

State of Arizona
Senate
Forty-seventh Legislature
First Regular Session
2005

CHAPTER 318

SENATE BILL 1365

AN ACT

AMENDING SECTIONS 5-321, 5-321.01, 5-322 AND 5-323, ARIZONA REVISED STATUTES;
AMENDING SECTION 5-323, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT;
REPEALING SECTION 5-323, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2005,
CHAPTER 78, SECTION 2; AMENDING SECTIONS 17-332, 17-333, 17-345, 17-346 AND
17-371, ARIZONA REVISED STATUTES; RELATING TO THE GAME AND FISH DEPARTMENT;
PROVIDING FOR CONDITIONAL ENACTMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Section 5-321, Arizona Revised Statutes, is amended effective from and after August 31, 2005, to read:

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

A. EXCEPT AS PROVIDED IN SECTION 5-322, the owner of each motorized watercraft requiring numbering by this state shall file an application for a registration number with the department, or its agent, on forms approved by the department. Except as provided by rule adopted by the commission, the application shall be signed by the owner of the motorized watercraft and shall be accompanied by a registration fee ~~and a license tax~~ levied at the following rates:

1. For a resident owner, defined as a person who owns a boat for which registration is required and who is required to and does register motor vehicles owned by the person in this state or, if no motor vehicle is owned by the person owning the boat, the person is a resident as defined by section 28-2001, a registration fee ~~of four dollars and a license tax of forty-five cents per foot of length or fraction thereof of each watercraft up to and including eighteen feet and sixty-eight cents per foot of length for each foot or fraction thereof over eighteen feet except as provided in section 5-322.~~ AS FOLLOWS:

TWELVE FEET AND LESS	\$20.00
TWELVE FEET ONE INCH THROUGH SIXTEEN FEET	\$22.00
SIXTEEN FEET ONE INCH THROUGH TWENTY FEET	\$30.00
TWENTY FEET ONE INCH THROUGH TWENTY-SIX FEET	\$35.00
TWENTY-SIX FEET ONE INCH THROUGH THIRTY-NINE FEET	\$39.00
THIRTY-NINE FEET ONE INCH THROUGH SIXTY-FOUR FEET	\$44.00
SIXTY-FOUR FEET ONE INCH AND OVER	\$66.00

2. For a nonresident owner, defined as any person who owns a boat for which registration is required and who is not a resident owner as defined by this section, a registration fee ~~of twenty dollars and a license tax of two dollars ninety cents per foot of length or fraction thereof of each watercraft up to and including eighteen feet and five dollars fifty cents per foot of length for each foot or fraction thereof over eighteen feet except as provided in section 5-322.~~ AS FOLLOWS:

TWELVE FEET AND LESS	\$100.00
TWELVE FEET ONE INCH THROUGH SIXTEEN FEET	\$110.00
SIXTEEN FEET ONE INCH THROUGH TWENTY FEET	\$222.00
TWENTY FEET ONE INCH THROUGH TWENTY-SIX FEET	\$259.00
TWENTY-SIX FEET ONE INCH THROUGH THIRTY-NINE FEET	\$292.00
THIRTY-NINE FEET ONE INCH THROUGH SIXTY-FOUR FEET	\$330.00
SIXTY-FOUR FEET ONE INCH AND GREATER	\$495.00

B. PURSUANT TO ARTICLE IX, SECTION 16, CONSTITUTION OF ARIZONA, WATERCRAFT ARE EXEMPT FROM AD VALOREM PROPERTY TAX AND FROM LICENSE TAXES IN LIEU OF PROPERTY TAX.

1 ~~B.~~ C. The length of the motorized watercraft shall be measured from
2 the most forward part of the bow excluding the bowsprit or jibboom, over the
3 centerline to the rearmost part of the transom excluding sheer, outboard
4 motor, rudder, handles or other attachments. Upon receipt of the application
5 in approved form, the department or its agent shall enter the application on
6 the records of its office and issue to the applicant two current annual
7 decals and a certificate of number stating the number issued to the
8 watercraft and the name and address of the owner. The owner shall display
9 the assigned number and the current annual decals in such manner as may be
10 prescribed by rules of the commission. The number and decals shall be
11 maintained in legible condition. The certificate of number or commission
12 approved proof of valid certificate of number, except as provided in section
13 5-371, shall be available at all times for inspection by a peace officer
14 whenever the watercraft is in operation. No number issued by another state
15 or the United States coast guard, unless granted exemption or exception
16 pursuant to this chapter, shall be displayed on the watercraft.

17 ~~C.~~ D. No motorized watercraft shall be purchased, sold or otherwise
18 transferred without assignment by the owner of the current numbering
19 certificate or other documentation as may be prescribed by rules of the
20 commission. Within fifteen days after such transfer, the person to whom such
21 transfer is made shall make application to the department to have the
22 motorized watercraft registered in the person's name by the department, for
23 which the department shall charge a transfer fee of four dollars. The
24 department shall not issue or transfer a numbering certificate for a
25 motorized watercraft to a person who is subject to the use tax under title
26 42, chapter 5, article 4 unless the applicable tax has been paid as shown by
27 a receipt from the collecting officer. Persons doing business as marine
28 dealers and licensed as such by this state are not required to register in
29 their name any watercraft in their possession that may be offered for resale.

30 ~~D.~~ E. In the event of the loss or destruction of the certificate of
31 number or annual decal, the department shall issue a duplicate to the owner
32 upon payment of a fee of two dollars.

33 ~~E.~~ F. The department may issue any certificate of number directly or
34 may authorize any person to act as agent for the issuance of the certificate
35 of number in conformity with this chapter and with any rules of the
36 commission. An agent that contracts with the commission to renew
37 certificates of number by telecommunication may impose additional fees for
38 ~~their~~ THE services as provided in the contract.

39 ~~F.~~ G. The owner shall furnish to the department notice of the
40 transfer of all or any part of the owner's interest other than the creation
41 of a security interest in a motorized watercraft numbered in this state
42 pursuant to the provisions of this chapter or of the destruction or
43 abandonment of such watercraft within fifteen days. Such transfer,
44 destruction or abandonment shall terminate the certificate of number of such
45 watercraft, except that in the case of a transfer of a part interest which

1 does not affect the owner's right to operate such watercraft, the transfer
2 shall not terminate the certificate of number.

3 ~~G.~~ H. Any holder of a certificate of number shall notify the
4 department within fifteen days if the holder's address no longer conforms to
5 the address appearing on the certificate and shall, as a part of such
6 notification, furnish the department with the holder's new address. The
7 commission may provide in its rules for the surrender of the certificate
8 bearing the former address and its replacement with a certificate bearing the
9 new address or the alteration of an outstanding certificate to show the new
10 address of the holder.

11 ~~H.~~ I. On renewal of any motorized watercraft registration that has
12 not been renewed by the current expiration date, the department shall assess
13 a penalty unless the watercraft ownership has been transferred and the
14 watercraft was not registered subsequent to the expiration date. The
15 commission shall establish the penalty which shall not exceed fifteen
16 dollars. If more than twelve months have lapsed since the expiration date of
17 the last registration or renewal the penalty and back fees are waived.

18 Sec. 2. Section 5-321.01, Arizona Revised Statutes, is amended to
19 read:

20 5-321.01. Staggered watercraft registration; rules

21 A. The commission shall establish a system of staggered registration
22 on a monthly basis in order to distribute the work of registering watercraft
23 as uniformly as practicable throughout the twelve months of the calendar
24 year.

25 B. All watercraft registrations provided for in this article expire in
26 accordance with the schedules established by the commission. The commission
27 may set the number of renewal periods within a month from one each month to
28 one each day depending on which system is most economical and best
29 accommodates the public.

30 C. The commission, in order to initiate the staggered registration
31 system, may register a watercraft for a period of greater or less than twelve
32 months up to a period of eighteen months. If a registration period is set
33 for a period other than twelve months the commission may prorate the
34 registration fee ~~and license tax~~.

35 D. The commission shall ~~promulgate~~ ADOPT rules necessary to accomplish
36 the purposes of this section.

37 Sec. 3. Section 5-322, Arizona Revised Statutes, is amended to read:

38 5-322. Motorized watercraft to be numbered; exemptions;
39 exceptions

40 A. All undocumented motorized watercraft whether underway, moored or
41 anchored on the waters within the boundaries of the state shall be numbered
42 in accordance with this chapter or rules of the commission in accordance with
43 the federally approved numbering system except:

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

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

4 3. Watercraft used solely as ~~life boats~~ LIFEBOATS.

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

7 B. Motorized watercraft owned and operated exclusively by the state or
8 by any political subdivision of the state shall be numbered, but no ~~tax or~~
9 registration fee shall be paid on the watercraft.

10 C. All nonresident owners of motorized watercraft when in the course
11 of interstate operation displaying a current and valid number issued under an
12 approved federal numbering system of the United States coast guard, a state,
13 the Commonwealth of Puerto Rico, the Virgin Islands, Guam or the District of
14 Columbia shall register such watercraft with the department prior to the
15 expiration of the reciprocity period prescribed by rules of the commission.

16 D. All nonresident-owned motorized watercraft, when in the course of
17 interstate operation and not required to be numbered in their state of
18 principal use, shall comply with the requirements of subsection C of this
19 section.

20 E. Except as provided in subsection F of this section, any person who
21 is a resident of this state and WHO is the owner of a motorized watercraft
22 shall number the watercraft pursuant to section 5-321 prior to operating such
23 watercraft on the waterways of the state.

24 F. When this state becomes the new state of principal use of a
25 motorized watercraft displaying a current number issued under a federally
26 approved numbering system, the validity of such number shall be recognized
27 for a period of ninety days. Upon expiration of the ninety-day period and
28 prior to any subsequent use, the owner shall number any motorized watercraft
29 pursuant to section 5-321.

30 G. Each dealer or manufacturer in this state engaged in the sale of
31 motorized watercraft using the watercraft for demonstration shall obtain one
32 or more dealer watercraft certificates of number with the current validating
33 decals. Applications, renewal and display of certificates of number shall be
34 as prescribed in this chapter or by rules of the commission, except that the
35 annual fee will be two dollars fifty cents for each certificate of number and
36 accompanying current decals.

37 ~~H. Owners of commercial motorized watercraft not exempted from the ad~~
38 ~~valorem property taxes under article IX, section 16, Constitution of Arizona,~~
39 ~~are exempt from the lieu tax requirements of section 5-321.~~

40 Sec. 4. Section 5-323, Arizona Revised Statutes, is amended to read:
41 5-323. Disposition of fees

42 ~~A.~~ EACH MONTH MONIES RECEIVED FROM the registration fees received
43 under this chapter for the numbering of watercraft shall be deposited,
44 pursuant to sections 35-146 and 35-147, AS FOLLOWS:

45 1. SIXTY-FIVE PER CENT SHALL BE DEPOSITED in a special fund to be
46 known as the watercraft licensing fund. Such fund is to be used by the

1 department for administering and enforcing ~~the provisions of~~ this chapter and
2 providing an information and education program relating to boating and
3 boating safety. **THESE MONIES ARE SUBJECT TO LEGISLATIVE APPROPRIATION.**

4 ~~B. Each month monies received from the license taxes imposed under~~
5 ~~section 5-321 in the amount of forty five per cent of such revenues shall be~~
6 ~~transferred to the watercraft licensing fund. Such monies are subject to~~
7 ~~legislative appropriation.~~

8 ~~C. 2. Each month monies received from the license taxes imposed under~~
9 ~~section 5-321 in the amount of fifty five~~ **THIRTY-FIVE** per cent of such
10 revenues shall be ~~deposited by the Arizona game and fish department~~ **FURTHER**
11 **ALLOCATED** as follows:

12 ~~1.~~ (a) Fifteen per cent to the state lake improvement fund to be used
13 as prescribed by section 5-382.

14 ~~2.~~ (b) Eighty-five per cent to the law enforcement and boating safety
15 fund to be used as prescribed by section 5-383.

16 Sec. 5. Section 5-323, Arizona Revised Statutes, as amended by section
17 4 of this act, is amended to read:

18 **5-323. Disposition of fees**

19 Each month monies received from the registration fees received under
20 this chapter for the numbering of watercraft shall be deposited, pursuant to
21 sections 35-146 and 35-147, **IN A FUND DESIGNATED AS THE WATERCRAFT**
22 **REGISTRATION FEE CLEARING ACCOUNT. EACH MONTH, ON NOTIFICATION BY THE**
23 **DEPARTMENT, THE STATE TREASURER SHALL DISTRIBUTE THE MONIES IN THE CLEARING**
24 **ACCOUNT** as follows:

25 **1. ALL REVENUES COLLECTED FROM THE REGISTRATION FEES COLLECTED**
26 **PURSUANT TO SECTION 5-321, SUBSECTION A, PARAGRAPHS 1 AND 2 SHALL BE**
27 **ALLOCATED AS FOLLOWS:**

28 ~~1.~~ (a) Sixty-five per cent shall be deposited in a special fund to be
29 known as the watercraft licensing fund. ~~Such~~ **THE WATERCRAFT LICENSING** fund
30 is to be used by the department for administering and enforcing this chapter
31 and providing an information and education program relating to boating and
32 boating safety. These monies are subject to legislative appropriation.

33 ~~2.~~ (b) Thirty-five per cent of such revenues shall be further
34 allocated as follows:

35 ~~(a)~~ (i) Fifteen per cent to the state lake improvement fund to be
36 used as prescribed by section 5-382.

37 ~~(b)~~ (ii) Eighty-five per cent to the law enforcement and boating
38 safety fund to be used as prescribed by section 5-383.

39 **2. ALL REVENUES COLLECTED FROM ANY ADDITIONAL REGISTRATION FEES**
40 **COLLECTED PURSUANT TO SECTION 5-321, SUBSECTION C SHALL BE PAID TO AN ACCOUNT**
41 **DESIGNATED BY A MULTI-COUNTY WATER CONSERVATION DISTRICT ESTABLISHED UNDER**
42 **TITLE 48, CHAPTER 22 TO BE USED SOLELY FOR THE LOWER COLORADO RIVER**
43 **MULTISPECIES CONSERVATION PROGRAM AND FOR NO OTHER PURPOSE.**

44 **Sec. 6. Repeal**

45 Section 5-323, Arizona Revised Statutes, as amended by Laws 2005,
46 chapter 78, section 2, is repealed.

1 Sec. 7. Section 17-332, Arizona Revised Statutes, is amended to read:

2 17-332. Form and contents of license; duplicate licenses;
3 period of validity

4 A. Licenses and license materials shall be prepared by the department
5 and furnished and charged to dealers authorized to issue licenses. The
6 license shall be issued in the name of the department and countersigned by an
7 issuing dealer. Except as provided by rule adopted by the commission, each
8 license shall be signed by the licensee in ink on the face of the license and
9 any license not signed is invalid. With each license authorizing the taking
10 of big game the department shall provide such tags as the commission may
11 prescribe, which the licensee shall attach to the big game animal in such
12 manner as prescribed by the commission.

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

16 C. It is unlawful, except as provided by the commission, for any
17 person to apply for or obtain in any one license year more than one original
18 license permitting the taking of big game. A duplicate license or tag may be
19 issued by the department or by a license dealer if the person requesting such
20 license or tag furnishes the information deemed necessary by the
21 commission. A fee of ~~three~~ FOUR dollars shall be collected for each
22 duplicate license or tag issued.

23 D. No license or permit is transferable, nor shall such license or
24 permit be used by anyone except the person to whom such license or permit was
25 issued, except that a parent or legal guardian may allow the parent's or
26 guardian's minor child to use the parent's or guardian's big game permit or
27 tag to take big game pursuant to the following requirements:

28 1. The parent or guardian must transfer the permit or tag to the child
29 in a manner prescribed by the commission.

30 2. The parent or guardian must accompany the child in the field and
31 must be within fifty yards of the child when the animal is taken.

32 3. The child must possess a class F or class G license and, if under
33 the age of fourteen, must satisfactorily complete the Arizona hunter
34 education course or another comparable hunter education course that is
35 approved by the director.

36 4. Any big game that is taken counts toward the child's bag limit.

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

38 F. Licenses are valid for a license year and expire on December 31
39 except for special licenses issued by the commission, pioneer complimentary
40 licenses, resident and nonresident trapping licenses, sport falconry licenses
41 and classes B, C and D licenses as provided in section 17-333 and lifetime
42 class A, F and G licenses and lifetime trout stamps as provided in section
43 17-335.01. Trapping licenses are valid from July 1 through June 30 of the
44 following year. Lifetime licenses and lifetime trout stamps are valid for
45 the lifetime of the licensee.

46 Sec. 8. Section 17-333, Arizona Revised Statutes, is amended to read:

1 17-333. Licenses: classes: fees: definition

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

4 1. Class A, general fishing license, valid for the taking of all
5 aquatic wildlife, except trout statewide, and aquatic wildlife from
6 commission designated urban waters, resident, ~~sixteen~~ TWENTY-FIVE dollars;
7 nonresident, ~~forty-nine~~ EIGHTY-FIVE dollars ~~fifty cents~~, except that the
8 maximum fee for a class A license issued in November or December is one-half
9 of the fee otherwise prescribed by this paragraph.

10 2. Trout stamp, validates general and lifetime class A licenses for
11 the taking of trout, resident, ~~ten~~ FIFTEEN dollars ~~fifty cents~~; nonresident,
12 ~~forty-nine~~ SIXTY dollars ~~fifty cents~~. The stamp is valid for a license year
13 and expires on December 31, whether it validates a general or lifetime
14 license.

15 3. Class B, nonresident general four month fishing license, valid for
16 the taking of all aquatic wildlife, except from commission designated urban
17 waters, ~~thirty-five~~ THIRTY-EIGHT dollars ~~fifty cents~~.

18 4. Class C, nonresident general five-day fishing license, valid for
19 the taking of all aquatic wildlife, except from commission designated urban
20 waters, ~~twenty-four~~ THIRTY-FOUR dollars AND NINE DOLLARS FOR EACH ADDITIONAL
21 DAY.

22 5. Class D, ~~resident and nonresident~~ one-day fishing license, valid
23 for the taking of all aquatic wildlife, ~~ten~~ RESIDENT, SIXTEEN dollars ~~fifty~~
24 ~~cents~~ AND EIGHT DOLLARS FOR EACH ADDITIONAL DAY; NONRESIDENT, EIGHTEEN
25 DOLLARS AND NINE DOLLARS FOR EACH ADDITIONAL DAY.

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

31 7. Class E, Colorado river fishing license, valid for the taking of
32 all aquatic wildlife, nonresident, ~~forty-two~~ FIFTY-FIVE dollars ~~fifty cents~~.

33 8. Class F, combination general hunting and fishing license, valid for
34 the taking of all aquatic wildlife except from commission designated urban
35 waters, small game, fur-bearing animals, predatory animals, nongame animals,
36 nongame birds, upland game birds and migratory game birds, except ducks,
37 geese and swans, resident, ~~forty-two~~ SIXTY dollars; nonresident, ~~one~~ TWO
38 hundred ~~seventy-five~~ SEVENTY dollars ~~fifty cents~~.

39 9. Urban fishing license, valid for taking all aquatic wildlife from
40 commission designated urban waters, residents and nonresidents, ~~sixteen~~
41 TWENTY-ONE dollars. The privileges granted by a pioneer license shall
42 include the right to fish in all commission designated urban waters.

43 10. Class G, general hunting license, valid for the taking of small
44 game, fur-bearing animals, predatory animals, nongame animals, nongame birds,
45 upland game birds and migratory game birds, except ducks, geese and swans,

1 resident, ~~twenty-three~~ THIRTY-FIVE dollars ~~fifty cents~~; nonresident, one
2 hundred ~~eleven~~ EIGHTY-FIVE dollars ~~fifty cents~~.

3 11. Class H, three-day hunting license, valid for the taking of small
4 game, fur-bearing animals, predatory animals, nongame animals, nongame birds,
5 upland game birds and migratory game birds, except ducks, geese and swans,
6 nonresident, ~~forty-nine~~ SIXTY-SEVEN dollars ~~fifty cents~~.

7 12. Class I, resident family fishing licenses, valid for taking all
8 aquatic wildlife except aquatic wildlife from commission designated urban
9 waters, issued to members of an immediate family residing in the same
10 household. ~~For purposes of this paragraph, "immediate family" means one~~
11 ~~adult, or two adults who are married to each other, and their minor children,~~
12 ~~if any, who will be at least fourteen years of age during the license year,~~
13 ~~including adoptive children, stepchildren, foster children and other children~~
14 ~~for whom they are legal guardians.~~ The fees for persons who are licensed
15 pursuant to this paragraph are:

16 (a) For one adult licensed under this paragraph, the current fee for a
17 class A general fishing license and trout stamp, including any surcharge
18 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 A general
21 fishing license and trout stamp, including any surcharge pursuant to section
22 17-345.

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

25 13. CLASS J, RESIDENT FAMILY HUNTING LICENSE, VALID FOR TAKING SMALL
26 GAME, FUR-BEARING ANIMALS, PREDATORY ANIMALS, NONGAME ANIMALS, NONGAME BIRDS,
27 UPLAND GAME BIRDS AND MIGRATORY GAME BIRDS, EXCEPT DUCKS, GEESE AND SWANS,
28 ISSUED TO MEMBERS OF AN IMMEDIATE FAMILY RESIDING IN THE SAME HOUSEHOLD. THE
29 FEES FOR PERSONS WHO ARE LICENSED PURSUANT TO THIS PARAGRAPH ARE:

30 (a) FOR ONE ADULT LICENSED UNDER THIS PARAGRAPH, THE CURRENT FEE FOR A
31 CLASS G GENERAL HUNTING LICENSE, INCLUDING ANY SURCHARGE PURSUANT TO SECTION
32 17-345.

33 (b) FOR ANY ADDITIONAL ADULT LICENSED UNDER THIS PARAGRAPH IN THE
34 IMMEDIATE FAMILY, EIGHTY PER CENT OF THE CURRENT FEE FOR A CLASS G GENERAL
35 HUNTING LICENSE, INCLUDING ANY SURCHARGE PURSUANT TO SECTION 17-345.

36 (c) FIFTEEN DOLLARS FOR ANY CHILD LICENSED UNDER THIS PARAGRAPH IN THE
37 IMMEDIATE FAMILY.

38 14. CLASS K, COMBINATION RESIDENT FAMILY HUNTING AND FISHING LICENSE,
39 VALID FOR TAKING ALL AQUATIC WILDLIFE EXCEPT FROM COMMISSION DESIGNATED URBAN
40 WATERS, SMALL GAME, FUR-BEARING ANIMALS, PREDATORY ANIMALS, NONGAME ANIMALS,
41 NONGAME BIRDS, UPLAND GAME BIRDS AND MIGRATORY GAME BIRDS, EXCEPT DUCKS,
42 GEESE AND SWANS, ISSUED TO MEMBERS OF AN IMMEDIATE FAMILY RESIDING IN THE
43 SAME HOUSEHOLD. THE FEES FOR PERSONS WHO ARE LICENSED PURSUANT TO THIS
44 PARAGRAPH ARE:

1 (a) FOR ONE ADULT LICENSED UNDER THIS PARAGRAPH, THE CURRENT FEE FOR A
2 CLASS F COMBINATION GENERAL HUNTING AND FISHING LICENSE, INCLUDING ANY
3 SURCHARGE PURSUANT TO SECTION 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 F
6 COMBINATION GENERAL HUNTING AND FISHING LICENSE, INCLUDING ANY SURCHARGE
7 PURSUANT TO SECTION 17-345.

8 (c) TWENTY DOLLARS FOR ANY CHILD LICENSED UNDER THIS PARAGRAPH IN THE
9 IMMEDIATE FAMILY.

10 15. CLASS L, SUPER CONSERVATION FISHING LICENSE, VALID FOR TAKING ALL
11 AQUATIC WILDLIFE, INCLUDING TROUT AND AQUATIC WILDLIFE FROM COMMISSION
12 DESIGNATED URBAN WATERS, RESIDENT, FIFTY DOLLARS; NONRESIDENT, SIXTY DOLLARS.

13 16. CLASS M, SUPER CONSERVATION HUNTING LICENSE, VALID FOR TAKING SMALL
14 GAME, FUR-BEARING ANIMALS, PREDATORY ANIMALS, NONGAME ANIMALS, NONGAME BIRDS,
15 UPLAND GAME BIRDS AND MIGRATORY GAME BIRDS, EXCEPT DUCKS, GEESE AND SWANS,
16 AND INCLUDING TAGS AND STAMPS PRESCRIBED BY THE COMMISSION, RESIDENT, ONE
17 HUNDRED FIFTEEN DOLLARS.

18 17. CLASS N, COMBINATION SUPER CONSERVATION HUNTING AND FISHING
19 LICENSE, VALID FOR TAKING ALL AQUATIC WILDLIFE, INCLUDING TROUT AND AQUATIC
20 WILDLIFE FROM COMMISSION DESIGNATED URBAN WATERS, SMALL GAME, FUR-BEARING
21 ANIMALS, PREDATORY ANIMALS, NONGAME ANIMALS, NONGAME BIRDS, UPLAND GAME BIRDS
22 AND MIGRATORY GAME BIRDS, EXCEPT DUCKS, GEESE AND SWANS, AND INCLUDING TAGS
23 AND STAMPS PRESCRIBED BY THE COMMISSION, RESIDENT, ONE HUNDRED SIXTY DOLLARS.

24 ~~13.~~ 18. Javelina tag, validates class F ~~or~~, G, J, K, M OR N license
25 for taking javelina, resident, ~~twelve~~ THIRTY dollars ~~fifty cents~~;
26 nonresident, ~~seventy~~ ONE HUNDRED TWENTY-FIVE dollars. ~~Archery javelina tag,~~
27 ~~validates class F or G license for taking javelina, resident, twelve dollars~~
28 ~~fifty cents; nonresident, seventy five dollars.~~

29 ~~14.~~ 19. Turkey tag, validates class F ~~or~~, G, J, K, M OR N license for
30 taking turkey, resident, ~~eleven~~ TWENTY-FIVE dollars; nonresident, ~~fifty~~
31 NINETY dollars ~~fifty cents~~. ~~Archery turkey tag, validates class F or G~~
32 ~~license for taking turkey, resident, eleven dollars; nonresident,~~
33 ~~seventy five dollars.~~

34 ~~15.~~ 20. Bear tag, validates class F ~~or~~, G, J, K, M OR N license for
35 the taking of bear, resident, ~~fourteen~~ THIRTY dollars ~~fifty cents~~;
36 nonresident, two hundred SEVENTY-FIVE dollars.

37 ~~16.~~ 21. Mountain lion tag, validates class F ~~or~~, G, J, K, M OR N
38 license for the taking of mountain lion, resident, ~~fourteen~~ NINETEEN dollars
39 ~~fifty cents~~; nonresident, two hundred FIFTY dollars.

40 ~~17.~~ 22. Deer tag CLASS A, validates class F ~~or~~, G, J, K, M OR N
41 license for the taking of deer, resident, ~~nineteen~~ ONE HUNDRED FIFTY dollars
42 ~~fifty cents~~; nonresident, one THOUSAND TWO hundred ~~twenty five~~ dollars ~~fifty~~
43 ~~cents~~. ~~Archery deer tag, validates class F or G license for the taking of~~
44 ~~deer, resident, nineteen dollars fifty cents; nonresident, one hundred~~
45 ~~twenty five dollars fifty cents.~~ DEER TAG CLASS B, VALIDATES CLASS F, G, J,
46 K, M OR N, FOR THE TAKING OF DEER, RESIDENT, FIFTY DOLLARS; NONRESIDENT,

THREE HUNDRED TWENTY-FIVE DOLLARS. NOT MORE THAN FIVE PER CENT OF THE TOTAL DEER TAGS ISSUED IN ANY CALENDAR YEAR SHALL BE CLASS A TAGS.

~~18.~~ 23. Antelope tag, validates class F ~~or~~, G, J, K, M OR N license for the taking of antelope, resident, ~~sixty-five~~ NINETY dollars; nonresident, ~~three~~ SIX hundred ~~twenty-five~~ THIRTY dollars.

~~19.~~ 24. Elk tag CLASS A, validates class F ~~or~~, G, J, K, M OR N license for the taking of elk, resident, ~~seventy-eight~~ THREE HUNDRED FIFTY dollars; nonresident, ~~four~~ THREE THOUSAND TWO hundred dollars. ELK TAG CLASS B, VALIDATES CLASS F, G, J, K, M OR N FOR THE TAKING OF ELK, RESIDENT, ONE HUNDRED FIFTY DOLLARS; NONRESIDENT, SEVEN HUNDRED SEVENTY-FIVE DOLLARS. NOT MORE THAN FIVE PER CENT OF THE TOTAL ELK TAGS ISSUED IN ANY CALENDAR YEAR SHALL BE CLASS A TAGS.

~~20.~~ 25. Bighorn sheep tag, validates class F ~~or~~, G, J, K, M OR N license for the taking of bighorn sheep, resident, ~~one~~ THREE hundred ~~ninety-five~~ THIRTY-FIVE dollars; nonresident, ~~one~~ THREE thousand dollars.

~~21.~~ 26. Private game farm license, ~~forty~~ SEVENTY-FIVE dollars.

~~22.~~ 27. Minnow ~~dealers~~ DEALER'S license, ~~thirty~~ FORTY dollars.

~~23.~~ 28. Guide license, ~~resident, one hundred dollars; nonresident,~~ five hundred dollars.

~~24.~~ 29. Taxidermist license, ~~fifty~~ TWO HUNDRED FIFTY dollars.

~~25.~~ 30. Wildlife hobby license, five dollars.

~~26.~~ 31. Zoo license, one hundred THIRTY dollars.

~~27.~~ 32. Shooting preserve license, one hundred THIRTY dollars.

~~28.~~ 33. Field trial license, ~~five~~ SEVEN dollars.

~~29.~~ 34. Trapping license, resident, fifty dollars; nonresident, five hundred dollars; resident juvenile trapping license, fourteen years of age through seventeen years of age, thirty dollars.

~~30.~~ 35. Fur dealer's license, one hundred THIRTY dollars.

~~31.~~ 36. Permit application fee, ~~five~~ TEN dollars.

~~32.~~ 37. State waterfowl stamp, validates class F, G, ~~or~~ H, K, L, M OR N license for taking ducks, geese and swans, ~~seven~~ TEN dollars ~~fifty cents~~.

~~33.~~ 38. State migratory bird stamp, validates class F, G or H, ~~LICENSE OR~~ complimentary or lifetime license for taking migratory birds or grouse, ~~three~~ SIX dollars.

~~34.~~ 39. White amur (ctenopharyngodon idellus) stocking license, ~~two~~ THREE hundred dollars.

~~35.~~ 40. License dealer's license, a minimum of twenty-five dollars and a maximum of one hundred TWENTY-FIVE dollars provided, however, that the maximum of one hundred TWENTY-FIVE dollars may be exceeded by a dealer with multiple business establishments who shall pay an additional fee of twenty-five dollars for each establishment at which licenses will be sold.

~~36.~~ 41. Resident lifetime classes A, F and G licenses and resident lifetime trout stamp as provided by section 17-335.01.

~~37.~~ 42. Two-pole stamp, validates general or lifetime class A, B, C, D, E or F license, pioneer or urban fishing license or class I fishing license issued to an individual member of an immediate family for

1 simultaneous fishing with two lines, resident, eight dollars; nonresident,
2 twenty-four dollars. The stamp is valid for a license year and expires on
3 December 31 regardless of whether it validates a general or lifetime license.

4 ~~38-~~ 43. Sport falconry license, valid for possessing and transporting
5 raptors as prescribed by the commission and validates class G general hunting
6 license for hunting or taking quarry with a trained raptor, ~~seventy-five~~ ONE
7 HUNDRED dollars. The license is valid from the date it is issued by the
8 department until the third December from the date of issue.

9 B. The commission shall set fees for classes of licenses designated in
10 subsection A of this section FOR FIREARMS, BOW AND ARROW AND ALL OTHER
11 AUTHORIZED DEVICES within the maximum limit authorized. THE COMMISSION MAY
12 ESTABLISH SUBCLASSIFICATIONS WITHIN A CLASS OF LICENSE, PERMIT OR TAG AND SET
13 A FEE FOR EACH SUBCLASSIFICATION WITHIN THE MAXIMUM AUTHORIZED LIMIT. The
14 commission may reduce license fees any amount deemed necessary. If it
15 becomes necessary to limit or further regulate the taking of any species of
16 wildlife, the commission may order issuance of an additional license or
17 permit and fix fees for such license or permit.

18 C. FOR THE PURPOSES OF THIS SECTION, "IMMEDIATE FAMILY" MEANS ONE
19 ADULT, OR TWO ADULTS WHO ARE MARRIED TO EACH OTHER, AND THEIR MINOR CHILDREN,
20 IF ANY, WHO WILL BE AT LEAST FOURTEEN YEARS OF AGE DURING THE LICENSE YEAR,
21 INCLUDING ADOPTIVE CHILDREN, STEPCHILDREN, FOSTER CHILDREN AND OTHER CHILDREN
22 FOR WHOM THEY ARE LEGAL GUARDIANS.

23 Sec. 9. Section 17-345, Arizona Revised Statutes, is amended to read:

24 ~~17-345.~~ Surcharge

25 In addition to any other fees, the commission may collect a surcharge
26 of up to ~~two~~ THREE dollars on a class A, B, C, D, F, G, H, ~~or~~ I, J, K, L, M
27 OR N license and on a trout stamp. Monies collected pursuant to this section
28 shall be segregated from other fees and deposited in the conservation
29 development fund.

30 Sec. 10. Section 17-346, Arizona Revised Statutes, is amended to read:

31 ~~17-346.~~ Special big game license tags

32 In addition to the regular big game license tags issued under section
33 17-333 the commission may issue special big game license tags in the name of
34 an incorporated nonprofit organization which is dedicated to wildlife
35 conservation. No more than ~~two~~ THREE special big game license tags may be
36 issued for each species of big game in a license year. Notwithstanding
37 section 17-332, subsection D, an organization which receives special big game
38 license tags issued under this section may sell and transfer them if all
39 proceeds of the sale are used in this state for wildlife management.

40 Sec. 11. Section 17-371, Arizona Revised Statutes, is amended to read:

41 ~~17-371.~~ Transportation, possession and sale of wildlife and
42 wildlife parts

43 A. A person may transport in his possession his legally taken
44 wildlife, or may authorize the transportation of his legally taken big game,
45 provided such big game or any part thereof has attached thereto a valid
46 transportation permit issued by the department. Such wildlife shall be

1 transported in such manner that it may be inspected by authorized persons
2 upon demand until the wildlife is packaged or stored. Species of wildlife,
3 other than game species, may be transported in any manner unless otherwise
4 specified by the commission. A person possessing a valid license may
5 transport lawfully taken wildlife other than big game given to him but in no
6 event shall any person possess more than one bag or possession limit.

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

11 C. Migratory birds may be possessed and transported in accordance with
12 the migratory bird treaty act and regulations thereunder.

13 D. A holder of a sport falconry license may transport one or more
14 raptors that the person lawfully possesses under terms and conditions
15 prescribed by the commission.

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

19 1. Migratory birds may be possessed and transported only in accordance
20 with federal regulations.

21 2. IT IS UNLAWFUL TO SELL THE HEADS, HORNS, HIDES, FEET OR SKIN OF
22 BIGHORN SHEEP TAKEN ON OR AFTER OCTOBER 1, 2005, BUT THE DEPARTMENT MAY SELL
23 HEADS, HORNS, HIDES, FEET OR SKIN OF BIGHORN SHEEP THAT WERE ILLEGALLY TAKEN
24 AND CONFISCATED BY OR DONATED TO THE DEPARTMENT.

25 Sec. 12. Increased fees

26 Notwithstanding section 17-333, Arizona Revised Statutes, as amended by
27 this act, and section 17-335.01, Arizona Revised Statutes, the Arizona game
28 and fish commission shall not increase fees by more than fifty per cent of
29 the increase increment authorized by this act, within the first year of
30 implementation.

31 Sec. 13. Conditional enactment

32 Sections 5 and 6 of this act are effective only if, and on the date
33 that, Laws 2005, chapter 78 becomes effective.

34 Sec. 14. Requirements for enactment; two-thirds vote

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

APPROVED BY THE GOVERNOR MAY 20, 2005.

S.B. 1365

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 20, 2005.