



R12-4-602 PETITION PACKET

Petition For Rule or Review of Practice or Policy

Arizona Game and Fish Department, Director's Office
5000 W. Carefree Hwy, Phoenix, Arizona 85086

If you have any questions, please contact the Department's Rules and Risk Section
by telephone at (623) 236-7390 or by email at rulemaking@azgfd.gov

PETITION FOR RULE OR REVIEW OF PRACTICE OR POLICY

The requirements for requesting the Arizona Game and Fish Commission to adopt, amend, or repeal a Commission rule or review a current practice or substantive policy statement are detailed in R12-4-602 of the Arizona Administrative Code (included in this packet, see page 5).

This packet is provided by the Arizona Game and Fish Department to assist petitioners in completing petitions in accordance with 12 A.A.C. 4, Article 6.

Please check all applicable boxes and complete all applicable parts.

Failing to complete all applicable portions of this form may result in your petition being rejected and returned to you.

Only one rule, practice, or substantive policy may be addressed in a petition.

Statistical data and/or a list of other persons who are likely to be affected by the review or rulemaking action, with an explanation of the likely affects, may be attached.

If you have any questions about this form or the petition process, please contact the Department's Rules and Risk Section by telephone at (623) 236-7390 or by email at rulemaking@azgfd.gov

The original petition should be mailed or delivered to:

Arizona Game and Fish Department, Director's Office
5000 W. Carefree Hwy
Phoenix, Arizona 85086

Identification of Petitioner

Petitioner is a private person:

Name: _____
Telephone number: _____
Email: _____
Physical address: _____
Mailing address (if different): _____

Petitioner is an organization or private group:

Group or organization name: _____
Representative's name and title: _____
Representative's telephone: _____
Representative's email: _____
Physical address: _____
Mailing address (if different): _____

Petitioner is a public agency

Public agency name: _____
Representative's name and title: _____
Representative's telephone: _____
Representative's email: _____
Physical address: _____
Mailing address (if different): _____

Signature and Date

Printed name of private person or representative

Signature of private person or representative

Date

R12-4-602. Petition for Rule or Review of Practice or Policy

- A.** A person may petition the Commission under A.R.S. § 41-1033 for a:
 - 1. Rulemaking action relating to a Commission rule, including making a new rule or amending or repealing an existing rule; or
 - 2. Review of an existing Department practice or substantive policy statement alleged to constitute a rule.
- B.** To act under A.R.S. § 41-1033 and this Section, a person shall submit a petition form to the Arizona Game and Fish Department, Director’s Office, 5000 W. Carefree Highway, Phoenix, AZ 85086. The form is available at any Department office and on the Department's website.
- C.** A petitioner shall address only one rule, practice, or substantive policy in the petition.
- D.** A petitioner shall submit the petition form to the Arizona Game and Fish Department, Director’s Office, 5000 W. Carefree Highway, Phoenix, AZ 85086. The petition form is furnished by the Department and is available at any Department office and on the Department's website. A petitioner shall provide all of the following information:
 - 1. Petitioner identification:
 - a. When the petition is submitted by a private person, the person's:
 - i. Name;
 - ii. Physical and mailing address, if different from the physical address;
 - iii. Contact telephone number; and
 - iv. Email, when available;
 - b. When the petition is submitted by an organization or private group;
 - i. Name of organization or group;
 - ii. Name and title of the organization's or group's representative;
 - iii. Physical and mailing address, if different from the physical address;
 - iv. Representative's contact telephone number; and
 - v. Email, when available;
 - c. When the petition is submitted by a public agency;
 - i. Name of the public agency;
 - ii. Name and title of the agency's representative;
 - iii. Physical and mailing address if different from the physical address;
 - iv. Representative's contact telephone number; and
 - v. Email, when available;
 - 2. Type of request:
 - a. Adopt, amend, or repeal a rule, or
 - b. Review of a practice or substantive policy statement;

3. When the petition is for rulemaking action:
 - a. Statement of the rulemaking action sought, including the *Arizona Administrative Code* citation of all existing rules, and the specific language of a new rule or rule amendment; and
 - b. Reasons for the rulemaking action, including an explanation of why an existing rule is inadequate, unreasonable, unduly burdensome, or unlawful;
 4. When the petition is for a review of an existing practice or substantive policy statement:
 - a. Subject matter of the existing practice or substantive policy statement, and
 - b. Reasons why the existing practice or substantive policy statement constitutes a rule;
 5. When the petitioner is a public agency, a summary of issues raised in any public meeting or hearing regarding the petition or any written comments offered by the public.
 6. Any other information required by the Department;
 7. Petitioner's signature; and
 8. Date on which the petition was signed.
- E.** In addition to the requirements listed under subsection (D), a person may submit supporting information with a petition, including:
1. Statistical data; and
 2. A list of other persons likely to be affected by the rulemaking action or the review, with an explanation of the likely effects.
- F.** When a petitioner submits a petition that addresses the same substantive issue considered by the Commission within the previous year, the petitioner shall also provide an additional written statement that includes rationale not previously considered by the Commission in making the previous decision.
- G.** The Department shall determine whether the petition complies with this Section within fifteen business days after the date on which the petition was received.
1. If the petition complies with this Section
 - a. The Department shall place the petition on a Commission open meeting agenda.
 - b. The petitioner may present oral testimony at that open meeting under R12-4-604.
 - c. The Commission shall render a final decision on the petition as prescribed under A.R.S. § 41-1033.
 2. If a petition does not comply with this Section:
 - a. The Director shall return the petition to the petitioner, and
 - b. Indicate in writing why the petition does not comply with this Section. The petitioner shall be afforded the opportunity to resubmit a corrected petition.