

Senate Engrossed House Bill

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

CHAPTER 217

HOUSE BILL 2332

AN ACT

AMENDING SECTIONS 17-236, 17-333 AND 17-371, ARIZONA REVISED STATUTES;
RELATING TO SPORT FALCONRY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 17-236, Arizona Revised Statutes, is amended to
3 read:

4 17-236. Taking birds; possession of raptors

5 A. It is unlawful to take or injure any bird or harass any bird upon
6 its nest, or remove the nests or eggs of any bird, except as may occur in
7 normal horticultural and agricultural practices and except as authorized by
8 commission order. Nothing in this title shall be construed to prohibit the
9 taking of such birds for scientific purposes under permits issued by the
10 commission.

11 B. The commission shall issue licenses to permit the possession and
12 transportation of raptors for sport falconry consistent with the requirements
13 of the migratory bird treaty act (40 Stat. 755; 16 United States Code
14 sections 703 through 711) and the endangered species act of 1973
15 (P.L. 93-205; 87 Stat. 884; 16 United States Code sections 1531 through
16 1544).

17 C. A PERSON WHO HAS QUALIFIED TO BECOME A CLASS II, GENERAL, OR
18 CLASS III, MASTER, FALCONER, AS PROVIDED BY COMMISSION RULE, MAY POSSESS,
19 TRANSPORT AND USE FOR SPORT FALCONRY PURPOSES, RAPTORS NOT LISTED IN THE
20 MIGRATORY BIRD TREATY ACT (40 STAT. 755; 16 UNITED STATES CODE SECTIONS 703
21 THROUGH 711) WITHOUT POSSESSING A SPORT FALCONRY LICENSE.

22 Sec. 2. Section 17-333, Arizona Revised Statutes, is amended to read:

23 17-333. Licenses; classes; fees; definition

24 A. Licenses shall be divided into classes and maximum fees to be paid
25 for such licenses are as follows:

26 1. Class A, general fishing license, valid for the taking of all
27 aquatic wildlife, except trout statewide, and aquatic wildlife from
28 commission designated urban waters, resident, twenty-five dollars;
29 nonresident, eighty-five dollars, except that the maximum fee for a class A
30 license issued in November or December is one-half of the fee otherwise
31 prescribed by this paragraph.

32 2. Trout stamp, validates general and lifetime class A licenses for
33 the taking of trout, resident, fifteen dollars; nonresident, sixty dollars.
34 The stamp is valid for a license year and expires on December 31, whether it
35 validates a general or lifetime license.

36 3. Class B, nonresident general four month fishing license, valid for
37 the taking of all aquatic wildlife, except from commission designated urban
38 waters, thirty-eight dollars.

39 4. Class C, nonresident general five-day fishing license, valid for
40 the taking of all aquatic wildlife, except from commission designated urban
41 waters, thirty-four dollars and nine dollars for each additional day.

42 5. Class D, one-day fishing license, valid for the taking of all
43 aquatic wildlife, resident, sixteen dollars and eight dollars for each
44 additional day; nonresident, eighteen dollars and nine dollars for each
45 additional day.

1 6. Resident youth group two-day fishing license, valid for taking all
2 aquatic wildlife, except on the Colorado river, issued to a nonprofit
3 organization which sponsors adult supervised activities for groups of
4 juveniles fourteen years of age through seventeen years of age, not to exceed
5 twenty juveniles for any one group license, twenty-five dollars.

6 7. Class E, Colorado river fishing license, valid for the taking of
7 all aquatic wildlife, nonresident, fifty-five dollars.

8 8. Class F, combination general hunting and fishing license, valid for
9 the taking of all aquatic wildlife, except from commission designated urban
10 waters, small game, fur-bearing animals, predatory animals, nongame animals,
11 nongame birds, upland game birds and migratory game birds, except ducks,
12 geese and swans, resident, sixty dollars; nonresident, two hundred seventy
13 dollars.

14 9. Urban fishing license, valid for taking all aquatic wildlife from
15 commission designated urban waters, residents and nonresidents, twenty-one
16 dollars. The privileges granted by a pioneer license shall include the right
17 to fish in all commission designated urban waters.

18 10. Class G, general hunting license, valid for the taking of small
19 game, fur-bearing animals, predatory animals, nongame animals, nongame birds,
20 upland game birds and migratory game birds, except ducks, geese and swans,
21 resident, thirty-five dollars; nonresident, one hundred eighty-five dollars.

22 11. Class H, three-day hunting license, valid for the taking of small
23 game, fur-bearing animals, predatory animals, nongame animals, nongame birds,
24 upland game birds and migratory game birds, except ducks, geese and swans,
25 nonresident, sixty-seven dollars.

26 12. Class I, resident family fishing licenses, valid for taking all
27 aquatic wildlife, except aquatic wildlife from commission designated urban
28 waters, issued to members of an immediate family residing in the same
29 household. The fees for persons who are licensed pursuant to this paragraph
30 are:

31 (a) For one adult licensed under this paragraph, the current fee for a
32 class A general fishing license and trout stamp, including any surcharge
33 pursuant to section 17-345.

34 (b) For any additional adult licensed under this paragraph in the
35 immediate family, eighty per cent of the current fee for a class A general
36 fishing license and trout stamp, including any surcharge pursuant to section
37 17-345.

38 (c) Two dollars for any child licensed under this paragraph in the
39 immediate family.

40 13. Class J, resident family hunting license, valid for taking small
41 game, fur-bearing animals, predatory animals, nongame animals, nongame birds,
42 upland game birds and migratory game birds, except ducks, geese and swans,
43 issued to members of an immediate family residing in the same household. The
44 fees for persons who are licensed pursuant to this paragraph are:

1 (a) For one adult licensed under this paragraph, the current fee for a
2 class G general hunting license, including any surcharge pursuant to section
3 17-345.

4 (b) For any additional adult licensed under this paragraph in the
5 immediate family, eighty per cent of the current fee for a class G general
6 hunting license, including any surcharge pursuant to section 17-345.

7 (c) Fifteen dollars for any child licensed under this paragraph in the
8 immediate family.

9 14. Class K, combination resident family hunting and fishing license,
10 valid for taking all aquatic wildlife, except from commission designated
11 urban waters, small game, fur-bearing animals, predatory animals, nongame
12 animals, nongame birds, upland game birds and migratory game birds, except
13 ducks, geese and swans, issued to members of an immediate family residing in
14 the same household. The fees for persons who are licensed pursuant to this
15 paragraph are:

16 (a) For one adult licensed under this paragraph, the current fee for a
17 class F combination general hunting and fishing license, including any
18 surcharge pursuant to section 17-345.

19 (b) For any additional adult licensed under this paragraph in the
20 immediate family, eighty per cent of the current fee for a class F
21 combination general hunting and fishing license, including any surcharge
22 pursuant to section 17-345.

23 (c) Twenty dollars for any child licensed under this paragraph in the
24 immediate family.

25 15. Class L, super conservation fishing license, valid for taking all
26 aquatic wildlife, including trout and aquatic wildlife from commission
27 designated urban waters, resident, fifty dollars; nonresident, sixty dollars.

28 16. Class M, super conservation hunting license, valid for taking small
29 game, fur-bearing animals, predatory animals, nongame animals, nongame birds,
30 upland game birds and migratory game birds, except ducks, geese and swans,
31 and including tags and stamps prescribed by the commission, resident, one
32 hundred fifteen dollars.

33 17. Class N, combination super conservation hunting and fishing
34 license, valid for taking all aquatic wildlife, including trout and aquatic
35 wildlife from commission designated urban waters, small game, fur-bearing
36 animals, predatory animals, nongame animals, nongame birds, upland game birds
37 and migratory game birds, except ducks, geese and swans, and including tags
38 and stamps prescribed by the commission, resident, one hundred sixty dollars.

39 18. Javelina tag, validates class F, G, J, K, M or N license for taking
40 javelina, resident, thirty dollars; nonresident, one hundred twenty-five
41 dollars.

42 19. Turkey tag, validates class F, G, J, K, M or N license for taking
43 turkey, resident, twenty-five dollars; nonresident, ninety dollars.

1 20. Bear tag, validates class F, G, J, K, M or N license for the taking
2 of bear, resident, thirty dollars; nonresident, two hundred seventy-five
3 dollars.

4 21. Mountain lion tag, validates class F, G, J, K, M or N license for
5 the taking of mountain lion, resident, nineteen dollars; nonresident, two
6 hundred fifty dollars.

7 22. Deer tag class A, validates class F, G, J, K, M or N license for
8 the taking of deer, resident, one hundred fifty dollars; nonresident, one
9 thousand two hundred dollars. Deer tag class B, validates class F, G, J, K,
10 M or N, for the taking of deer, resident, fifty dollars; nonresident, three
11 hundred twenty-five dollars. Not more than five per cent of the total deer
12 tags issued in any calendar year shall be class A tags.

13 23. Antelope tag, validates class F, G, J, K, M or N license for the
14 taking of antelope, resident, ninety dollars; nonresident, six hundred thirty
15 dollars.

16 24. Elk tag class A, validates class F, G, J, K, M or N license for the
17 taking of elk, resident, three hundred fifty dollars; nonresident, three
18 thousand two hundred dollars. Elk tag class B, validates class F, G, J, K, M
19 or N for the taking of elk, resident, one hundred fifty dollars; nonresident,
20 seven hundred seventy-five dollars. Not more than five per cent of the total
21 elk tags issued in any calendar year shall be class A tags.

22 25. Bighorn sheep tag, validates class F, G, J, K, M or N license for
23 the taking of bighorn sheep, resident, three hundred thirty-five dollars;
24 nonresident, three thousand dollars.

25 26. Private game farm license, seventy-five dollars.

26 27. Minnow dealer's license, forty dollars.

27 28. Guide license, five hundred dollars.

28 29. Taxidermist license, two hundred fifty dollars.

29 30. Wildlife hobby license, five dollars.

30 31. Zoo license, one hundred thirty dollars.

31 32. Shooting preserve license, one hundred thirty dollars.

32 33. Field trial license, seven dollars.

33 34. Trapping license, resident, fifty dollars; nonresident, five
34 hundred dollars; resident juvenile trapping license, fourteen years of age
35 through seventeen years of age, thirty dollars.

36 35. Fur dealer's license, one hundred thirty dollars.

37 36. Permit application fee, ten dollars.

38 37. State waterfowl stamp, validates class F, G, H, K, L, M or N
39 license for taking ducks, geese and swans, ten dollars.

40 38. State migratory bird stamp, validates class F, G or H license or
41 complimentary or lifetime license for taking migratory birds or grouse, six
42 dollars.

43 39. White amur (*ctenopharyngodon idellus*) stocking license, three
44 hundred dollars.

1 40. License dealer's license, a minimum of twenty-five dollars and a
2 maximum of one hundred twenty-five dollars provided, however, that the
3 maximum of one hundred twenty-five dollars may be exceeded by a dealer with
4 multiple business establishments who shall pay an additional fee of
5 twenty-five dollars for each establishment at which licenses will be sold.

6 41. Resident lifetime classes A, F and G licenses and resident lifetime
7 trout stamp as provided by section 17-335.01.

8 42. Two-pole stamp, validates general or lifetime class A, B, C, D, E
9 or F license, pioneer or urban fishing license or class I fishing license
10 issued to an individual member of an immediate family for simultaneous
11 fishing with two lines, resident, eight dollars; nonresident, twenty-four
12 dollars. The stamp is valid for a license year and expires on December 31
13 regardless of whether it validates a general or lifetime license.

14 43. Sport falconry license, valid for possessing and transporting
15 raptors AS PROVIDED BY SECTION 17-236 AND as prescribed by the commission and
16 validates class G general hunting license for hunting or taking quarry with a
17 trained raptor, one hundred dollars. The license is valid from the date it
18 is issued by the department until the third December from the date of issue.

19 B. The commission shall set fees for classes of licenses designated in
20 subsection A of this section for firearms, bow and arrow and all other
21 authorized devices within the maximum limit authorized. The commission may
22 establish subclassifications within a class of license, permit or tag and set
23 a fee for each subclassification within the maximum authorized limit. The
24 commission may reduce license fees any amount deemed necessary. If it
25 becomes necessary to limit or further regulate the taking of any species of
26 wildlife, the commission may order issuance of an additional license or
27 permit and fix fees for such license or permit.

28 C. For the purposes of this section, "immediate family" means one
29 adult, or two adults who are married to each other, and their minor children,
30 if any, who will be at least fourteen years of age during the license year,
31 including adoptive children, stepchildren, foster children and other children
32 for whom they are legal guardians.

33 Sec. 3. Section 17-371, Arizona Revised Statutes, is amended to read:

34 17-371. Transportation, possession and sale of wildlife and
35 wildlife parts

36 A. A person may transport in his possession his legally taken
37 wildlife, or may authorize the transportation of his legally taken big game,
38 provided such big game or any part thereof has attached thereto a valid
39 transportation permit issued by the department. Such wildlife shall be
40 transported in such manner that it may be inspected by authorized persons
41 upon demand until the wildlife is packaged or stored. Species of wildlife,
42 other than game species, may be transported in any manner unless otherwise
43 specified by the commission. A person possessing a valid license may
44 transport lawfully taken wildlife other than big game given to him but in no
45 event shall any person possess more than one bag or possession limit.

1 B. A holder of a resident license shall not transport from a point
2 within to a point without the state any big game species or parts thereof
3 without first having obtained a special permit issued by the department or
4 its authorized agent.

5 C. Migratory birds may be possessed and transported in accordance with
6 the migratory bird treaty act (40 STAT. 755; 16 UNITED STATES CODE SECTIONS
7 703 THROUGH 711) and regulations ~~thereunder~~ UNDER THAT ACT.

8 D. A holder of a sport falconry license may transport one or more
9 raptors that the person lawfully possesses under terms and conditions
10 prescribed by the commission. REGARDLESS OF WHETHER A PERSON HOLDS A SPORT
11 FALCONRY LICENSE AND AS PROVIDED BY SECTION 17-236, SUBSECTION C, THE PERSON
12 MAY TRANSPORT FOR SPORT FALCONRY PURPOSES ONE OR MORE RAPTORS THAT ARE NOT
13 LISTED PURSUANT TO THE MIGRATORY BIRD TREATY ACT.

14 E. Heads, horns, antlers, hides, feet, or skin of wildlife lawfully
15 taken, or the treated or mounted specimens thereof, may be possessed, sold
16 and transported at any time, except that:

17 1. Migratory birds may be possessed and transported only in accordance
18 with federal regulations.

19 2. It is unlawful to sell the heads, horns, hides, feet or skin of
20 bighorn sheep taken on or after October 1, 2005, but the department may sell
21 heads, horns, hides, feet or skin of bighorn sheep that were illegally taken
22 and confiscated by or donated to the department.

APPROVED BY THE GOVERNOR MAY 20, 2008.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 20, 2008.