~

~~"Department property" means those buildings or grounds under the jurisdiction of the Arizona Game and Fish Commission.~~

~~"Person" has the meaning as provided under A.R.S. § 1-215.~~

~~"Solicitation" means any activity that may be considered or interpreted as promoting, selling, or transferring products, services, memberships, or causes, or for participation in an event or activity of any kind, including organizational, educational, public affairs, or protest activities, including the distribution or posting of advertising, handbills, leaflets, circulars, posters, or other printed materials for these purposes.~~

~~"Solicitation material" means advertising, circulars, flyers, handbills, leaflets, posters, or other printed information.~~

~~"Solicitor" means the person or persons conducting a solicitation or event.~~

~~"Work-site" means any location on Department property where employees conduct the daily business of the Department, including eating areas and break rooms.~~

~~B.~~**A.** All Department ~~property is a non-public forum,~~ buildings, properties, and wildlife areas are designated non-public forums and are closed to all ~~types of solicitation~~ solicitations and events unless permitted by the Department. ~~A person shall not:~~

~~1. Conduct partisan political activity on Department property or in Department work-sites.~~

~~2. Post solicitation material on Department property without express written permission from the Department.~~

~~3. Schedule or conduct a solicitation or event on state property without express written permission from the Department.~~

B. A solicitation or event on Department property shall not:

1. Conflict with the Department's mission; or
2. Constitute partisan political activity, the activity of a political campaign, or influence in any way an election or the results thereof.

C. A request for permission to conduct a solicitation or event on Department property shall be directed to the responsible Regional Supervisor or Branch Chief who shall initially determine whether an application is required for the solicitation or event.

~~C.~~**D.** ~~Any~~ If it is determined that an application is required, the person ~~who would like to conduct a solicitation on state property~~ may apply for a solicitation or event permit by submitting a completed solicitation or event application to any Department office or Department Headquarters, Director's Office, at 5000 W. Carefree Hwy, Phoenix, AZ 85086~~, whichever is appropriate for the solicitation or event venue~~. The application form is furnished by the Department and ~~is~~ available at all Department offices.

1. An applicant shall ~~apply for a solicitation or event permit no more than six months prior to the solicitation or event.~~

~~2. An applicant shall~~ submit an application ~~at least~~:

a. Not more than six months prior to the solicitation or event; and

~~a.~~b. ~~Fourteen~~ Not less than 14 days prior to the desired date of the solicitation or event for solicitations other than the posting of advertising, handbills, leaflets, circulars, posters, or other printed materials~~.~~; or

~~b.~~c. ~~Ten~~ Not less than 10 days prior to the desired date of the solicitation or event for solicitations involving only the posting of advertising, handbills, leaflets, circulars, posters, or other printed materials.

~~3.~~2. An applicant shall provide all of the following information on the application:

a. ~~Applicant's~~ Sponsor's name, address, and telephone number;
b. ~~Applicant's~~ Sponsor's e-mail address, when available;
c. Contact person's name and telephone number, when the ~~applicant~~ sponsor is an organization;
d. Proposed date of the solicitation or event;
e. Specific, proposed location for the solicitation or event;
f. Starting and approximate concluding times;
g. General description of the solicitation or event's purpose;
h. Anticipated number of attendees, when applicable;
i. Amount of fees ~~the applicant will charge~~ to be charged to attendees, when applicable;
j. Detailed description of any activity that will occur at the solicitation or event, including a detailed map of the solicitation or event and any equipment that will be used, e.g., tents, tables, etc.; ~~and~~
k. Copies of any solicitation materials ~~the applicant will distribute~~ to be distributed to the public or ~~post~~ to be posted on Department property;
l. Copy of a current and valid license issued by the Arizona Department of Liquor Licenses and Control, required when the applicant intends to sell alcohol at the solicitation or event; and
m. The contact person's signature and date. ~~4.~~ The ~~applicant's~~ person's signature on the application certifies that the ~~applicant~~ sponsor:

~~a.~~i. Assumes risk of injury to persons or property;

~~b.~~ii. Agrees to hold harmless the state of Arizona, its officials, Departments, employees, and agents against all claims arising from the use of Department facilities;

~~c.~~iii. Assumes responsibility for any damages or clean-up costs due to the solicitation or event, solicitation or event cleanup, or solicitation or event damage repair; and

~~d.~~iv. Agrees to surrender the premises in a clean and orderly condition.

~~5. An applicant who is required to provide insurance for a solicitation or event shall list the state of Arizona and the Arizona Game and Fish Department as additional insured entities.~~

~~D.~~**E.** The Department may take any of the following actions to the extent ~~it is~~ necessary and in the best interest of the ~~state~~ State:

1. Require the sponsor to furnish all necessary labor, material, and equipment for the solicitation or event;

~~1.~~2. Require the ~~applicant~~ sponsor to post a deposit against damage and cleanup expense;

3. Require indemnification of the state of Arizona, its Departments, agencies, officers, and employees;

~~2.~~4. Require the ~~applicant~~ sponsor to carry adequate ~~liability~~ insurance and provide ~~a certificate~~ certificates of insurance to the Department not less than ten business days before the solicitation or event. A certificate of insurance for a solicitation or event shall name the state of Arizona, its Departments, agencies, boards, commissions, officers, agents, and employees as additional insureds;

5. Require the sponsor to enter into written agreements with any vendors and subcontractors and require vendors and subcontractors to provide certificates of insurance to the Department not less than ten business days before the solicitation or event. A certificate of insurance for a solicitation or event shall name the state of Arizona, its Departments, agencies, boards, commissions, officers, agents, and employees as additional insureds;

~~3.~~6. Require the ~~applicant~~ sponsor to provide medical support, security, and sanitary services, ~~(~~including public restrooms~~), and security~~; and

~~4.~~7. Impose additional conditions not otherwise specified under this Section on the conduct of the solicitation or event ~~in the permit~~.

~~E.~~**F.** The Department may consider the following criteria ~~to determine~~ when determining whether any of the actions in subsection ~~(D)~~ (E) are necessary and in the best interest of the state:

1. Previous experience with similar solicitations or events;
2. Deposits required for similar solicitations or events in Arizona;
3. Risk data; and
4. Medical, sanitary, and security services required for similar solicitations or events in Arizona and the cost of those services~~; and~~
5. ~~The applicant's ability to pay a deposit, an insurance premium, or a service provider~~.

~~**F.** The Department shall not provide insurance or guarantee against damage to equipment or personal property of any person using Department property for a solicitation or event.~~

G. The ~~facility~~ Department shall designate the hours of use for Department property.

H. The Department shall inspect the solicitation or event site at the conclusion of activities and document any damage or cleanup costs incurred because of the solicitation or event. The ~~applicant~~ sponsor shall be responsible for any cleanup or damage costs associated with the solicitation or event.

I. ~~An applicant~~ The sponsor shall not allow ~~solicitors or event organizers or attendees to bring~~, without the express written permission of the Department, the possession, use, or consumption of alcoholic beverages ~~onto~~ at the solicitation or event site. When the Department provides written permission for the possession, use, or consumption of alcoholic beverages at the solicitation or event site, the sponsor shall provide to the Department:

1. A copy of a current and valid license issued by the Arizona Department of Liquor Licenses and Control to the sponsor and vendor, required when the applicant intends to sell alcohol at the solicitation or event; and
2. A liquor liability rider, included with the insurance certificate required under subsection (E)(4).

J. The sponsor shall not allow unlawful possession or use of drugs at the solicitation or event site.

~~**J.**~~**K.** ~~The Department shall approve or deny an application within 10 business days of the receipt of the completed application.~~ The Department shall deny an application for any of the following reasons:

1. The solicitation or event interferes with the work of an employee or the daily business of the ~~agency~~ Department;
2. The solicitation or event conflicts with the time, place, manner, or duration of other approved or pending solicitations or events;
3. The content of the solicitation or event conflicts with or is unrelated to the Department's activities or its mission;
4. The solicitation or event ~~creates~~ presents a risk of injury or illness to persons or risk of damage to property; ~~or~~
5. The sponsor cannot demonstrate adequate compliance with applicable local, state, or federal laws, ordinances, codes, or regulations, or

~~5.~~6. The ~~applicant~~ sponsor has not complied with the requirements of the application process or this Section.

L. At all times, the Department reserves the right to immediately remove or cause to be removed all obstructions or other hazards of the solicitation or event that could damage state property, inhibit egress, or poses a safety risk. The Department also reserves the right to immediately remove or cause to be removed any person damaging state property, inhibiting egress, or posing a threat to public health and safety.

~~**K.**~~**M.** The Department may revoke ~~a permit for an approved application~~ approval of a solicitation or event due to emergency circumstances or for ~~an applicant's~~ failure to comply with this Section ~~or other applicable laws~~.

~~**L.**~~**N.** The Department shall send written notice~~, to an applicant denied a solicitation or event permit or whose solicitation or event permit is revoked, providing:~~ of the denial or revocation of an approved permit. The notice shall contain

~~1. The~~ the reason for the denial or revocation~~, and~~

~~2. The applicant's right to seek a hearing under A.R.S. § 41-1092 et seq~~.

~~**M.**~~**O.** A ~~solicitor or event organizer shall be responsible for furnishing all necessary labor, material, and equipment for a solicitation or event~~ sponsor:

1. Is liable to the Department for damage to Department property and any expense arising out of the sponsor's use of Department property.

~~**N.**~~2. ~~A solicitor or event organizer shall~~ Shall post solicitation material only in designated posting areas.

~~**O.** A solicitor or event organizer is liable to the Department for damage to Department property and any expense arising out of the solicitor's or event organizer's use of Department property.~~

~~**P.**~~3. ~~A solicitor or event organizer shall ensure~~ Shall ensure that a solicitation or event on Department property causes ~~the least amount of degradation of Department property and~~ the minimum infringement of use to the public and government operation.

4. ~~A solicitor or event organizer shall~~ Shall modify or terminate a solicitation or event, upon request by the Department, if the Department determines that the solicitation or event ~~is found to exceed acceptable limits of degradation~~

~~or infringement on Department property~~ unacceptably infringes on the Department's operations or causes an unacceptable risk of liability exposure to the State.

~~Q.~~**P.** When conducting an event on Department property, a ~~solicitor or event organizer~~ sponsor shall:

1. Park or direct vehicles in designated parking areas.
2. Obey all posted requirements and restrictions.
3. Designate one person to act as a monitor for every 50 persons anticipated to attend the solicitation or event. The monitor shall act as a contact person for the Department for the purposes of the solicitation or event.
4. Ensure that all safety standards, guidelines, and requirements are followed.
5. Implement additional safety requirements upon request by the Department.
6. Ensure all obstructions and hazards are eliminated.
7. Ensure trash and waste is properly disposed of throughout the solicitation or event.

~~**R.** At all times, the Department reserves the right to immediately remove or cause to be removed all items of the solicitation or event that could damage state property, inhibit egress, or poses a safety issue. The Department also reserves the right to immediately remove or cause to be removed all solicitors, event organizers, or attendees damaging state property, inhibiting egress, or posing a threat to public health and safety.~~

~~S.~~**Q.** The Department shall ~~cancel~~ revoke or terminate the solicitation or event if a ~~solicitor or event organizer~~ sponsor fails to comply with a Department request or any one of the following minimum safety requirements:

1. All solicitation or event activities shall comply with all applicable federal, state, and local laws, ordinances, codes, statues, rules, and regulations~~, including those of OSHA~~.
2. The layout of the solicitation or event shall ensure that emergency vehicles will have access at all times.
3. The Department may conduct periodic safety checks throughout the solicitation or event.

~~T.~~**R.** This Section does not apply to government agencies.

ARTICLE 3. TAKING AND HANDLING OF WILDLIFE

R12-4-302. Use of Tags

A. In addition to meeting requirements prescribed under A.R.S. § 17-331, an individual who takes wildlife shall have in possession any tag required for the particular season or hunt area.

B. A tag obtained in violation of statute or rule is invalid and shall not be used to take, transport, or possess wildlife.

C. An individual who lawfully possesses both a nonpermit-tag and a hunt permit-tag shall not take a genus or species in excess of the bag limit established by Commission Order for that genus or species.

D. An individual shall:

1. Take and tag only the wildlife identified on the tag; and
2. Use a tag only in the season and hunt for which the tag is valid, as specified by Commission Order.

E. Except as permitted under R12-4-217, an individual shall not:

1. Allow their tag to be attached to wildlife killed by another individual,
2. Allow their tag to be possessed by another individual who is in a hunt area,
3. Attach their tag to wildlife killed by another individual,
4. Attach a tag issued to another individual to wildlife, or
5. Possess a tag issued to another individual while in a hunt area.

F. Except as permitted under R12-4-217, immediately after an individual kills wildlife, the individual shall attach the tag to the wildlife carcass in the ~~following~~ manner~~:~~

~~1. Remove all of the detachable paper covering from the adhesive back of the tag;~~
~~2. Seal the exposed adhesive portions of the tag around the wildlife so the tag cannot be removed or reused and all printing on the face of the tag is visible, and~~
~~a. For antelope, deer, or elk: seal the tag around the antler or horn, or through the gambrel of a hind leg;~~
~~b. For bear, bighorn sheep, buffalo, javelina, or mountain lion: seal the tag through the gambrel of a hind leg; and~~
~~c. For pheasant, sandhill crane, or turkey: seal the tag around the neck or a leg~~ indicated on the tag.

G. An individual who lawfully takes wildlife with a valid tag and authorizes another individual to possess, transport, or ship the tagged portion of the carcass shall complete the Transportation and Shipping Permit portion of the original tag authorizing the take of that animal.

H. If a tag is ~~sealed~~ cut, notched, ~~or~~ mutilated, or the Transportation and Shipping Permit portion of the tag is signed or filled out, the tag is no longer valid for the take of wildlife.

ARTICLE 6. RULES OF PRACTICE BEFORE THE COMMISSION

R12-4-611. Petition for Hearing Before the Commission When No Remedy is Provided in Statute, Rule, or Policy

A. If no administrative remedy exists in statute, rule or policy, an aggrieved individual may request a hearing before the Commission by following the provisions of this Section.

B. Any individual who requests a hearing under this Section shall submit a petition as prescribed in this Section before the request for a hearing will be considered by the Commission.

C. A petitioner shall submit an original and one copy of a petition to the Arizona Game and Fish Department, Director's Office, 5000 W. Carefree Highway, Phoenix, AZ 85086.

D. The petitioner shall ensure that the petition is typewritten, computer or word processor printed, or legibly handwritten, and double-spaced on 8 1/2" x 11" paper. The petitioner shall place the title "Petition for Hearing by the Arizona Game

and Fish Commission" at the top of the first page. The petition shall include the items listed in subsections (E) through (H). The petitioner shall present the items in the petition in the order in which they are listed in this Section.

E. The petitioner shall ensure that the title of Part 1 is "Identification of Petitioner" and that Part 1 includes the following information, as applicable:
1. If the petitioner is a private person, the name, mailing address, telephone number, and e-mail address (if available) of the petitioner;
2. If the petitioner is a private group or organization, the name and address of the organization; the name, mailing address, telephone number, and e-mail address (if available) of one person who is designated as the official contact for the group or organization; the number of individuals or members represented by the private group or organization, and the number of these individuals or members who are Arizona residents. If the petitioner prefers, the petitioner may provide the names and addresses of all members; or
3. If the petitioner is a public agency, the name and address of the agency and the name, title, telephone number, and e-mail address (if available) of the agency's representative.

F. The petitioner shall ensure that the title of Part 2 is "Statement of Facts and Issues." Part 2 shall contain a description of the issue to be resolved, and a statement of the facts relevant to resolving the issue.

G. The petitioner shall ensure that the title of Part 3 is "Petitioner's Proposed Remedy." Part 3 shall contain a full and detailed explanation of the specific remedy the petitioner is seeking from the Commission.

H. The petitioner shall ensure that the title of Part 4 is "Date and Signatures." Part 4 shall contain:
1. The original signature of the private party or the official contact named in the petition, or, if the petitioner is a public agency, the signature of the agency head or the agency head's designee; and
2. The month, day, and year that the petition is signed.

I. If a petition does not comply with this Section, the Director shall return the petition and indicate why the petition is deficient.

J. After the Director receives a petition that complies with this Section, the Director shall place the petition on the agenda of a regularly scheduled Commission meeting.

K. If the Commission votes to deny a petition, the Department shall not accept a subsequent petition on the same matter, unless the petitioner presents new evidence or reasons for considering the subsequent petition.

L. This Section does not apply to the following:
1. A matter related to a license revocation or civil assessment; ~~or~~
2. An unsuccessful hunt permit-tag computer draw application, where there was no error on the part of the Department; or
3. The reinstatement of a bonus point, except as authorized under R12-4-107(M).

R12-4-804. ~~Public Solicitation or Event on Department Property~~ Renumbered