

Minutes of the Telephonic Meeting of the  
Arizona Game and Fish Commission  
Tuesday, January 16, 2007 – 9:00 a.m.  
Arizona Game and Fish Department  
2221 W. Greenway Road  
Phoenix, Arizona 85023.

PRESENT: (Commission)

(Director's Staff)

Via telephone:

Chairman Joe Melton  
Commissioner Michael M. Golightly  
Commissioner William H. McLean  
Commissioner Robert Hernbrode  
Commissioner Jennifer L. Martin

In person:

Director Duane L. Shroufe  
Deputy Director Steve K. Ferrell  
Assistant Attorney General Shelley Cutts

Via telephone:

Assistant Attorney General Jim Odenkirk

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Chairman Melton called the meeting to order at 9:03 a.m. Director Shroufe conducted roll call confirming Commissioners Melton, Golightly, Hernbrode and Martin were present. Commissioner McLean joined the meeting via telephone a few minutes later. Several Department staff were present including Anthony Guiles, Ben Alteneder, Mike Senn, Bob Broscheid, Bob Miles, Josh Avey and Marty Fabritz. There were no members of the public attending this meeting. This meeting followed an agenda dated January 12, 2007.

Mr. Odenkirk made a statement for the record regarding the Open Meeting Law and the public notice for this meeting. The Department served public notice for this meeting on Friday, January 12, 2007, but because of the holiday on Monday, January 15, 2007, there was a question regarding adequate notice to the Department of Administration (DOA). DOA's office closed at 5 p.m. on Friday, January 12, 2007 and did not reopen until 8 a.m. on Tuesday, January 16, 2007, so there was not likely a 24 hour notice prior to this meeting. Given those circumstances, the Commission needed to act under the emergency provision in the Open Meeting Law. Under that provision a statement needed to be made as to why this meeting was an actual emergency. The Commission needed to meet to discuss and deliberate upon legislation set for legislative hearings on Wednesday, January 17, 2007 at 9 a.m. The Commission could not reasonably meet on January 17, 2007 prior to the legislative hearings to discuss these items and it was therefore necessary to meet on January 16, 2007. Mr. Odenkirk instructed that this statement must be in the minutes and that the Department must provide notice to the public within 24 hours of this meeting explaining the reasons for this emergency meeting.

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## 1. State Legislation

**Presenter:** Anthony Guiles, Legislative Liaison

Mr. Guiles briefed the Commission on House Bill (HB) 2116, which will allow a grandparent to transfer an unused big game permit tag to a minor grandchild. This is similar to current statute in which a parent or guardian is able to transfer a tag to a child. It also requires the same provision where either a grandparent or parent must be in the field with the child at the time of the hunt.

Commissioner Hernbrode suggested changing "The adult must be within fifty yards of the child when the animal is taken" to "The adult must be within fifty yards of the child at all times when the child is actively attempting to take big game."

**Motion:** McLean moved and Hernbrode seconded THAT THE COMMISSION VOTE TO SUPPORT THIS LEGISLATION AND FURTHER DIRECT MR. GUILLES TO TAKE COMMISSIONER HERNBRODE'S SUGGESTED AMENDMENT TO THE SPONSOR OF THE LEGISLATION.

**Vote:** Unanimous

Mr. Guiles continued with HB 2117, which would allow an individual to transfer their big game tag to a permanently disabled child through a charitable organization. This bill is similar to current statute allowing the tag transfer to a terminally ill child.

**Motion:** McLean moved and Hernbrode seconded THAT THE COMMISSION VOTE TO SUPPORT HB 2117 AS WRITTEN.

**Vote:** Unanimous

Mr. Guiles briefed the Commission on the status of Off-Highway Vehicle (OHV) legislation and discussions with Representative Weiers who put forth HB 2443 as a place holder until the actual OHV legislation is developed. Meetings have taken place and another meeting is scheduled for this Friday to develop language for OHV legislation. HB 2443 will be amended or will be used as a striker.

Commissioners McLean and Martin requested to see the draft language and expressed concern about the Commission not being aware of or participating in the development of that language.

Director Shroufe stated that there was no draft language at this point and further suggested that one of the Commissioners leave Friday's regular Commission meeting to attend the scheduled OHV meeting on Friday to discuss potential OHV legislation and language.

Commissioner McLean agreed to attend the OHV meeting on Friday at 2 p.m.

Lastly, Mr. Guiles briefed the Commission on HB 2227. Last year a bill was passed regarding the unlawful feeding of wildlife and this bill allows another exception to that legislation. This exception is for patrons of a licensed restaurant and would benefit, for example, a restaurant in Tucson that has traditionally drawn customers by feeding javelina for their customers viewing pleasure.

The Commission discussed HB 2227 and postponed further discussion until the next Commission meeting. No action was taken at this time to support or oppose.

Commissioner Hernbrode suggested that Mr. Guiles try to meet with Senator Bee and find out more specifics on this legislation.

Mr. Guiles stated that he would and that he would also contact Representative McClure, who introduced this bill in the House.

In regards to HB 2443, Director Shroufe asked the Commission if they had any interest to see the place holder bill knowing that it was only a place holder and did not contain any OHV language or any other language pertinent to the Commission.

Commissioner McLean stated that he did not need to see it. The Commission was in consensus.

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## 2. Call to the Public

There were no requests from the public to speak.

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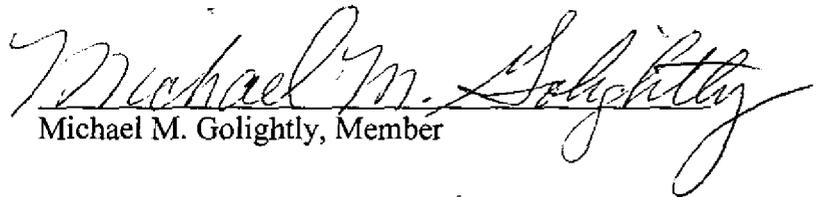
Chairman Melton adjourned the meeting.

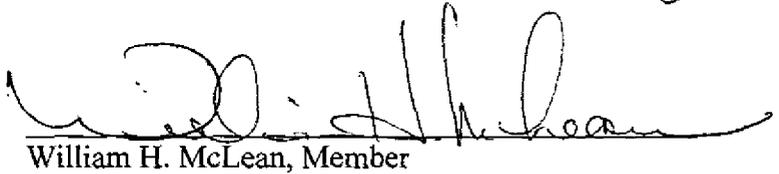
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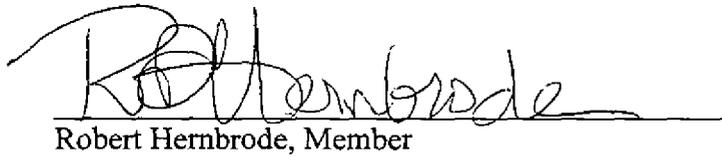
Meeting adjourned at 9:36 a.m.

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Joe Melton, Chairman

  
Michael M. Golightly, Member

  
William H. McLean, Member

  
Robert Hernbrode, Member

  
Jennifer L. Martin, Member

ATTEST:

  
Duane L. Shroufe  
Secretary and Director