

## FREQUENTLY ASKED QUESTIONS REGARDING DEPARTMENT RULES AND RULEMAKINGS

---

### **Q** *What are rules?*

**A** Under A.R.S. § 41-1001, “Rule” means an agency statement of general applicability that implements, interprets, or prescribes law or policy, or describes the procedures or practice requirements of an agency.” Virtually everything in our daily lives is affected in some way by rules published in the *Arizona Administrative Code*, from the quality of air we breathe to the licensing of your dentist.

### **Q** *What is the Arizona Administrative Code?*

**A** The *Arizona Administrative Code (Code)* is the official compilation of rules that govern Arizona State agencies, boards, and commissions. The *Code* contains all rules made by the regulatory agencies of the state and filed with the Office after either certification by the Attorney General (AG) or approval by the Governor’s Regulatory Review Council (GRRC). The *Code* also contains rules exempt from the rulemaking process or exempt from certification or approval. The *Code* is published by the Secretary of State's office; the 10 volume set includes rules divided into 20 Titles and 230 Chapters.

### **Q** *What is the Arizona Administrative Register?*

**A** The *Arizona Administrative Register (Register)* is the official publication to track rulemaking activity from an idea or concept of the making of a rule (Notice of Rulemaking Docket Opening) to the proposal of the rule (Notice of Proposed Rulemaking) to the making of the final rule (Notice of Final Rulemaking) and getting it approved by the Governor’s Regulatory Review Council (GRRC) or the Attorney General’s Office (AG). In addition, the *Register* contains the full text of the Governor's Executive Orders and Proclamations of general applicability, summaries of Attorney General opinions, notices of rules terminated by an agency, and the Governor's appointments of state officials and members of the state's boards and commissions. Other documents may be included if the documents are concerned with rulemaking or if state statute requires that they be published in the *Register*. The *Register* is published weekly by the Secretary of State's office.

### **Q** *Where can I find Game and Fish Laws and Rules?*

**A** Laws governing Game and Fish are contained in A.R.S. [Title 5, Chapter 3 Boating and Watersports](#) and [Title 17 Game and Fish](#). Rules governing Game and Fish are contained in [A.A.C. Title 12, Chapter 4](#). In addition, the [AZGFD Laws and Rules Book, 2011-2012 Edition](#) and a supplement containing all of the laws and rules that have become effective since the book was printed are available to download from the Arizona Game and Fish Department’s Rulemaking Process webpage (right side of page).

## FREQUENTLY ASKED QUESTIONS REGARDING DEPARTMENT RULES AND RULEMAKINGS

---

### **Q** *Where can I find the most current rules?*

**A** Because the *Code* is updated on a quarterly basis, the most recent amendments may not always be online or in the official printed version of the *Code*. The best way to ensure that you have the most current rule language is to first check the [Department's Rules Changes](#) webpage. Amendments are published on the Department's Internet webpage in their edited form; when they are published, they will include underlined new language and stricken deleted language. By law, the Rules Section cannot provide clean copies of rule language for distribution to the public. This is explicitly the responsibility of the Secretary of State's Office. The edited amendments will remain on the Department's websites until the final rule is published in the *Code*. If the Rules Changes page does not display the rule that you are looking for, then the most current language may be accessed via the online [Code](#).

### **Q** *How is a rule made?*

**A** The Arizona Game and Fish Department's Rulemaking Page provides a generalized overview of how a rule is made. For more information, please visit the Secretary of State's Rules Introduction webpage: [http://www.azsos.gov/public\\_services/WWWIntro.htm](http://www.azsos.gov/public_services/WWWIntro.htm)

### **Q** *How can the public find out about a change in rules?*

**A** The *Register* is the official state publication that contains the rulemaking activity of the state's agencies, including proposed, final, emergency, summary, and exempt rules. The rulemaking process is lengthy and can be complicated, but the *Register* is the medium for "tracking" a rule as it makes its way through the process.

### **Q** *How can I request a rule change?*

**A** There are two methods that may be used to change a rule. The first method is to submit a comment to the Rules Section. The other method is to submit a petition for a rule change directly to the Arizona Game and Fish Commission (Commission). The Commission has three options:

- ✓ Deny the petition,
- ✓ Direct the Department to consider the petition during the next five-year review or rulemaking process, as applicable, or
- ✓ Direct the Department to pursue rulemaking.

### **Q** *Who do I contact if I have a question about a rule?*

**A** When commenting on a proposed rulemaking, please contact the individual listed in the proposed rule as the agency contact. If you have a comment about a rule that is not currently under review or being amended, contact the Rules Section by telephone at (623) 236-7390, by e-mail at [rulemaking@azgfd.gov](mailto:rulemaking@azgfd.gov), or by USPS mail:

## FREQUENTLY ASKED QUESTIONS REGARDING DEPARTMENT RULES AND RULEMAKINGS

---

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

### **Q** *When can I comment on a rule?*

**A** Comments may be submitted at any time. However, comments relating to a published Notice of Proposed Rulemaking must be submitted during the public comment period in order for them to be considered by the final rulemaking team; comments are accepted for thirty (30) calendar days after the date on which the notice is published in the *Register*.

### **Q** *Who approves rule changes?*

**A** Regular, Supplemental, and Expedited rulemakings are approved first by the Commission and then approved by the Governor's Regulatory Review Council (GRRC). Emergency rulemakings are approved by the first by the Commission and then by the Attorney General. Exempt rulemakings are approved by the Commission.

### **Q** *How does the Department communicate rule its changes to the public?*

**A** The Department notifies the public in a number of ways;

- ✓ Through publication in the *Arizona Administrative Register*,
- ✓ Through the Department's website and Wildlife News newsletter (Wildlife News is further distributed to additional news services, such as newspapers and websites).
- ✓ By mail, postcards are mailed to individuals who have asked to be notified whenever the Department is considering rulemaking.
- ✓ By e-mail, messages are sent to individuals who have asked to be notified electronically whenever the Department is considering rulemaking.

### **Q** *What is a five-year review?*

**A** Per A.R.S. § 41-1056, every agency must review its rules every five years; the review schedule is established by the Governor's Regulatory Review Council (GRRC). If a five-year review is not completed as scheduled, the rules expire and cannot be enforced. The purpose of the review is to ensure agency rules are authorized by and in compliance with statute, current, enforceable, and impose the least cost and burden on the regulated community. The Department charters a team of subject matter owners to review the applicable Article and prepare a report summarizing its findings, its supporting reasons, and any proposed course of action. The report is submitted to GRRC for their review and approval; the report in itself does not amend rules.