

Minutes of the Telephonic Meeting of the  
Arizona Game and Fish Commission  
Tuesday, March 9, 2010 – 1:00 p.m.  
Arizona Game and Fish Department  
5000 W. Carefree Highway  
Phoenix, Arizona 85086

PRESENT: (Commission)

(Director's Staff)

In Person:  
Chairperson Jennifer L. Martin

In person:  
Director Larry D. Voyles  
Deputy Director Gary R. Hovatter  
Deputy Director Bob Broscheid

Via telephone:  
Vice-Chair Robert R. Woodhouse  
Commissioner Norman W. Freeman  
Commissioner Jack F. Husted  
Commissioner John W. Harris

Via telephone:  
Assistant Attorney General Jim Odenkirk  
Assistant Attorney General Linda Pollock

Chairperson Martin called the meeting to order and requested that Director Voyles conduct roll call. All Commissioners were confirmed present. There were several Department staff members present and no members of the public. This meeting followed an agenda dated March 8, 2010.

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### 1. Executive Session

The Commission did not go into Executive Session.

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### 2. State and Federal Legislation

**Presenter:** Anthony Guiles, Legislative Liaison

Mr. Guiles briefed the Commission on the status of SB1200. There are no alternatives to the language other than what the Commission has already seen (attached Nelson Floor Amendment). A stakeholder meeting was held yesterday to address some of the opposition to the bill. Some additional changes may be coming that address some concerns from the shooting community, but that language is not available in its proper form at this time.

Commissioner Husted encouraged the Commission to remain neutral on the bill (as voted at the March 5, 2010 Commission meeting).

Commissioner Harris stated that the Department/Commission has supporters on both sides of the issue, in support and in opposition, and should therefore remain neutral.

Commissioner Woodhouse commented that a large portion of Arizona residents are in opposition.

Chairperson Martin made the following statement for the record:

“In the discussions that have been swirling around, I have heard this bill described as providing a stronger voice for hunter’s in Commissioner selection. It’s been promoted that way, it’s been sold that way. But from my read of it, it’s not about having a voice, it’s about complete control over who the Governor even gets to see. It’s not about control by hunters, it’s control by an elite click.

I’ve heard some people say that they value diversity on the Commission, but anyone who says that and then supports this bill is not being entirely truthful. The majority of the proposed board is to be comprised of individuals designated by the Boards of Director’s of the various hunting clubs. This will lead to, and is intended to lead to, a Commission made up entirely of people with similar views, similar backgrounds, and similar intentions.

I’ve opposed this bill from the beginning because I believe it doesn’t do justice to the majority of stakeholders and the majority of Arizonans. But it took some time for me to realize how dramatic a change to the Commission system this truly represents, and how great a threat to the viability of the Commission. Today, the Commission system would be politically virtually impossible to dissolve, because our wide diversity of stakeholders all adamantly support it and will stand together against any attempt to weaken the Commission and place the Director under gubernatorial control. Our stakeholders recognize that this system provides greater opportunity for public involvement than any other system in the United States. If this bill passes and the majority of our stakeholders are disenfranchised and most Arizonans are left out, our broad support base that is always waiting in the wings to protect the Commission system if necessary, will disintegrate before our very eyes.

This bill is simply a power grab, nothing more, nothing less. It’s a narrow group distinguishing itself from others and asserting dominance over them. I don’t believe that ground can be gained against such a power grab by remaining neutral. I have seen the Commission’s neutrality used to promote this bill. I heard that yesterday, the primary proponent (i.e. Sportsmen for Wildlife), does not wish to negotiate any further and wishes to see no further changes to the bill. The last amendment made the language more restrictive, not less. I cannot overstate the significance of this bill to the Commission system as we know it. I believe this is the time for us as the Commission to take a strong stance.

The authors of Title 17 left the Commissioner qualifications broad intentionally. They crafted the Commission because they had seen what self-serving interests would do when they are able to exert control over wildlife, and I believe it’s time for us to protect the condition that they left us. If we wait, I think we could easily find we waited too long and stood by silently as it happened.”

Commissioner Husted stated that while he agreed with some of the wisdom in Chairperson Martin’s words, he did not agree that a majority of stakeholders were opposed to the bill, and rather than make enemies, the Commission should maintain a neutral stance.

Commissioner Woodhouse stated that the public’s perception of the Commission’s vote to be neutral was that the Commission doesn’t have an opinion and is standing on the sidelines, and

that was not the intent of the motion. Now the Commission needs to weigh-in one way or the other.

**Motion:** Freeman moved and Martin seconded THAT THE COMMISSION VOTE TO OPPOSE SB1200 AND HB2189 AS AMENDED.

Commissioner Freeman explained his vote for the record with the following statement:

“I want to take a moment to explain my vote into the record because I feel this bill is emblematic of the political “business as usual” about which I hear the greater citizenry of our State and this Country expressing increasingly vocal discontent.

While I am wholeheartedly supportive of the great work done by the groups supporting the bill (who represent approximately 6,000 citizens of Arizona), the *legal duty* I undertook when appointed by the Governor and confirmed by the Senate was to establish policy for the management, preservation, and harvest of wildlife and for watercraft and off-highway vehicle operations *in the public trust for the benefit of the citizens of Arizona*. I take that to mean ALL of the approximately 6,500,180 Arizona citizens, not a 6,000 member subset thereof.

As such, I would not support legislation that grants a greater voice to any special interest group over another when it comes to influencing the determination as to who should discharge the duties I just described. Such legislation unnecessarily and dangerously polarizes an already delicate political process. Under the current system, all voices that choose to be raised can be equally heard by elected officials in the executive and legislative branches. Therefore I do not see a problem that needs to be corrected by legislative action that adds a layer of bureaucracy.

To me, this legislation represents an unfortunate course of events because when the political winds change, as they tend to do, I am afraid those in support of this legislation will find themselves on the other side opposing legislation giving a greater voice to groups whose views they oppose. In the end, I believe it will be the much hailed Commission system in Arizona, the Department, Arizona citizens and the wildlife that will suffer.”

**Vote:** Aye - Martin, Woodhouse, Freeman

Nay - Husted, Harris

Passed 3 to 2

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### 3. Call to the Public

There were no requests to speak to the Commission.

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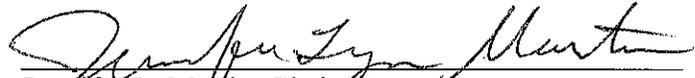
**Motion:** Freeman moved and Harris seconded THAT THE COMMISSION VOTE TO ADJOURN THIS MEETING.

**Vote:** Unanimous

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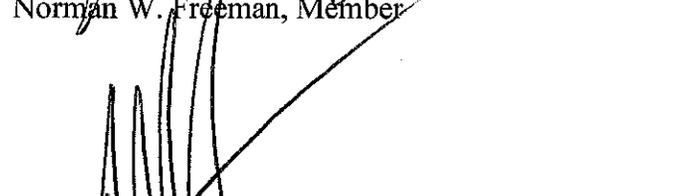
Meeting adjourned at 1:18 p.m.

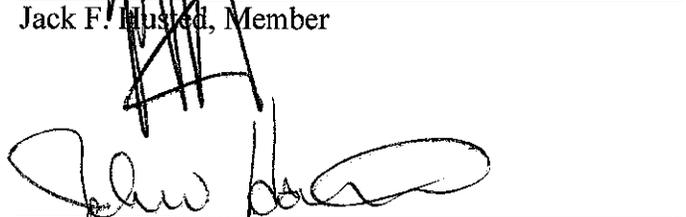
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Jennifer L. Martin, Chair

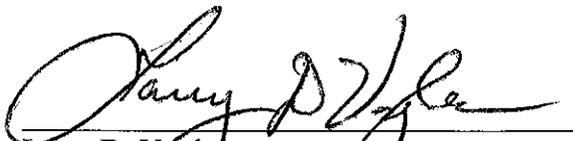
  
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Robert R. Woodhouse, Vice-Chair

  
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Norman W. Freeman, Member

  
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Jack F. Musted, Member

  
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John W. Harris, Member

ATTEST:

  
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Larry D. Voyles  
Secretary and Director

NELSON FLOOR AMENDMENT  
SENATE AMENDMENTS TO S.B. 1200  
(Reference to NRIPD amendment)

- 1 Page 1, line 10 after "MEMBER" insert "DESIGNATED BY THE BOARD OF DIRECTORS"  
2 Line 11, strike "501(c)3 OR 501(c)4" insert "501(c)(3) OR 501(c)(4)"  
3 Line 16, after "MEMBER" insert "DESIGNATED BY THE BOARD OF DIRECTORS"  
4 Line 17, strike "501(c)3 OR 501(c)4" insert "501(c)(3) OR 501(c)(4)"  
5 Line 20, strike "BIG HORN" insert "BIGHORN"; strike "PECCARY"  
6 Line 21, strike "(JAVALINA)" insert "DUCKS, QUAIL"  
7 Line 22, after "MEMBER" insert "DESIGNATED BY THE BOARD OF DIRECTORS"  
8 Line 23, strike "501(c)3 OR 501(c)4" insert "501(c)(3) OR 501(c)(4)"  
9 Page 2, line 2, after "SPORTSMAN'S" insert "CONSERVATION OR SHOOTING"  
10 Line 4, after "MEMBER" insert "DESIGNATED BY THE BOARD OF DIRECTORS"  
11 Line 5, strike "501(c)3 OR 501(c)4" insert "501(c)(3) OR 501(c)(4)"  
12 Line 8, after "PUBLIC" insert "OR ONE MEMBER OF A NONGAME ORGANIZATION THAT IS  
13 QUALIFIED PURSUANT TO SECTION 501(c)(3) OR 501(c)(4) OF THE INTERNAL REVENUE  
14 CODE"  
15 Line 12, after the second "OF" insert "THE"  
16 Line 13, after the comma insert "CONFLICT OF INTEREST,"  
17 Line 20, strike "OFFICES" insert "OFFICE"  
18 Between lines 21 and 22, insert:  
19 "D. MEMBERS OF THE BOARD ARE NOT ELIGIBLE FOR COMPENSATION FOR THEIR  
20 SERVICES OR REIMBURSEMENT OF EXPENSES."  
21 Reletter to conform  
22 Page 3, lines 7 and 16, after "CANDIDATES" strike remainder of line insert ".  
23 (c) THE GOVERNOR MUST SELECT AND APPOINT A COMMISSIONER FROM THE LIST  
24 SUBMITTED BY THE BOARD."

Senate Amendments to S.B. 1200

- 1 Page 3, line 17, strike the colon
- 2     Strike lines 18 through 21
- 3     Line 22, strike "3."
- 4 Amend title to conform

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