

NOTICES OF PROPOSED RULEMAKING

Unless exempted by A.R.S. § 41-1005, each agency shall begin the rulemaking process by 1st submitting to the Secretary of State's Office a Notice of Rulemaking Docket Opening followed by a Notice of Proposed Rulemaking that contains the preamble and the full text of the rules. The Secretary of State's Office publishes each Notice in the next available issue of the *Register* according to the schedule of deadlines for *Register* publication. Due to time restraints, the Secretary of State's Office will no longer edit the text of proposed rules. We will continue to make numbering and labeling changes as necessary.

Under the Administrative Procedure Act (A.R.S. § 41-1001 et seq.), an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any proceedings for adoption, amendment, or repeal of any rule. A.R.S. §§ 41-1013 and 41-1022.

NOTICE OF PROPOSED RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 7. BOARD CHIROPRACTIC EXAMINERS

PREAMBLE

1. **Sections Affected**

Article 13	<u>Rulemaking Action</u>
R4-7-1301	New Article
	New Section
2. **The statutory authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**

Authorizing statute: A.R.S. § 32-904(B)(2)

Implementing statute: A.R.S. § 32-907
3. **A list of all previous notices appearing in the Register addressing the proposed rule:**

Notice of Rulemaking Docket Opening: 5 A.A.R. 504 February 12, 1999.
Notice of Proposed Rulemaking: 5 A.A.R. 524 February 19, 1999.
Notice of Termination of Rulemaking: 5 A.A.R. 1171 April 23, 1999.
Notice of Rulemaking Docket Opening: 5 A.A.R. 2060 June 25, 1999.
4. **The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**

Name:	Patrice A. Pritzl, Executive Director
Address:	Board of Chiropractic Examiners 5060 North 19th Avenue, Suite 416 Phoenix, AZ 85015-3210
Telephone:	(602) 255-1444
Fax:	(602) 255-4289
5. **An explanation of the rule, including the Agency's reasons for initiating the rule:**

The proposed rule will define the fees associated with services which are requested from the agency.
6. **A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material:**

Not applicable.
7. **A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable.

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8. The preliminary summary of the economic, small business, and consumer impact:

The economic impact is minor. The agency already provides and charges a fee for the identified services.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Patrice A. Pritzl, Executive Director

Address: Board of Chiropractic Examiners
5060 North 19th Avenue, Suite 416
Phoenix, AZ 85015-3210

Telephone: (602) 255-1444

Fax: (602) 255-4289

10. The time, place and nature of the proceedings for adoption, amendment, or repeal of the rule or, if no proceeding is scheduled when, where, or how persons may request an oral proceeding on the proposed rule:

Written comment will be accepted at the Board office, 5060 N. 19th Ave, #416, Phoenix, AZ, 85015 on a business day between the hours of 8 a.m. and 5 p.m. until 5 p.m. on August 23, 1999. An oral proceeding is not scheduled but may be requested.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable.

12. Incorporation by reference and their location in the rules:

Not applicable

13. The full text of the rules as follows:

TITLE 4. COMMERCE, PROFESSIONS AND OCCUPATIONS

CHAPTER 7. BOARD OF CHIROPRACTIC EXAMINERS

ARTICLE 13. FEES

Sections

R4-7-1301. Additional Fees

ARTICLE 13. FEES

R4-7-1301. Additional Fees

A. The Board may collect fees for services as follows:

1. \$40.00 for directories, labels or lists of licensees, applicants or other regulated parties.
2. \$40.00 for annual subscriptions for meeting minutes, agendas, or other agency documents published and provided on an ongoing basis during the calendar or fiscal year.
3. \$10 for a jurisprudence booklet
4. \$5 for a duplicate renewal receipt.
5. \$20 for a duplicate ornamental license.
6. \$20 for a duplicate ornamental certificate
7. \$2.00 for a hard copy license/credential verification per each license verification requested.

B. All fees shall be nonrefundable.

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TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 16. BOARD OF MEDICAL EXAMINERS

PREAMBLE

1. Sections Affected

R4-16-102
R4-16-106

Rulemaking Action

Amend
New Section

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11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

None.

12. Incorporations by reference and their location in the rules:

None.

13. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 16. BOARD OF MEDICAL EXAMINERS

ARTICLE 1. GENERAL PROVISIONS

Sections

R4-16-102. Rehearing or review of Board decision

R4-16-106. Step 3 of the United States medical licensing examination; Application

R4-16-107. General applicants; Application

R4-16-108. Locum tenens and pro bono applicants; Application

ARTICLE 1. GENERAL PROVISIONS

R4-16-102. Rehearing or Review of Board Decision

- A. Except as provided in Subsection (G), any party in a contested case ~~before the Board~~ who is aggrieved by a decision ~~of the Board rendered in such case~~ may file with the Board, not later than ~~15 ten~~ days after service of the decision, a written motion for rehearing or review of the decision specifying the particular grounds ~~upon which the motion is based therefor.~~ A motion for rehearing or review shall be served and filed no later than 30 days after service of the decision of the Board. For purposes of this Subsection, service is complete on personal service or 5 days after the date the decision of the Board is mailed by certified mail ~~a decision shall be deemed to have been served when personally delivered or mailed by certified mail to the party's last known address of record party at his last known residence or place of business.~~
- B. A motion for rehearing under this rule may be amended at any time before it is ruled upon by the Board. ~~Any other party may file a~~ A response may be filed within ~~15 ten~~ days after service of ~~the such~~ motion or amended motion by ~~any other party.~~ The Board may require the filing of written briefs upon the issues raised in the motion and may provide for oral argument.
- C. ~~The Board may grant a~~ A rehearing or review of ~~a the~~ decision ~~may be granted~~ for any of the following causes materially affecting the moving party's rights:
1. Irregularity in the administrative proceedings of the ~~Board, agency or the administrative law judge, its hearing officer~~ or the prevailing party, or any ~~order or~~ abuse of discretion, ~~that deprives the moving party of a fair hearing whereby the moving party was deprived of a fair hearing;~~
 2. Misconduct of the Board, ~~the administrative law judge or its hearing officer~~ or the prevailing party;
 3. Accident or surprise ~~that which~~ could not have been prevented by ordinary prudence;
 4. Newly discovered material evidence ~~that which~~ could not with reasonable diligence have been discovered and produced at the original hearing;
 5. Excessive or insufficient penalties;
 6. Error in the admission or ~~exclusion rejection~~ of evidence or other errors of law ~~that occurred~~ ~~occurring~~ at the administrative hearing;
 7. That the decision is not justified by the evidence or is contrary to law.
- D. The Board may affirm or modify the decision or grant a rehearing ~~or review~~ to all or any of the parties and on all or part of the issues for any of the reasons set forth in Subsection (C). An order granting a rehearing ~~or review~~ shall specify with particularity the ground or grounds on which the rehearing ~~or review~~ is granted, and the rehearing ~~or review~~ shall cover only those ~~matters so specified~~ matters.
- E. Not later than ~~15 ten~~ days after a decision is rendered, the Board may on its own initiative order a rehearing or review of its decision for any reason for which it might have granted a rehearing ~~or review~~ on motion of a party. After giving the parties or their counsel notice and an opportunity to be heard on the matter, the Board may grant a motion for rehearing ~~or review~~ for a reason not stated in the motion. In either case, the Board shall specify in the order the grounds for the rehearing or review ~~order granting such a rehearing shall specify the grounds therefor.~~
- F. When a motion for rehearing ~~or review~~ is based upon affidavits, they shall be served with the motion. An opposing party may within ~~15 ten~~ days after ~~such~~ service serve opposing affidavits. ~~The Board may extend the period for serving opposing affidavits for not more than 30 days which period may be extended for an additional period not exceeding twenty days~~

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by the Board for good cause shown or by written stipulation of the parties. The Board may permit reply affidavits ~~Reply affidavits may be permitted.~~

- G.** ~~If in a particular decision~~ the Board makes a specific findings that the immediate effectiveness of a particular ~~such~~ decision is necessary for the immediate preservation of the public peace, health and safety and that a rehearing or review of the decision is impracticable, unnecessary or contrary to the public interest, the decision may be issued as a final decision without an opportunity for a rehearing or review. If a decision is issued as a final decision without an opportunity for rehearing or review, any application for judicial review of the decision shall be made within the time limits permitted for applications for judicial review of the Board's final decisions.
- H.** ~~For purposes of this Section, the terms "contested case" and "party" shall be defined as provided in A.R.S. §41-1001.~~
- I.** ~~To the extent that the provisions of this Rule are in conflict with the provisions of any statute providing for rehearing of decisions of the Board, such statutory provisions shall govern.~~

R4-16-106. Step 3 of the United States Medical Licensing Examination; Application

- A.** A person who wishes to take step 3 of the United States medical licensing examination in this state shall submit a written application as provided by the Board. The Board shall process the application within the time-frames provided in R4-16-104 (Table 1). An applicant shall submit to the Board office a signed, notarized application form, the contents of which are described by A.R.S. Title 32, Chapter 13 and 4 A.A.C. 16; any supporting information required; and prescribed fees. The application shall be submitted on a form that contains the applicant's photo; the applicant's name, office address, telephone number, place and date of birth; a complete listing of the applicant's internships, residency and fellowship training, certifications, educational requirements for any of the American Board of Medical Specialties; and the exact whereabouts and nature of practice or other activities from the date of graduation from medical school to the present.
- B.** The application for step 3 of the United States medical licensing examination shall additionally contain questions that require candidates to provide satisfactory evidence demonstrating each of the following basic requirements:
1. Possesses a good moral and professional reputation.
 2. Is physically and mentally able to engage safely in the practice of medicine.
 3. Has not been found guilty of any act of unprofessional conduct, medical incompetency, or mentally or physically unable to engage safely in the practice of medicine.
 4. Has not had disciplinary action taken by any other state, territory, district or country for reasons relating to the applicant's ability to engage safely and skillfully in the practice of medicine.

R4-16-107. General applicants; Application

- A.** A general applicant who wishes to practice medicine in this state shall submit a written application as provided by the Board. The Board shall process the application within the time-frames provided in R4-16-104 (Table 1). An applicant shall submit to the Board office a signed, notarized application form, the contents of which are described by A.R.S. Title 32, Chapter 13 and 4 A.A.C. 16; any supporting information required; and prescribed fees. The application shall be submitted on a form that contains the applicant's photo; the applicant's name, office address, telephone number, place and date of birth; a complete listing of the applicant's internships, certifications, residency and fellowship training, educational requirements for any of the American Board of Medical Specialties; and the exact whereabouts and nature of practice or other activities from the date of graduation from medical school to the present.
- B.** The application for general applicants shall additionally contain questions that require candidates to provide satisfactory evidence demonstrating each of the following basic requirements:
1. Possesses a good moral and professional reputation.
 2. Is physically and mentally able to engage safely in the practice of medicine.
 3. Has not been found guilty of any act of unprofessional conduct, medical incompetency, or mentally or physically unable to engage safely in the practice of medicine.
 4. Has not had disciplinary action taken by any other state, territory, district or country for reasons relating to the applicant's ability to engage safely and skillfully in the practice of medicine.

R4-16-108. Locum Tenens and Pro Bono Applicants; Application

- A.** Applicants for locum tenens and pro bono registration to practice medicine shall submit a written application as provided by the Board. The Board shall process the application within the time-frames provided in R4-16-104 (Table 1). An applicant shall submit to the Board office a signed, notarized application form, the contents of which are described by A.R.S. Title 32, Chapter 13 and 4 A.A.C. 16; any supporting information required; and prescribed fees. The application shall be submitted on a form that contains the applicant's photo; the applicant's name, address, telephone number, place and date of birth; a complete listing of the applicant's internships, certifications, residency and fellowship training, certifications, educational requirements for any of the American Board of Medical Specialties; and the exact whereabouts and nature of practice or other activities from the date of graduation from medical school to the present.
- B.** Questions can be asked on an application for a license to obtain registration to provide locum tenens or pro bono medical services to ensure that an applicant meets each of the following basic requirements:
1. Hold a current license to practice medicine issued by another state, district, territory or possession of the United States.
 2. Graduate from an approved school of medicine or receive a medical education which the Board deems to be of equivalent quality.
 3. Successfully complete an approved 12-month hospital internship, residency or clinical fellowship program.
 4. Have the physical and mental capability to safely engage in the practice of medicine.

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5. Have a professional record which indicates that the applicant has not committed any act or engaged in any conduct which would constitute grounds for disciplinary action against a licensee under A.R.S. § 32-1401 et seq.
6. Have a professional record which indicates that the applicant has not had a license to practice medicine refused, revoked, suspended or restricted in any way by any state, territory, district or country for reasons which relate to the ability to competently and safely practice medicine.
7. Graduates from an unapproved school of medicine must successfully complete an approved 24-month hospital internship, residency or clinical fellowship program, in addition to the 12 months in #3, for a total of 36 months; and hold the standard Educational Commission on Foreign Medical Graduate (ECFMG) certificate or complete a 5th pathway program and an additional 24-month approved hospital internship, residency or clinical fellowship program, or complete 36 months as a full-time assistant professor or higher position at an approved school of medicine.

NOTICE OF PROPOSED RULEMAKING

TITLE 7. EDUCATION

CHAPTER 1. STATE BOARD OF DIRECTORS FOR COMMUNITY COLLEGES OF ARIZONA

PREAMBLE

- | | |
|------------------------------------|---------------------------------|
| 1. <u>Sections Affected</u> | <u>Rulemaking Action</u> |
| R7-1-712 | New Section |
2. **The specific authority for the rulemaking, including both the authorizing statute and the statutes the rules are implementing:**
Authorizing statute: A.R.S. 15-1424
Implementing statute: A.R.S. 15-1424
 3. **A list of all previous notices appearing in the Register addressing the proposed rule:**
Notice of Rulemaking Docket Opening
 4. **The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
Name: Thomas J. Saad
Address: 3225 North Central Ave., Suite 1220
Phoenix, AZ 85012
Telephone: (602) 255-4037
Fax: (602) 279-3464
 5. **An explanation of the rule, including the agency's reasons for initiating the rule:**
Establishes guidelines whereby a community college district may provide credit courses within the County boundaries of another community college district. Tuition and fees must be approved by the state board and state aid may be claimed for these courses. The rule is necessary to protect college districts from the intrusion of competing districts into their county or district.
 6. **A reference to any study that the agency proposes to rely on its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material:**
None.
 7. **A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**
The new section will not diminish the authority of college districts. They have been operating under similar, but less formal, provisions.
 8. **The preliminary summary of the economic, small business, and consumer impact:**
The proposed rule will not adversely impact small business or consumers.
 9. **The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:**
Name: Thomas J. Saad
Address: 3225 N. Central Ave., Suite 1220

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Phoenix, AZ 85012

Telephone: (602) 255-4037

Fax: (602) 279-3464

10. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule or, if no proceeding is scheduled, where, when and how persons may request an oral proceeding on the proposed rule:

Oral Proceedings/public hearing is scheduled as follows:

Date: September 17, 1999

Time: 1 p.m.

Location: 1700 West Washington, Room 200
Phoenix, AZ

11. Any other matters prescribed by statute that are applicable to the specific agency:

None.

12. Incorporations by reference and their location in the rules:

None.

13. Full text of the rules follows:

TITLE 7. EDUCATION

CHAPTER 1. STATE BOARD OF DIRECTORS FOR COMMUNITY COLLEGES OF ARIZONA

ARTICLE 7. INSTRUCTION, FACULTY, AND STAFF

Sections

R7-1-712. Providing Community College Credit Courses in Another Community College District

ARTICLE 7. INSTRUCTION, FACULTY, AND STAFF

R7-1-712. Providing Community College Credit Courses in Another Community College District

A. A community college district (offering district) may not provide credit courses at a location in another community college district (affected district), unless prior to the delivery of classes:

1. The offering district notifies the State Board and the district governing board of the affected district, by United States Postal Service (USPS) registered or certified letter, detailing the proposed credit courses, including locations and duration, and
2. The affected district grants permission to the offering district, by USPS registered or certified letter, with a copy to the State Board. In this case, an intergovernmental agreement is not required, or
3. The offering district and the affected districts reach an agreement acceptable to both, regarding the joint offering of such credit courses. A written agreement, or Intergovernmental agreement, if required by statute (A.R.S. § 11-952 through 11-954 Intergovernmental Agreement Provisions), shall be prepared and approved by the governing boards and submitted for State Board approval.

B. Notwithstanding paragraph A, a community college district (offering district) may contract with a third party customer that has operations in 2 or more community college districts (affected districts) for delivery of credit courses to a restricted clientele, such as employees of a firm or members of an organization, as follows:

1. The offering district notifies the State Board and the potentially affected districts by USPS registered or certified letter that the offering district intends to contract with the third party customer for delivery of credit courses. This notice shall be made at the time that the offering district is able to specify the third party customer's requirements, but before final contract negotiations begin. Such notice shall include, at a minimum, the credit courses to be offered, approximate full-time student equivalents (FTSE), and the expected duration of the program. Said information shall be held confidential by the potentially affected districts and the State Board.
2. The affected district must inform the offering district by USPS registered or certified letter within 14 days of notification of its desire to offer the courses to the restricted clientele who are residents of the affected district. With this notification, the offering district, shall subcontract with the affected districts using 1 of the following options selected by the affected districts:
 - a. Affected districts retain the enrollment for the restricted clientele who are district residents and operates the program within the district. In this case, the offering district shall pay the affected district general tuition and fees as

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detailed in the affected district's State Board approved tuition and fee schedule. The affected district shall pay the offering district a fee for administration of the contract with the third party customer.

b. Affected districts retain the enrollment for the restricted clientele who are district residents, but does not operate the program within the district. In this case, the offering district shall pay the affected district general tuition and fees as detailed in the affected district's State Board approved tuition and fee schedule. The affected district shall pay the offering district the direct operating costs of the program plus a fee for administration of the contract with the third party customer.

c. Another equitable arrangement agreeable to the offering and affected districts.

3. If the affected districts do not inform the offering district within 14 days of its desire to offer the courses to residents of the affected district, the affected districts relinquish all rights to be included in the program or offer the same credit courses to the same third party customer during the duration of the contract period. In this case, an Intergovernmental Agreement is not required.

4. A written agreement, or Intergovernmental Agreement if required by statute (A.R.S. §11-952 through 954 Intergovernmental Agreement Provisions) shall be prepared and approved by the governing boards and submitted for State Board approval.

C. For all credit courses covered by this rule:

1. The State Board shall approve tuition and fees.

2. State aid may be claimed.

3. An annual report for the previous fiscal year shall be submitted to the State Board by September 1 of each year. The annual report shall include location, credit courses offered, and enrollment.

D. Community college credit courses provided in another Arizona community college district via distance education technology to a designated site (such as distance education classroom or an audio or video conference site) are subject to the provisions of this rule.

E. Community college districts providing credit courses at a distance that can be accessed by individuals at nondesignated receive sites (such as Internet or correspondence) are not subject to the provisions of this rule but shall follow the provisions of R7-1-714.

NOTICE OF PROPOSED RULEMAKING

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

PREAMBLE

1. Sections Affected

R7-2-205

Rulemaking Action

Amend

2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute: A.R.S. § 15-203(A)

Implementing statute: A.R.S. § 15-203(A) and §15-203(B)(4)

3. A list of all previous notices appearing in the Register addressing the proposed rule:

Notice of Rulemaking Docket Opening: 5 A.A.R. 2012, June 18, 1999.

4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:

Name: Corinne L. Velasquez, Executive Director

Address: State Board of Education
1535 West Jefferson, Room 418
Phoenix, Arizona 85007

Telephone: (602) 542-5057

Fax: (602) 542-3046

5. An explanation of the rule, including the agency's reasons for initiating the rule:

This amendment was initiated to make minor technical modifications to the current rules related to the Professional Practices Advisory Committee. Included in the modifications is a correction to the requirements for the Governing Board member of the Committee (that no certificate be required) and a correction to delete the requirement that the

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Committee form an Executive Committee.

6. **A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material:**

Not applicable.

7. **A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable.

8. **The preliminary summary of the economic, small business and consumer impact:**

It is anticipated that there will be no economic, small business or consumer impact related to the amendments. These amendments are proposed as minor technical changes which related specifically to the administrative function and process of the advisory committee.

9. **The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business and consumer impact statement:**

Name: Corinne L. Velasquez, Executive Director

Address: State Board of Education
1535 West Jefferson, Room 418
Phoenix, Arizona 85007

Telephone: (602) 542-5057

Fax: (602) 542-3046

10. **The time, place and nature of the proceedings for the adoption, amendment, or repeal of the rules, if no proceeding is scheduled, when, where, and how persons may request an oral proceeding on the proposed rules:**

An oral proceeding on the proposed rulemaking is scheduled as follows:

Date: August 23, 1999

Time: 1:30 p.m.

Location: State Board of Education
1535 West Jefferson, Room 417
Phoenix, Arizona 85007

Written comments may be submitted on or before 5 p.m. on August 18, 1999, to the contact person listed above.

11. **Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**

Not applicable.

12. **Incorporations by reference and their location in the rules:**

None.

13. **The full text of the rules follows:**

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

ARTICLE 2. STATE BOARD OF EDUCATION COMMITTEES

Sections

R7-2-205. Certification Review, Suspension and Revocation

ARTICLE 2. STATE BOARD OF EDUCATION COMMITTEES

R7-2-205. Certification Review, Suspension and Revocation

- A. The Professional Practices Advisory Committee ("Committee") shall act in an advisory capacity to the State Board of Education ("Board") in regard to certification or recertification matters related to immoral conduct, unprofessional conduct, unfitness to teach, and revocation, suspension or surrender of certificates.
- B. The Committee shall consist of seven members comprised of the following:

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1. One elementary classroom teacher
 2. One secondary classroom teacher
 3. One principal
 4. One superintendent or assistant/associate superintendent
 5. Two lay members
 6. One local Governing Board member.
- C. Selection of members of the Committee, except for lay members, shall be from highly competent educators who shall meet at least the following requirements:
1. Certified to teach in Arizona (except the local Governing Board member).
 2. Currently employed in or retired from the education profession in the specific category of their appointment.
 3. If currently employed, shall have been employed in this category for the 3 years immediately preceding their appointment.
- D. Appointment to the Committee from the specific categories will be recommended to the entire Board by a three-member subcommittee appointed by the President of the Board. ~~The subcommittee shall include the Executive Officer of the Board. All members of the Committee shall be subject to final approval by the Board.~~
- E. Terms of the members
1. All regular terms shall be for 4 years except as set forth in (F) below.
 2. A member may be reappointed with Board approval.
- F. The Board may remove any member from the Committee. All vacancies shall be filled as prescribed in (C) and (D) above, and those persons appointed to fill vacancies shall serve to complete the term of the person replaced.
- G. The Committee shall:
1. Select from its members a Chairman, Vice-Chairman, and Secretary.
 2. Establish procedures for conducting business according to Robert's Rules of Order Revised. A quorum shall be a majority of members of the Committee. A quorum is necessary to conduct business. An affirmative vote of the majority of the members present is needed to take action.
 3. ~~Form an Executive Committee to consist of the Committee Chairman, Vice-Chairman, and Secretary to screen complaints to determine if the complaint states a cause of action sufficient to impose disciplinary action against the certified person.~~
 43. Hold meetings as needed to conduct hearings or other Committee business by call of the Chairman of the Committee. If the Chairman neglects or declines to call a meeting, then a majority of the Committee may call a meeting. The Board may call a meeting as required to conduct necessary business. Notice of any meeting shall be given to Committee members seven days prior to the meeting.
 54. Recommend the removal of any member who is absent from 3 consecutive meetings.
 65. Refer to the Code of Ethics of the American Association of School Administrators and the National Education Association to assist in determining whether the acts complained of constitute unprofessional conduct.
 76. Conduct its business pursuant to R7-2-1301 et seq. and hearings pursuant to R7-2-701 et seq.

NOTICE OF PROPOSED RULEMAKING

TITLE 12. NATURAL RESOURCES

CHAPTER 4. GAME AND FISH COMMISSION

PREAMBLE

<u>1. Sections Affected</u>	<u>Rulemaking Action</u>
R12-4-101	Amend
R12-4-104	Amend
R12-4-108	Amend
R12-4-109	Repeal
R12-4-202	Amend
R12-4-208	Repeal
R12-4-208	New Section
R12-4-216	Amend
R12-4-217	Amend
R12-4-412	Amend
R12-4-417	Repeal
R12-4-417	New Section

the 1998 passage of H.B. 2451 which amended A.R.S. §§ 25-320 and 25-502 to require that “Each licensing board or agency that issues professional, recreational or occupational license or certificates shall record on the application the social security number of the applicant and shall enter this information in its data base in order to aid the department of economic security in locating parents or their assets or to enforce child support orders. This subsection does not apply to a license issued pursuant to Title 17 that is not issued by an automated drawing system. If a licensing board or agency allows an applicant to use a number other than the social security number on the face of the license or certificate while the licensing board or agency keeps the social security number on file, the licensing board or agency shall advise an applicant of this fact.” Although the law does not apply to the sale of hunting and fishing licenses, it does apply to applicants for hunt permit-tags issued by the Department’s automated drawing system.

Other proposed changes to the rule will make the hunt permit-tag application form and application schedule information available on the Internet; clarify that applicants may provide permission to another to sign the application form for them (this provides customer service and is necessary for some disabled customers); remove redundant information from and clarify information in the rule to allow unsuccessful applicants for the spring buffalo hunt to re-apply for the fall buffalo hunt; and cause illegible applications to be rejected from the drawing.

R12-4-108. Management Unit Boundaries

This rule establishes Management Unit Boundaries for the principal purpose of wildlife management, particularly game species. Generally, management will be for all species or at least more than 1 particular species. Management Unit Boundaries are also established for use by the public. They are used by hunters as a familiar point of reference in planning present and future hunting expeditions, and for knowing “where they are” in the field. Management Unit Boundaries are also established when there are administrative or legal reasons for separate management. The boundaries do not change annually. Retaining permanent Management Units, whose unit numbers do not change, minimizes confusion and creates fixed points of reference that can be depended upon. Although this statute, requires the Commission to prescribe game management units “by order”, the Administrative Procedure Act supersedes much of the language in Title 17 that refers to “Commission order”. Unless the Act specifically grants an exemption from rule making requirements, the word “order” in Title 17 has to be read as “rule”. This is according to past research by legal counsel. Therefore, Management Unit Boundaries are properly prescribed by rule instead of order.

It should be noted that the Department will not renumber the Management Units as a result of the proposed rule making, since the retention of constant unit numbers minimizes confusion and creates fixed points of reference that can be depended upon by the public. In addition, the Department will retain the current format for R12-4-108. During the previous reviews of this rule, the Publications Editor of the Secretary of State's office was contacted regarding the rule's structure, since the rule does not follow the usual numbering sequence. The Editor agreed that numbering these paragraphs would be confusing to the reader, and the variation is therefore allowed just as it is allowed in some other agencies' rules for the same reason.

As a result of 5-year review of this rule and subsequent analysis, the rule was found to meet its objectives in all but the following areas:

Add New Metropolitan Unit 7M for the Flagstaff Area: This proposed rule amendment will require the creation of a new Metropolitan Unit for the Flagstaff area and the corresponding boundary modification of adjacent Management Units 5B, 6A, 6B, and 7. The amendment will also require the addition of a new definition, for the abbreviation of milepost as “mp”, under R12-4-108(A)(4). The Department will redesignate portions of the existing wildlands in Units 5B, 6A, 6B, 7 as nonwildlands and combine these to form a new Metropolitan Unit that encompasses the municipality of Flagstaff and several satellite communities.

This change is being proposed in direct response to public input received by the Arizona Game and Fish Department's Region II/Flagstaff over the past several years. The creation of a new Flagstaff Metropolitan Management Unit is needed to facilitate management of wildlife populations and recreational hunting opportunities in an area that encompasses Flagstaff and several satellite communities. The growth in human population and attendant development does not lend itself to the same management that occurs in adjacent wildlands.

In 1996 the population of Flagstaff exceeded 50,000. This increasing population coupled with yearlong recreation such as mountain biking, jogging, Nordic skiing and a significant increase in satellite neighborhoods has resulted in conflicts between citizens and hunters. On the urban interface the conflicts usually involve uninformed hunters who do not realize they are hunting near residences or in some cases within the corporate limits. Often youths are involved because they are hunting near home. The presence of big game along the urban interface also aggravates the problem. Hunting in and around the urban interface and in high use recreation areas in proximity to Flagstaff has become an issue. Over the last few years the Department has received a large number of requests for information about where the public can hike, walk, or view the fall colors without encountering hunters. After reviewing the regulations these con-

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cerns seem reasonable. Again this year as in the past, there are continuous hunts in the area around Flagstaff from August 22 to December 31. Surveys of public opinion conducted at the open houses for the Flagstaff Open Spaces and Greenway planning process indicated the public did not want hunting in proximity to their homes. Follow up questioning of the respondents suggested strongly that they did not disapprove of hunting in general, but the concern was specific to the area adjacent to Flagstaff. A separate survey conducted during a Forest Service planning effort for the Lake Mary Ecosystem confirmed that the concern about hunting is specific to areas adjacent to Flagstaff. The 2nd survey found the majority of respondents felt hunting was a positive contribution to this area just outside Flagstaff. It seems that attitudes toward hunting varied with the area the public was considering when answering the question. The follow-up questioning to the 1st survey also revealed changes in management could greatly increase acceptance of hunting around Flagstaff. Ideas included: increased and more visible enforcement; increased information about wildlife management in the area; innovative hunt design; and advertising when hunts were ongoing so that nonhunters (people who are unfamiliar with hunt structures) could avoid conflicts with hunters. The "where can I create and not encounter hunters" question and safety concerns from the public were brought to the department during the Flagstaff Open Space and Greenway process. The Flagstaff Open Spaces and Greenway Plan is recommending the Department respond to urban wildlife and safety concerns raised by the public.

The creation of Metropolitan Unit 7M for the Flagstaff area will allow for adaptive, site-specific management that includes modification of standard hunting seasons, restriction of lawful devices that have reduced effective ranges, and development of wildlife population management objectives that provide for more compatibility with urban population growth. As the Department currently conceives the Metropolitan Management Unit, the hunt structure would be limited to shotgun shooting shot and archery or muzzleloaders under normal circumstances. The Department would retain the ability to use rifle hunts, if required, with some extra coordination and education. The season dates would be specific to the adjacent management units, reducing the total number of days open for hunting in any year. Hunts might be advertised to the public in the local paper. These measures would allow the Department to meet its management goals and reduce the perceived conflict between hunters and residents.

If a new Metropolitan Management Unit is not created for Flagstaff, the land will continue to be managed as wildlands as portions of Units 5B, 6A, 6B and 7. Present and future conflicts with wildlife population management, wildlife, recreational opportunities and human population growth and development will continue or increase.

Change References to "Highway 666" to "U.S. Highway 191": The proposed rule amendment will change all "Hwy 666" references to "U.S. Hwy 191". Since the highway has been renumbered to "U.S. Highway 191", failure to correct the highway designation will create confusion. This amendment will revise current language in Units 2A, 2B, 2C, 28, 30A, 30B, and 31.

Delete Units that are Reservation Land Only: The proposed rule amendment will delete those Management Units that are references to Indian reservations, rather than true game Management Units. The Department does not manage wildlife on Indian lands, and these references should be removed, as they are misleading. As a result of this amendment, Units 11, 14, 25, 26, and 38 will be removed and adjacent Management Unit boundaries may be modified. The remaining Units will not be renumbered, since the retention of constant unit numbers minimizes confusion and creates fixed points of reference that can be depended upon by the public.

Revise Unit 22 and Unit 23 Boundaries: This proposed rule amendment will revise the boundaries between Management Units 22 and 23, to clarify that Unit 22 includes approximately 3/4 of a mile of land at the Mogollon Rim that was deforested by the 1992 Dude Fire.

This change is being proposed by the Arizona Game & Fish Department's Region VI/Mesa to clarify the unit boundaries near the Tonto Creek Hatchery at the headwaters of Tonto Creek, where the canyon forks. Unit 22 in the west fork of Tonto Creek and Unit 23 in the east fork of Tonto Creek. In 1992, the Dude Fire along the Mogollon Rim destroyed an area of heavily forested land with small wildlife populations located near the Tonto Creek Hatchery at the headwaters of Tonto Creek, where the canyon forks. As a result, elk and whitetail herds increased, as did hunter access to the previously inaccessible land. This land, approximately 3/4 of a mile in area, was believed to be in Unit 22. However, in 1996 a whitetail deer hunter with a Unit 23 Permit was given a citation for shooting a deer in Unit 22. In a resulting court case, the Judge found the unit boundaries between Units 22 and 23 confusing and found the hunter not guilty. The Judge also asked the Department officers to clarify the boundaries to alleviate such problems in the future.

Change References to "Navajo Army Depot" to "Camp Navajo": The proposed rule amendment will change all "Navajo Army Depot" references to "Camp Navajo." This will incorporate a name change, which occurred since the last review. Failure to correct the name will create confusion. This amendment will revise current language in Unit 8 and will be used in the revision of Unit 6B and the creation of Unit 7M.

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Extend Northern Boundary of Metropolitan Management Unit 42M: This proposed rule amendment will extend the northern boundary of Metropolitan Management Unit 42M to include the communities of Cave Creek, Desert Hills, New River, the City of Peoria, as well as the lands within the Lake Pleasant County Park. Since these areas are currently within the adjacent Management Units 20B and 21, the boundaries of these units will also be revised.

This change is being proposed by the Arizona Game & Fish Department's Region VI/Mesa to address the recent urban expansions and city annexations in the north valley. Tracts of land that were traditionally hunted in units 21 and 20B, now have minimal opportunities for rifled firearms hunting. The communities of Cave Creek, Desert Hills, New River, and Peoria, as well as the lands within the Lake Pleasant County Park have experienced significant growth, and as a direct result, conflicts between landowners and hunters have increased dramatically. The Lake Pleasant County Park is already closed to firearms hunting by R12-4-301. Due to the cumulative factors listed, the Region feels it is appropriate and timely to expand the unit 42M boundary northward.

The proposed boundary change will allow the Department to more consistently manage the above referenced communities under the urban program narrative. Department funds and manpower can be more closely aligned with mandated activities. If this change is not implemented, the Department's ability to address public concerns and designate a clear and concise management boundary will be more difficult.

R12-4-109. Wildlife areas

This rule prescribes criteria for lands that qualify as wildlife areas; describes the boundaries for wildlife areas; provides protective measures for wildlife and habitat, allows for special management and research practices, and enhances wildlife and habitat conservation; and prescribes how public access to wildlife areas may be restricted or closed to entry.

After additional analysis of this rule, the Department's Assistant Attorney General has rendered an informal opinion that rules associated with the use of wildlife areas are statutorily exempt from the formal rulemaking process of the Arizona Administrative Procedures Act because they qualify as "public works" under the provisions of A.R.S. § 31-252 and A.R.S. § 41-1005(A)(1). As such, Department maintained wildlife areas fall within the exemption from rulemaking for "public works" in A.R.S. § 41-1005(A)(1).

Based upon this informal opinion of the Department's Assistant Attorney General, the proposed rulemaking will repeal the R12-4-109. Wildlife area rule. Once the existing rule is repealed, the Commission will adopt exempt rules for the use of wildlife areas that will adequately protect Arizona's wildlife and wildlife habitats. As required under A.R.S. § 41-1005(A)(1), the Department will post by sign or signal the effect of the exempt rules and will file copies of the exempt rules with the Secretary of State, who will then publish the text of the exempt rules.

It is anticipated that a review of the exempt rules will occur annually in conjunction with the review of the Department's hunt guidelines. In addition, the Department will add the opportunity for public comment on the exempt wildlife area rules to the annual public meetings it already holds at several locations throughout Arizona to receive comment on the Department's hunt guidelines. Public notice and opportunity for comment will also occur prior to and during all Commission meetings at which changes to wildlife area rules will be discussed and, or formally adopted.

R12-4-202. Disabled veteran's license

This rule specifies the application procedures for a disabled veteran's license, ensures that applicants meet the requirements set in A.R.S. § 17-336(2), and prescribes the purposes for which the license is valid.

Although the rule is effective in meeting its objectives, the five-year review of this rule indicated the following amendments are needed:

As a result of discussions between the Arizona Game & Fish Department and the Department of Veterans Affairs, the Department of Veterans Affairs has agreed to issue certification statements for disabled veteran's license applicants that identify if the applicant's permanent disabilities rated as 100% disabling will require review in the future. Based upon this agreement, the Commission proposes that the rule be amended to clarify the content and extent of the disability certification that verifies a veteran's eligibility for a disabled veteran's license and to eliminate the disability recertification license reapplication requirement for those veterans whose disability will not require reevaluation.

In addition, the name "Veteran's Administration" will be changed to the current name of "Department of Veterans Affairs", subsection (D) will be deleted since licensing time-frames are now delineated in R12-4-106, the order of paragraphs 1 and 2 in subsection (A) will be reversed, and rule will be revised to make it consistent with required rulemaking language and style.

R12-4-208. Guide License

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This rule establishes qualifications, criteria, and operating requirements for hunting guide licenses, fishing guide licenses, and hunting and fishing guide licenses. There are currently 600 licensed guides in Arizona. Although the rule is effective in meeting its objectives, the 5-year review of this rule indicated the following rule amendments are needed:

Subsection (B) of the rule identifies those preexisting conditions that preclude an applicant from holding a guide license. In response to a request from the U.S. Fish and Wildlife Service, the Department included convictions of violations of 5 federal laws in the grounds for denial or revocation of a guide license. These 5 federal laws have been incorporated by reference. Recently, the Commission was advised by legal counsel that it is not necessary to incorporate by reference federal statutes and regulations that are not intended to be adopted as the Commission's own rules. Therefore, since the Commission does not intend to adopt these 5 federal laws as the Commission's own rules, the rule is being amended to refer to and list the federal laws, without reference to the most current amendment and without incorporation by reference language.

Subsection (H) of the rule is intended to preclude a hunting guide from hunting, treeing, or holding at bay an animal for a client who is not present. Such practices are unethical in that they allow an unauthorized person, the guide, to hunt for the authorized person, the licensed hunter. There are currently 495 licensed guides with hunting authority. To date, however, the rule has been difficult to enforce. In the past 6 years almost a dozen violations of subsection (H) were either abandoned or dismissed. As several county attorneys have advised the Department, the rule language is ambiguous and fails to specify the prohibited acts. In addition, the rule by referencing "licensed guides" creates a legal loophole that has made the prosecution of unlicensed guides difficult. Therefore, the rule will be revised to specify prohibited acts and to change "licensed guide" to person acting as a guide.

The rule is also rewritten in its entirety to make the rule consistent with required rulemaking language and style.

R12-4-216. Crossbow Permit

This rule prescribes a special permit for disabled hunters who cannot draw a bow and arrow, to allow them to hunt with a crossbow during archery-only seasons for deer, javelina, and turkey. Existing prohibitions against the taking of other wildlife with a crossbow are not affected by this rule. No hunter may take wildlife other than deer, javelina, and turkey with a crossbow. Since the rule became effective January 1, 1996, 172 crossbow permits have been issued. Although the rule is effective in meeting its objectives, the five-year review of this rule indicated a rule amendment is needed.

This rule requires that applicants for this permit submit a statement from a licensed physician certifying that their disability is a permanent disability equal to at least 90% impairment of function of 1 arm. The rule requires applicants be certified as meeting the criteria by a physician licensed pursuant to A.R.S. §§ 32-1421 or 32-1821. This has proven to be unclear. The intent was and is that only physicians licensed as M.D. or D.O. certify whether applicants meet the criteria. Therefore, the Commission proposes to amend the rule to specify that only M.D.'s, doctors of medicine, licensed under A.R.S. § 32-1421 *et seq.* and D.O.'s, doctors of osteopathic medicine, licensed under A.R.S. § 32-1821 *et seq.* may certify an applicant's disability status.

In addition, subsection (E) will be deleted since licensing timeframes are now delineated in R12-4-106, the reference to R12-4-608 in subsection (G) will be replaced with a reference to the statutes governing appealable actions, and the rule will be revised to make it consistent with required rulemaking language and style.

R12-4-217. Challenged Hunter Access/Mobility Permit

This rule prescribes a special permit, called CHAMP (Challenged Hunter Access/Mobility Permit), for mobility impaired hunters who could not normally get to a hunting area because of their mobility impairment and the type of rugged terrain involved in most hunting areas. Since the rule became effective January 1, 1996, 290 CHAMP permits have been issued. Although the rule is effective in meeting its objectives, the five-year review of this rule indicated the following rule amendments are needed:

This rule requires that applicants for this permit submit a statement from a licensed physician certifying that their disability is a permanent disability equal to at least 90% impairment of function of 1 leg. The rule requires applicants be certified as meeting the criteria by a physician licensed pursuant to A.R.S. §§ 32-1421 or 32-1821. This has proven to be unclear. The intent was and is that only physicians licensed as M.D. or D.O. certify whether applicants meet the criteria. Therefore, the Commission proposes to amend the rule to specify that only M.D.'s, doctors of medicine, licensed under A.R.S. § 32-1421 *et seq.* and D.O.'s, doctors of osteopathic medicine, licensed under A.R.S. § 32-1821 *et seq.* may certify an applicant's disability status.

In addition, the disability criteria as currently written excludes persons with disabilities such as severe asthma, emphysema, or serious back injury from getting a permit even though the disabilities are medically equivalent to a

90% or greater absence of function in 1 leg. Since this was not the original intent of the rule, the Commission proposes to clarify the criteria to reflect that it isn't just the loss of a leg or the absence of 90% or more function in 1 leg that makes the person eligible; it's a disability or combination of disabilities creating a minimum impairment of function *equivalent* to at least 90% loss or absence of function in 1 leg. The disability or combination of disabilities could include many types of disability. It is not the cause of the disability that should be addressed, but the result.

In addition, subsection (E) will be deleted since licensing timeframes are now delineated in R12-4-106, the reference to R12-4-608 in re-numbered subsection (G) will be replaced with a reference to the statutes governing appealable actions, and the rule will be revised to make it consistent with required rulemaking language and style.

ARTICLE 4. LIVE WILDLIFE

The Arizona Game and Fish Commission's Article 4 (rules governing live wildlife) was reviewed pursuant to A.R.S. § 41-1056 in 1998, and several changes are under development as a result of that review. However, the research conducted in conjunction with developing the economic, small business and consumer impact statements for Article 4 made it apparent that more work was needed than originally anticipated, to ensure consistent and standard interpretation and implementation of the rules as a whole. For that reason the proposed target date for changing most of the rules has been moved back, and it may well be necessary to revise more of the rules than originally scheduled to ensure consistency within Article 4. Three of the rules within Article 4, however, are being proposed for amendment now, because the changes proposed to these rules are in the immediate public interest. One of these rules, R12-4-412, was not identified as part of the 5-year review, but results from a petition by the State Veterinarian, which was accepted by the Commission on February 25, 1999.

R12-4-412. Tuberculosis Procedures for Cervidae Possessed by Special License

R12-4-412 prescribes procedures for the control and eradication of tuberculosis in Cervidae (deer, elk and their relatives) listed as restricted wildlife in R12-4-406 and possessed under special license. These procedures are necessary to supplement R12-4-409(G) and (H) which require the Department to take action when a disease, which threatens the welfare of wildlife or the public, occurs at facilities where restricted wildlife is held under special license. The rule adopts by reference the United States Department of Agriculture's methods and rules for tuberculosis eradication in Cervidae. These federal procedures are also adopted by reference in the Arizona Department of Agriculture's rule R3-2-305, which gives them jurisdiction over the control of tuberculosis in Cervidae not listed as restricted wildlife. This allows both departments to work together on the effective control and eradication of tuberculosis in all Cervidae. When the Commission adopted this rule in 1997, at the request of the Arizona Department of Agriculture and the State Veterinarian, the Commission was unable to include the federal procedures for the prevention, control, and eradication of brucellosis in Cervidae, because the United States Department of Agriculture had not yet finalized its uniform methods and rules for brucellosis.

On February 25, 1999, the Commission accepted a petition from the State Veterinarian, identifying that the federal procedures for control of brucellosis had been completed and requesting that they be adopted by the Commission. Therefore, the Commission seeks to add the federal procedures for control of brucellosis, through incorporation by reference, to R12-4-412. The Arizona Department of Agriculture has already added these procedures by reference to R3-2-503, now giving them jurisdiction over the control of brucellosis, as well as tuberculosis, in Cervidae not listed as restricted wildlife.

Incorporation of the federal procedures for brucellosis will provide guidance to Department personnel who are charged with enforcement of this rule and enforcement of R12-4-409(G) and (H). Adoption of the federal procedures will protect the Department, special license holders with Cervidae in captivity, Arizona's livestock industry, Arizona's wildlife populations, and the public by creating a standardized and medically sound process for preventing and controlling this disease.

R12-4-417. Wildlife holding permit

R12-4-417 and R12-4-422, are proposed for amendment to address "exhibit" of live wildlife. "Exhibit" is defined within R12-4-401 as "means to display captive live wildlife in public, or to allow photography of captive live wildlife, for any commercial purpose." Exhibit is a commercial activity carefully regulated to control exploitation of wildlife, particularly as it relates to wildlife taken from the wild in Arizona. However, a "petition for rule" submitted by the Arizona Film Commission pointed out some potential benefits for allowing exhibit of raptors possessed by licensed falconers. While the commercial use of many raptors is controlled by federal law, the petition led to an evaluation and determination that permission for exhibit should be offered when it is in concert with federal law and when it poses no hazard to the public or to wildlife.

Consideration was given to creating a new rule for an "exhibit permit." However, it was determined more cost-effec-

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tive to instead integrate the administrative procedures for allowing permission to “exhibit” into the existing framework for the wildlife holding license under R12-4-417. This permission addresses wildlife already possessed under the authority of R12-4-417, and wildlife possessed under the authority of R12-4-404. In conjunction with this, R12-4-422 is proposed for amendment to clarify “exhibit” for licensed falconers.

The purpose of R12-4-417 has been to allow possession of live wildlife for a purpose in the interest of wildlife management, education, the advancement of science, or promotion of the public health or welfare, without posing a threat to wildlife or public safety. Pursuant to mediation with interested parties when this rule was developed in 1988, the license may also be issued for animals no longer useful for the purpose for which they were originally held, or when the facility where they were held no longer exists. It is not the intent of the Commission to provide for the keeping of wildlife where such wildlife is kept to meet the needs of the keeper rather than the needs of the kept.

The 5-year review of this rule conducted in 1998 found that it has proven to meet its objectives. The criteria and application procedures for this permit are more exhaustive and stringent than for most special licenses because it may allow possession of any wildlife on the restricted list, even the most dangerous, the most delicate, and those which are in danger of extinction.

The following describes the substantive changes proposed for this rule. While these substantive changes are being made, the rule is also rewritten in its entirety to bring it to current rulewriting style. This includes renaming the rule from “permit” to “license” to make it consistent with the definition for “special license” in R12-4-401. The substantive changes are:

1. “Exhibit” would be allowed to anyone holding a wildlife holding license, as a secondary purpose only – meaning the wildlife holding license for the possession of restricted live wildlife (listed in R12-4-406) would not be issued for the purpose of exhibit alone. If a person meets all other criteria for the license, they could also be given authorization to exhibit the restricted live wildlife. This permission would be addressed on a case-by-case basis, dependent on the Department's evaluation of and stipulations made during the application process. The Department may also require that wildlife for which exhibit is authorized be “permanently marked” when the Department determines this is necessary for the best interest of the wildlife and the public. Examples of permanent marks may include tags, microchips, or tattoos.
2. There would be 1 new purpose for issuing a wildlife holding license. This purpose would not be to allow possession of restricted live wildlife, but to allow exhibit of wildlife possessed under R12-4-404. R12-4-404 allows wildlife to be taken alive from the wild in Arizona by the holder of a hunting or fishing license, when the governing Commission order sets a live bag limit for that species. That rule further designates the actions allowed by persons possessing such wildlife. Exhibit is not 1 of the allowed activities, and the agency does not wish to automatically grant this permission. Rather, a person wishing to exhibit 1 of these animals (generally small nongame species) would need to apply for the wildlife holding permit, and provide an affidavit to show evidence of legality for the wildlife in possession. This is necessary because while R12-4-404 requires a hunting or fishing license to take the wildlife, it does not require a hunting license for subsequent possession.
3. To allow applications for this license to be submitted to any Department office. The rule currently requires that all applications and reports be submitted to the Department's Phoenix office. An improvement to internal Department processes, which would also ensure that licensing time-frames are met, would be to amend the rule to allow applications and year-end reports to be sent to Department regional offices where the licenses are administered. This would facilitate a shorter application process time.

R12-4-422. Falconers: Licensing and Requirements

The purpose of R12-4-422 is to prescribe the requirements for a falconer's license in accordance with federal standards regulating the taking, possession, and transportation of raptors for falconry. The 1998 review of this rule resulted in the proposal to amend this rule to make it consistent with changes to Title 17 of the Arizona Revised Statutes created by SB 1128 relating to sport falconry; clarify that licensed falconers are allowed to exhibit exotic raptors for television, film and still photograph productions; and ensure consistency with federal rules governing falconry.

The proposed amendments are intended to accomplish these objectives. Following is a discussion of the individual changes to the rule:

Title of rule and license. The title and references to the license is changed to “Sport Falconry License” to be consistent with new A.R.S. § 17-333 (A) (36) (1998 legislation.)

(A)(2). “Form 186-A” is now referenced twice in the rule, and has been added to the definitions to avoid redundancy. There is also a change to clarify that the form is available from all Department offices.

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Falconry is now defined in A.R.S. § 17-101, so is the definition is deleted from this rule.

(A)(4). “Raptor” is defined in this rule and also in A.R.S. § 17-101 (B) (11):

Raptors are birds that are members of the order of falconiformes or strigiformes and include falcons, hawks, owls, eagles and other birds that the Commission may classify as raptors.

The definition in this rule lists the raptors that may be used for falconry. The changes to the definition are to make it consistent with the federal rule, which no longer excludes some birds.

(B). This new subsection clarifies licensing requirements for falconry. Federal law (50 C.F.R. Part 10.13) lists “migratory birds” requiring a federal permit. Falconers using birds listed as migratory must have a federal falconry license in addition to the state license. This has always been true, but R12-4-422 has previously not referred to the need for the federal license. Clarifications are also added regarding when this state license is not needed.

(C)(2)(c). Removes the requirement for a Class II applicant to provide a letter of recommendation from a falconers' association. This is not a federal requirement, but one historically included in the rule at the wishes of an Arizona falconers' association. Removing it from the rule reduces red tape and some administrative costs for the Department; it will not increase or decrease the number of licenses issued or have any other impact.

(D). Instead of presenting their raptor for inspection at the time of application, a falconer applicant will be required to present the raptor for inspection when the Department inspects the facility. This change simplifies the process for the applicant and the Department.

(E)(5). Applicants must provide band number of raptor if the raptor is banded. This change coincides with a later change in (K) (6) specifying that banding will be required only for Harris Hawks, Gyrfalcons, or Peregrine falcons. These are the only raptors that have to be banded according to federal law.

(F), (G), (H). Federal law limits the number of replacement birds allowed *per 12-month period*, rather than *per calendar year*. In some cases this made the State rule less restrictive than the federal. These changes would make the State rule consistent with the federal.

(K)(6). See previous discussion under (E)(5).

(L). This amendment allows use of raptors for exhibit, which are not federally listed as “migratory birds.” It also clarifies that this is allowed without any other special license (as defined in R12-4-401.) This does conform to federal law, as does the requirement for a federal permit to exhibit raptors, which are federally listed as migratory birds.

In 1997, the Arizona Film Commission (AFC) petitioned the Arizona Game and Fish Commission for an amendment to R12-4-422. The proposed amendment was to allow licensed Arizona falconers to use trained raptors in film, television, and still photography productions. The petition was denied at the September 13, 1997 open meeting of the Commission. However, the Department was instructed to analyze potential beneficial commercial uses of raptors that could be conducted under current federal regulations.

The Department conducted an extensive analysis of options that would address the AFC’s concerns. Because of federal laws and policy that are supreme to those of the state, the Commission's options are limited. All native North American raptors (as well as captive-bred hybrids of those species) are protected by the Federal Migratory Bird Treaty Act (MBTA) and may only be possessed under federal permit.

Under these narrow constraints, it appears that nonnative, exotic species (not listed in the MBTA) are the only raptors that may be trained and used for noneducational, commercial film purposes. Exotic raptors that are not MBTA-listed (Title 50 CFR Part 10) are exempt from federal permit requirements and prohibitions against commercial use. Because they are not “restricted live wildlife” listed in R12-4-406, a special license is not required to possess them. Several exotic raptor species are available from captive breeders in the U.S. and Canada; other species may be legally imported. These birds can be free-flown and pursuit-trained (without a special license or federal permit) using domesticated “prey” (e.g., pigeons, rabbits, etc.) or pen-reared game birds (use of the latter requires a Field Trial Training Permit issued under R12-4-416.)

Anyone who pursues or takes wild game with a raptor, either native or exotic, must comply with Arizona falconry license requirements. Some Arizona falconers will probably want to use exotic raptors for both commercial exhibition and sporting purposes. The rule amendment would permit licensed falconers to exhibit exotic raptors for television, film and still photography productions.

(P). This change will allow a licensee to transfer a raptor taken from the wild in Arizona to a raptor breeder licensed outside of Arizona, with authorization from the Department. This is a new permission that will not harm the resource,

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as raptors removed from the wild no longer have impact on the wild resource. Given the limited number of falconers and birds removed from the wild by falconers, this change will have minimal impact.

(Q). To transfer a listed raptor to a temporary care giver, the licensee has to complete a Form 3-186A naming the temporary caregiver as the recipient. This is to be consistent with federal law.

(T). It is only necessary to transfer the carcass of a listed raptor to the Department. This is another simplification consistent with federal law.

(U). This change allows any falconer to recapture any escaped raptor at any time.

R12-4-608. Appeal from Department Action

As an agency previously exempt from the comprehensive uniform procedures for appealable agency actions of the Administrative Procedures Act, the Department set forth in R12-4-608 its own appeal procedures for Department actions. Subsection (A) of this rule prescribes procedures to appeal denials of licenses or permits, and subsection (B) prescribes procedures to appeal decisions on the establishment or removal of controlled-use markers.

In 1998, the Department's exemption from appealable agency actions was removed from A.R.S. § 41-1092.02. The Department is now required to comply with the uniform administrative appeals procedures for all-appealable agency actions and contested cases. Since the comprehensive uniform procedures within the Administrative Procedures Act are sufficient to establish Department appeal procedures for all appealable agency actions and contested cases, it is not necessary for the Department to establish supplementary or duplicative procedures in rule. Department actions identified in subsection (A) of the rule are appealable agency actions and contested cases as defined in the Administrative Procedures Act. Department actions in subsection (B) are not appealable agency actions and contested cases as defined in the Administrative Procedures Act. Therefore, subsection (A) of the rule will be repealed. In addition, subsection (B) will be revised to conform to the language of R12-4-522(C), which establishes the right to appeal the Department's denial of a request for the establishment, change, or removal of controlled-use markers.

6. **A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material:**
Not applicable.
7. **A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**
Not applicable.
8. **The preliminary summary of the economic, small business, and consumer impact:**

R12-4-101. Definitions

The proposed rulemaking will result in no added cost to the Department or any other persons

R12-4-104. Application Procedures for Issuance of Hunt Permit-tags by Drawing

This proposal will have no direct economic impact. A small number of the 200,000 hunters who annually apply for hunt permit-tags by drawing may be rejected from the drawing by the Department for failure to provide the required social security number or for violations of child support court orders, as reported to the Department by the Department of Economic Security. However, applicants have the opportunity to benefit from the new Internet access to the application form and from the clarification that an applicant may give permission to another to sign for the applicant. The rulemaking may also indirectly benefit an undetermined number of children to whom child support payments are owed, by making vital information available to child support enforcement authorities. This proposal will result in no added cost to the Department.

R12-4-108. Management Unit Boundaries

There are no new costs to the Department or to any person resulting from this proposed rulemaking. The addition of a new Metropolitan Management Unit 7M for the Flagstaff area, the extension of the northern boundary of existing metropolitan Management Unit 42M will directly affect hunters, residents, landowners, and nonhunting recreationists in the metropolitan Flagstaff area, Cave Creek, Desert Hills, New River, Peoria, and Lake Pleasant County Park. The reduction in firearm hunts and the better management of conflicting land uses will benefit hunters who use primitive methods of take (such as archery gear), residents, landowners, and nonhunting recreationists by reducing conflicts between outdoor recreationists and landowners. However, hunters unable to hunt with firearms in these areas may incur travel costs if they chose to hunt in other areas. It may also result in some local residents purchasing posted signs for property.

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Approximately 20 big game hunters who annually hunt in Management Units 22 and 23 will benefit from the clarification of hunt area boundaries, the elimination of confusion regarding the validity of hunt tags in the 2 units, and the increased probability of legal hunts.

The proposed rule making will also benefit the public by updating the names of location references and deleting Indian reservation lands from the list of Management Units, since the Department does not manage wildlife on Indian lands.

R12-4-109. Wildlife areas

The repeal of this rule will result in no new costs to the Department or any other persons. However, the subsequent adoption of exempt wildlife area rules that adequately protect wildlife and habitat and that correct deficiencies in the existing rule will benefit the public and the Department.

R12-4-202. Disabled veteran's license

The proposed rulemaking will result in no added cost to the Department or any other persons, and will benefit disabled veterans applying for hunting and fishing licenses by eliminating the disability re-certification license reapplication requirement for those veterans whose disability will not require reevaluation

R12-4-208. Guide License

The proposed rulemaking will result in no added cost to the Department or any other persons. The rulemaking will benefit applicants by making the overall language of the rule easier to understand. The rulemaking will also benefit licensed guides and their clients by clarifying what a guide may legally do while aiding or assisting a client in the taking of wildlife.

R12-4-216. Crossbow Permit

The proposed rulemaking will result in no added cost to the Department or any other persons. Crossbow permit applicants will benefit from the clarification regarding disability certification requirements. However, applicants who use doctors other than Arizona licensed M.D.'s and D.O.'s may incur indirect costs associated with medical visits required to obtain acceptable disability certification.

R12-4-217. Challenged Hunter Access/Mobility Permit

The proposed rulemaking will result in no added cost to the Department or any other persons. Applicants for the Challenged Hunter Access/Mobility Permit ("Champ") will benefit from the clarification regarding disability certification requirements. In addition, the proposed rule amendment will benefit persons with disabilities medically equivalent to at least a 90% absence of function in 1 leg, by allowing them access to the special permit. However, permit applicants who use doctors other than Arizona licensed M.D.'s and D.O.'s may incur indirect costs associated with medical visits required to obtain acceptable disability certification.

R12-4-412. Tuberculosis Procedures for Cervidae Possessed by Special License

The proposed rulemaking will result in no added cost to the Department, persons holding Cervidae (deer, elk and their relatives) listed in R12-4-406 under special license, or any other persons. However, the disease prevention and control measures provided by the proposed rulemaking will benefit Arizona's game farms, livestock industry, and wildlife populations.

R12-4-417. Wildlife holding permit

Granting permission to "exhibit" will have beneficial affect on individuals and perhaps on the general economy, but it is not possible at this time to estimate whether this impact will be more than minor. Other improvements to customer service and Department processes are beneficial but probably minor as they affect only the less than 200 persons statewide to whom wildlife holding permits are annually issued.

R12-4-422. Falconers: Licensing and Requirements

Granting permission to "exhibit" will have beneficial affect on individuals and perhaps on the general economy, but it is not possible at this time to estimate whether this impact will be more than minor. The approximately 75 currently licensed falconers in the state will also benefit from the simplification of procedures, consistency with federal laws, improvements to customer service and Department processes.

R12-4-608. Appeal from Department Action

The proposed rulemaking will result in no costs or benefits to the Department or any other persons. Any impact to the

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Department or the public that it serves is caused by the 1998 statutory changes to the Administrative Procedures Act, rather than the rulemaking.

The agency is also soliciting input on the accuracy of this summary. Please provide your input to the agency contact person named in Part 4, above.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

R12-4-101. Definitions

Name: Susan L. Alandar, Rules Manager

Address: Game and Fish Department
2221 West Greenway Road
Phoenix, AZ 85023-4399

Telephone: (602) 789-3289

Fax: (602) 789-3677

R12-4-104. Application Procedures for Issuance of Hunt Permit-tags by Drawing

Name: Linda G. Melker, Systems and Programming Manager

Address: Game and Fish Department, Region II
2221 West Greenway Road
Phoenix, AZ 85023-4399

Telephone: (520) 789-3339

Fax: (520) 789-3920

R12-4-108. Management Unit Boundaries (New Metropolitan Unit 7M for the Flagstaff Area)

Name: Tom Britt, Regional Supervisor

Address: Game and Fish Department, Region II
3500 South Lake Mary Road
Flagstaff, AZ 86001-9342

Telephone: (602) 774-5045

Fax: (602) 779-1825

R12-4-108. Management Unit Boundaries (Metropolitan Management Unit 42M)

Name: Pat Crouch, Field Supervisor

Address: Game and Fish Department, WMGB
7200 East University Drive
Mesa, AZ 85207

Telephone: (602) 981-9400

Fax: (602) 255-3941

R12-4-108. Management Unit Boundaries (Management Units 22 and 23)

Name: Ray Kohls, Law Enforcement Program Manager

Address: Game and Fish Department, Region IV
7200 East University Drive
Mesa, AZ 85207

Telephone: (602) 981-9400, Ext. 211

Fax: (602) 255-3941

R12-4-108. Management Unit Boundaries (References to “Navajo Army Depot” to “Camp Navajo”); References to “Highway 666” to “U.S. Highway 191”; and Reservation Land Management Units)

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Name: Susan L. Alandar, Rules Manager

Address: Game and Fish Department
2221 West Greenway Road
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Telephone: (602) 789-3289

Fax: (602) 789-3677

R12-4-109. Wildlife areas

Name: Mike Senn, Field Operations Assistant Director

Address: Game and Fish Department
2221 West Greenway Road
Phoenix, AZ 85023-4399

Telephone: (602) 789-3293

R12-4-202. Disabled veteran's license

Name: Barbara Parrish, Customer Service Supervisor

Address: Game and Fish Department IEIN
2221 West Greenway Road
Phoenix, AZ 85023-4399

Telephone: (602) 789-3924

R12-4-208. Guide License

Name: Leonard L. Ordway, Law Enforcement Branch Chief

Address: Arizona Game and Fish Department FOLE
2221 West Greenway Road
Phoenix, AZ 85023-4399

Telephone: (602) 789-3307

R12-4-216. Crossbow Permit

Name: Barbara Parrish, Customer Service Manager

Address: Arizona Game and Fish Department IEIN
2221 West Greenway Road
Phoenix, AZ 85023-4399

Telephone: (602) 789-3210

Fax: (602) 789-3924

R12-4-217. Challenged Hunter Access/Mobility Permit

Name: Barbara Parrish, Customer Service Manager

Address: Arizona Game and Fish Department IEIN
2221 West Greenway Road
Phoenix, AZ 85023-4399

Telephone: (602) 789-3210

Fax: (602) 789-3924

R12-4-412. Tuberculosis Procedures for Cervidae Possessed by Special License

Name: James C. deVos, Jr., Chief of Research

Address: Arizona Game and Fish Department WMRS
2221 W. Greenway Road
Phoenix, Arizona 85023

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Telephone: (602) 789-3247
e-mail: jdevos@gf.state.az.us

R12-4-417. Wildlife holding permit

Name: Leonard L. Ordway
Address: Law Enforcement Branch Chief
Arizona Game and Fish Department FOLE
2221 West Greenway Road
Phoenix AZ 85023
Telephone: (602) 789-3307

R12-4-422. Falconers: Licensing and Requirements

Name: Bruce Taubert
Assistant Director, Wildlife Management Division
Address: Arizona Game and Fish Department WMHQ
2221 West Greenway Road
Phoenix AZ 85023
Telephone: (602) 789-3301

R12-4-608. Appeal from Department Action

Name: Susan L. Alandar, Rules Manager
Address: Arizona Game and Fish Department DORR
2221 West Greenway Road
Phoenix, AZ 85023-4399
Telephone: (602) 789-3289
Fax: (602) 789-3677

10. The time, place, and nature of the proceedings for the making, amendment, or repeal of the rule; or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

Written comments will be accepted until Monday, September 6, 1999 at 5 p.m. and should be submitted to:

Contact: Susan L. Alandar, Rules Manager
Address: Arizona Game and Fish Department DORR
2221 West Greenway Road
Phoenix, AZ 85023-4399
Fax: (602) 789-3677

The Game and Fish Commission will hold a public hearing and may take action to amend the rule on:

Date: Friday, October 22, 1999
Time: 9:30 a.m.
Location: Fraternal Order of Police Lodge
12851 North 19th Avenue
Phoenix, Arizona

The Arizona Game and Fish Commission follows Title II of the Americans with Disabilities Act. The Commission does not discriminate against persons with disabilities who wish to make oral or written comments on proposed rule-making or otherwise participate in the public comment process. Individuals with disabilities who need a reasonable accommodation (including auxiliary aids or services) to participate in the public comment process, or who require this information in an alternate form, may contact Susan L. Alandar at (602)789-3289 (Voice); 1-800-367-8939 (TDD); 2221 W. Greenway Road, Phoenix, Arizona 85023-4399. Requests should be made as soon as possible so that the Arizona Game and Fish Department will have sufficient time to respond.

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11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable.

12. Incorporations by reference and their location in the rules:

R12-4-412. Tuberculosis Procedures for Cervidae Possessed by Special License:

The United States Department of Agriculture publication “*Brucellosis in Cervidae: Uniform Methods and Rules*,” U.S.D.A., A.P.H.I.S. 91-45-12, effective September 30, 1998, is incorporated by reference in R12-4-412(B). It does not include any later amendments or editions of incorporated matter, and is on file with the Secretary of State. In addition, a copy may be ordered from the U.S.D.A., A.P.H.I.S. Veterinary Services, Cattle Diseases and Surveillance Staff, P. O. Box 96464, Washington, D.C. 20090-6464.

R12-4-422. Falconers: Licensing and Requirements:

The U.S. Fish and Wildlife Service Migratory Bird Acquisition and Disposition Report, Form 3-186A, dated June 30, 1991, not including any later revisions, is incorporated by reference in R12-4-422(A)(2). A copy of the incorporated form is on file with the Secretary of State and available from the U.S. Fish and Wildlife Service Regional Law Enforcement Office, Albuquerque, New Mexico, 87103 and all Arizona Game and Fish Department Regional Offices.

13. The full text of the rules follows:

TITLE 12. NATURAL RESOURCES

CHAPTER 4. GAME AND FISH COMMISSION

ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS

Sections

- R12-4-101. Definitions
- R12-4-104. Application Procedures for Issuance of Hunt Permit-tags by Drawing
- R12-4-108. Management Unit Boundaries
- ~~R12-4-109. Wildlife areas~~

ARTICLE 2. MISCELLANEOUS LICENSES AND PERMITS

Sections

- R12-4-202. Disabled Veteran's License ~~veteran's license~~
- ~~R12-4-208. Guide License~~
- R12-4-208. Guide License
- R12-4-216. Crossbow Permit
- R12-4-217. Challenged Hunter Access/Mobility Permit

ARTICLE 4. LIVE WILDLIFE

Sections

- R12-4-412. Tuberculosis and Brucellosis Procedures for Cervidae Possessed by Special License
- ~~R12-4-417. Wildlife holding permit~~
- R12-4-417. Wildlife Holding License
- ~~R12-4-422. Sport Falconry License Falconers: Licensing and Requirements~~

ARTICLE 6. RULES OF PRACTICE BEFORE THE COMMISSION

Sections

- R12-4-608. Appeal from Department Action on Controlled-Use Markers

ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS

R12-4-101. Definitions

A. In addition to the definitions provided in A.R.S. § 17-101, R12-4-401, and R12-4-501, the following definitions apply to this Chapter, unless the context otherwise requires:

1. “Artificial lures and flies” means man-made devices intended as visual attractants for fish and shall not include living or dead organisms or edible parts thereof, natural or prepared food stuffs, artificial salmon eggs, artificial corn, or artificial marshmallows.

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2. "Commission order" means a document adopted by the Commission which may do any or all of the following: Open, close or alter seasons and open areas for taking wildlife; specify wildlife which may or may not be taken; set bag or possession limits for wildlife; or set the number of permits available for limited hunts.
 3. "Crayfish net" means a net not to exceed 24 inches on a side or in diameter that is retrieved by means of a hand-held line.
 4. ~~"Falconry" means the sport of taking quarry by means of a trained raptor.~~
 45. "Hunt area" means a game management unit, portion of unit, or group of units opened to hunting by a particular hunt number.
 56. "Hunt number" means the number assigned by Commission order to any hunt area where a limited number of hunt permits is available.
 67. "Hunt permits" means the number of hunt permit-tags made available to the public as a result of a Commission order.
 78. "Hunt permit-tag" means a tag for a hunt for which the Commission has assigned a hunt number.
 89. "Identification number" means a number assigned to each applicant or licensee by the Department, as described in R12-4-111.
 940. "License dealer" means a business authorized to sell hunting, fishing and other licenses pursuant to R12-4-105.
 1041. "Live baitfish" means any species of live freshwater fish designated by Commission Order as lawful for use in taking aquatic wildlife pursuant to R12-4-313.
 1142. "Management unit" means an area established by the Commission for management purposes.
 1243. "Minnow trap" means a trap with dimensions not to exceed 12 inches in depth, 12 inches in width and 24 inches in length.
 1344. "Muzzle-loading handgun" means a firearm intended to be fired from the hand, incapable of firing fixed ammunition, having a single barrel and single chamber, and loaded through the muzzle with black powder or synthetic black powder and a single projectile.
 1445. "Muzzle-loading rifle" means a weapon intended to be fired from the shoulder, incapable of firing fixed ammunition, having a single barrel and single chamber, and loaded through the muzzle with black powder or synthetic black powder and a single projectile.
 1546. "Nonpermit-tag" means a tag for a hunt for which the Commission has not assigned a hunt number.
 1647. "Simultaneous fishing" means the taking of fish by 2 lines and not to exceed 2 hooks or 2 artificial lures or flies per line.
 1748. "Sink box" means a low floating device, having a depression affording the hunter a means of concealment beneath the surface of the water.
 1849. "Tag" means the authorization that an individual is required to obtain from Department under A.R.S. Title 17 and these rules before taking certain wildlife.
 1920. "Waterdog" means the larval or metamorphosing stage of salamanders.
 2021. "Wildlife area" means an area established pursuant to R12-4-109.
- B.** No change.
1. No change.
 2. No change.
 3. No change.
 4. No change.
 5. No change.
- C.** This rule is effective January 1, ~~2000~~ 1996.

R12-4-104. Application Procedures for Issuance of Hunt Permit-tags by Drawing

- A.** For the purposes of this Section, "group" means all applications contained in a single envelope that is provided as part of the Hunt Permit-tag Application Form 624. No more than 4 individuals may apply as a group except that no more than 2 individuals may apply as a group for bighorn sheep. Nonresidents, see R12-4-114(D).
- B.** ~~Each applicant, including each member of a group, applying Applications for a hunt permit-tag permit-tags shall make application on a be made on Form 624,~~ Hunt Permit-tag Application Form, available at Department offices, the Department's Internet web site, and license dealers and received at times and locations established by the hunt permit-tag application schedule which is published annually by the Department and available at Department offices, the Department's Internet web site, and license dealers.
- C.** Each applicant, including each member of a group, shall sign the Hunt Permit-tag Application application Form ~~or provide permission to another person to sign for them, 624~~ and provide the following information: name, address, residency status, and date of birth. In addition:
 1. Each applicant, including each member of a group, shall include the applicant's social security number, as required under A.R.S. § § 25-320(K) and 25-502(E), and the applicant's identification number, if different from the social security number on the Hunt Permit-tag Application Form.

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2. Each applicant, ~~including each member of a group, licensed to take wildlife in this state~~ shall include the number of ~~the applicant's class his or her Class F or G hunting license for the year in which the hunt will take place, the number of the applicant's his or her complimentary pioneer license, or the number of the applicant's disabled veteran's license on the Hunt Permit-tag Application Form, or:~~
 - a. ~~Each applicant, including each member of a group, Applicants~~ not licensed for the year in which the hunt will take place shall ~~complete the License Application portion of the Hunt Permit-tag Application Form, obtain a Form 390, License Application, from a Department office or license dealer and shall submit the completed Form 390;~~ providing the applicant's name, identification number, address, class of license for which application is made, residency status, length of Arizona residency (if applicable), date of birth, sex, weight, height, and color of hair and eyes, ~~to the Department in the same envelope with the Form 624.~~
 - b. ~~Each An~~ unlicensed juvenile applying for a hunt other than big game and not required to have a license shall indicate "juvenile" in the space provided for the license number ~~on the Hunt Permit-tag Application Form.~~
 3. Each applicant, ~~including each member of a group,~~ shall enclose ~~as part of the hunt permit-tag application fees as set in R12-4-102 for the following:~~
 - a. The fee for the appropriate hunt permit-tag;
 - b. A permit application fee;
 - c. If a license is requested, fee for the license.
 4. Each payment enclosed ~~as part of the with a~~ hunt permit-tag application shall be made payable to the Arizona Game and Fish Department by certified check, cashier's check, money order, or personal check or draft. Cash shall not be accepted.
 5. ~~Each applicant shall check the appropriate resident or nonresident box and sign his or her own application.~~
 56. Each applicant, ~~including each member of a group,~~ shall apply for a specific hunt by the current hunt number. If all hunts selected by the applicant are filled at the time the application is ~~processed in the Drawing received,~~ the Department shall deem the application unsuccessful.
 67. ~~Each An~~ applicant, ~~including each member of a group,~~ shall make all hunt choices within 1 application for the same genus.
 78. ~~Applications~~ for different genera of wildlife shall not be included in the same envelope.
 89. All members of a group shall apply for the same hunt numbers and in the same order of preference. The Department shall not issue a hunt permit-tag to any group member unless sufficient hunt permit-tags are available for all group members. If the Department rejects any member of a group for any reason, the Department shall reject all other members of the group.
 940. ~~Each An~~ applicant, ~~including each member of a group,~~ shall submit only 1 valid application per genus of wildlife for any calendar year, except:
 - a. When the bag limit is 1 per calendar year, an unsuccessful applicant may re-apply for remaining hunt permit-tags in unfilled hunt areas, as specified in the hunt permit-tag application schedule published annually by the Department.
 - b. Turkey ~~and buffalo~~ hunters with a hunt permit-tag for the spring ~~turkey~~ season who are unsuccessful in the spring ~~turkey~~ season may apply for a hunt permit-tag for the fall ~~turkey~~ season.
 - c. When the bag limit is more than 1 per calendar year, any person may apply as specified in the hunt permit-tag application schedule published annually by the Department for remaining hunt permit-tags in unfilled hunt areas.
 1041. It is unlawful for any person to apply for a bighorn sheep or buffalo hunt permit tag when that person has taken the bag limit for that species.
 1142. To participate in the bonus point system, applicants shall comply with R12-4-107.
- D.** Any ~~Hunt Permit-tag Application Form application~~ not prepared or submitted in accordance with this rule, ~~or not prepared in a legible manner,~~ is not valid and shall be rejected and all fees refunded. ~~If the Department rejects any application from any member of a group, the Department shall reject all applications from the group.~~
- E.** Any hunt permit-tag issued for an application that is subsequently found not to be in accordance with this rule is invalid.
- F.** Hunt permit-tags shall be mailed to successful applicants. Overpayments and hunt permit-tag and license fees received with unsuccessful applications shall be returned to applicant "A", as shown on ~~the Hunt Permit-tag Application Form 624. Permit application Applicant~~ fees received with valid applications shall not be refunded.
- G.** If the Director determines that Department error resulted in the rejection of an application for a hunt permit-tag, the Director may authorize additional hunt permit-tags in order to correct the error, provided the issuance of additional permits will have no significant impact on the wildlife population to be hunted. Any applicant who is denied a hunt permit-tag under this procedure may appeal to the Commission as provided in R12-4-608.
- H.** This rule is effective January 1, ~~2000~~ 1996.

R12-4-108. Management Unit Boundaries

- A.** No change.
1. No change.

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2. No change.
3. No change.
4. "mp" means "Mile Post."

B. No change.

C. No change.

Unit 1 --No change.

Unit 2A -- Beginning at St. Johns on U.S. Hwy 191 Hwy 666 (AZ Hwy 61); north on U.S. Hwy 191 Hwy 666 (AZ Hwy 61) to the Navajo Indian Reservation boundary; westerly along the reservation boundary to AZ Hwy 77; south on AZ Hwy 77 to Exit 292 on I-40; west on the westbound lane of I-40 to Exit 286; south on AZ Hwy 77 to U.S. Hwy 180; southeast on U.S. Hwy 180 to AZ Hwy 180A; south on AZ Hwy 180A to AZ Hwy 61; east on AZ Hwy 61 to U.S. Hwy 180 (AZ Hwy 61); east to U.S. Hwy 191 Hwy 666 at St. Johns.

Unit 2B -- Beginning at Springerville; east on U.S. Hwy 60 to the New Mexico state line; north along the state line to the Navajo Indian Reservation boundary; westerly along the reservation boundary to U.S. Hwy 191 Hwy 666 (AZ Hwy 61); south on U.S. Hwy 191 Hwy 666 (U.S. Hwy 180, AZ Hwy 81) to Springerville.

Unit 2C -- Beginning at St. Johns on U.S. Hwy 191 Hwy 666 (AZ Hwy 61); west on U.S. Hwy 180 (AZ Hwy 61) to Concho; southwest on AZ Hwy 61 to U.S. Hwy 60; east on U.S. Hwy 60 to U.S. Hwy 191 Hwy 666 (U.S. Hwy 180, AZ Hwy 81); north on U.S. Hwy 191 Hwy 666 (U.S. Hwy 180, AZ Hwy 81) to St. Johns.

Unit 3A -- No change.

Unit 3B -- No change.

Unit 3C -- No change.

Unit 4A -- No change.

Unit 4B -- No change.

Unit 5A -- No change.

Unit 5B -- Beginning at ~~the junction of U.S. Hwy 89A and Lake Mary-Clint's Well road (FH3) and the south rim of Walnut Canyon (mp 337.5 on FH3);~~ southeasterly on FH3 to AZ Hwy 87; northeasterly on AZ Hwy 87 to FR 69; westerly and northerly on FR 69 to I-40 (Exit 233); west on I-40 to ~~the bottom of Walnut Canyon (mp 210.2 on I-40);~~ southwesterly along Walnut Canyon to Walnut Canyon National Monument; southwesterly along the northern boundary of the Walnut Canyon National Monument to the south rim of Walnut Canyon; southwesterly along the south rim of Walnut Canyon to FH3. U.S. Hwy 89A; south on 89A to FH3.

Unit 6A -- Beginning at the junction of U.S. Hwy 89A and ~~FR 237; Lake Mary-Clint's Well road (FH3);~~ southwesterly on U.S. Hwy 89A to the Verde River; southeasterly along the Verde River to Childs; easterly on the Childs-Strawberry road to the Tonto-Coconino National Forest boundary; easterly along this boundary to AZ Hwy 87; northeasterly on AZ Hwy 87 to Lake Mary-Clint's Well road (FH3); northwesterly on FH3 to ~~FR 132; southwesterly on FR 132 to FR 296; southwesterly on FR 296 to FR 296A; southwesterly on FR 296A to FR 132; northwesterly on FR 132 to FR 235; westerly on FR 235 to FR 235A; westerly on FR 235A to FR 235; southerly on FR 235 to FR 235K; northwesterly on FR 235K to FR 700; northerly on FR 700 to Mountaineer Road; west on Mountaineer Road to FR 237; westerly on FR 237 to U.S.Hwy 89A. U.S. 89A-~~

Unit 6B -- Beginning at mp 188.5 on I-40 at a point just north of the east boundary of Camp Navajo; south along the eastern boundary of Camp Navajo to the southeastern corner of Camp Navajo; southeast approximately 1/3 mile through the forest to the forest road in section 33; southeast on that forest road to FR 231 (Woody Mountain Road); easterly on FR 231 to FR 533; southerly on FR 533 to U.S. Hwy 89A; southerly on U.S. Hwy 89A to the Verde River; northerly along the Verde River to Sycamore Creek; northeasterly along Sycamore Creek and Volunteer Canyon to the southwest corner of the Camp Navajo boundary; northerly along the western boundary of Camp Navajo to the northwest corner of Camp Navajo; continuing north to I-40 (mp 180.0); easterly along I-40 to mp 188.5. Beginning at U.S. 89A at I-40 (in Flagstaff); westerly on I-40 to a point directly north of the west boundary of the Navajo Army Depot; south along this boundary to Volunteer Canyon; southwest along Volunteer Canyon and Sycamore Creek to the Verde River; southerly along the Verde to U.S Hwy 89A; northerly on AZ Hwy 89A to I-40.

Unit 7 -- Beginning at the junction of AZ Hwy 64 and I-40 (in Williams); easterly on I-40 to FR 171 (mp 187.4 on I-40); northerly on FR 171 to the Transwestern Gas Pipeline; easterly along the Transwestern Gas Pipeline to FR 420 (Schultz Pass Road); northeasterly on FR 420 to U.S. Hwy 89; north on U.S. Hwy 89 to FR 545; east on FR 545 to the Sunset Crater National Monument; easterly along the southern boundary of the Sunset Crater National Monument to FR 545; east on FR 545 to the 345 KV transmission lines 1&2; southeasterly along the power lines to I-40 (mp 212 on I-40); east on I-40 to the southwest corner of the Navajo Indian Reservation boundary; northerly and westerly along the reservation boundary to the Four Corners Gas Line; southwesterly along the Four Corners Gas Line to U.S. Hwy 180; west on U.S. Hwy 180 to AZ Hwy 64; south on AZ Hwy 64 to I-40.

Unit 7M--Beginning at the junction of Lake Mary-Clint's Well road (FH3) and Walnut Canyon (mp 337.5 on FH3); northeasterly along the south rim of Walnut Canyon to the Walnut Canyon National Monument boundary; northeasterly along the northern boundary of the Walnut Canyon National Monument to Walnut Canyon; northeasterly along the bottom of Walnut Canyon to I-40 (mp 210.2); east on I-40 to the 345 KV transmission lines 1&2 (mp 212 on I-40);

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north and northeasterly along the power line to FR 545 (Sunset Crater Road); west along FR 545 to the Sunset Crater National Monument boundary; westerly along the southern boundary of the Sunset Crater National Monument to FR 545; west on FR 545 to U.S. Hwy 89; south on U.S. Hwy 89 to FR 420 (Schultz Pass Road); southwest on FR 420 to the Transwestern Gas Pipeline; westerly along the Transwestern Gas Pipeline to FR 171; south on FR 171 to I-40 (mp 184.4 on I-40); east on I-40 to a point just north of the eastern boundary of Camp Navajo (mp 188.5 on I-40); south along the eastern boundary of Camp Navajo to the southeast corner of Camp Navajo; southeast approximately 1/3 mile to forest road in section 33; southeasterly along that forest road to FR 231 (Woody Mountain Road); easterly on FR 231 to FR 533; southerly on FR 533 to U.S. Hwy 89A; southerly on U.S. Hwy 89A to FR 237; northeasterly on FR 237 to Mountainaire Road; easterly on Mountainaire Road to FR 700; southerly on FR 700 to FR 235K; south-easterly on FR 235K to FR 235; northerly on FR 235 to FR 235A; easterly on FR 235A to FR 235; easterly on FR 235 to FR 132; southeasterly on FR 132 to FR 296A; northeasterly on FR 296A to FR 296; northeasterly on FR 296 to FR 132; northeasterly on FR 132 to FH3; southeasterly on FH3 to the south rim of Walnut Canyon (mp 337.5 on FH3).

Unit 8 -- Beginning at the junction of I-40 and U.S. Hwy 89 (in Ash Fork, Exit 146); south on U.S. Hwy 89 to the Verde River; easterly along the Verde River to Sycamore Creek; northerly along Sycamore Creek to Volunteer Canyon; northeasterly along Volunteer Canyon to the west boundary of Camp Navajo ~~the Navajo Army Depot~~; north along the boundary to a point directly north of I-40; west on I-40 to U.S. Hwy 89.

Unit 9 -- No change.

Unit 10 -- No change.

~~Unit 11 -- All of the Navajo and Hopi Indian Reservations.~~

Unit 12A -- No change.

Unit 12B -- No change.

Unit 13A -- No change.

Unit 13B -- No change.

~~Unit 14 -- All of the Hualapai Indian Reservation.~~

Unit 15A -- No change.

Unit 15B -- No change.

Unit 15C -- No change.

Unit 15D -- No change.

Unit 16A -- No change.

Unit 16B -- No change.

Unit 17A -- No change.

Unit 17B -- No change.

Unit 18A -- No change.

Unit 18B -- No change.

Unit 19A -- No change.

Unit 19B -- No change.

Unit 20A -- No change.

Unit 20B -- Beginning at the Hassayampa River and U.S. Hwy 93 (in Wickenburg); northeasterly along the Hassayampa River to the Kirkland Junction-Wagoner- Crown King-Cordes road (at Walnut Grove); southerly and northeasterly along this road to I-17 (Exit 259); south on the southbound lane of I-17 to the Table Mesa Road (Exit 236); west on the Table Mesa Road to the Castle Hot Springs Road to State Highway 74; west on AZ Hwy 74 to the Junction of AZ Hwy 74 and U.S. Hwy 93; Carefree Hwy (Exit 223); west on the Carefree Hwy to the Lake Pleasant road; southerly on the Lake Pleasant road to the Central Arizona Project (CAP) Canal; westerly on the CAP Canal to the Beardsley Canal; southerly along Beardsley Canal to U.S. Hwy 93; northwesterly on U.S. Hwy 93 to the Hassayampa River.

Unit 20C -- No change.

Unit 21 -- Beginning on I-17 at the Verde River; southerly on the southbound lane of I-17 to the Table Mesa Road (Exit 236); east on the Table Mesa Road Carefree Hwy (Exit 223); east on the Carefree Hwy to Cave Creek Road; north-easterly on Cave Creek Road to the Tonto National Forest boundary; southeasterly along this boundary to the Verde River; north along the Verde River to I-17.

Unit 22 -- Beginning at the junction of the Salt and Verde Rivers; north along the Verde River to Childs; easterly on the Childs-Strawberry road to the Tonto-Coconino National Forest boundary along the Mogollan Rim; easterly along this boundary to the Tonto-Sitgreaves National Forest boundary; easterly along this boundary to Tonto Creek; southerly along the east fork of Tonto Creek to the spring box, north of the Tonto Creek Hatchery, and continuing southerly along Tonto Creek to the Salt River; westerly along the Salt River to the Verde River.

Unit 23 -- Beginning at the confluence of Tonto Creek and the Salt River; northerly along Tonto Creek to the spring box, north of the Tonto Creek Hatchery, on Tonto Creek; northeasterly along the east fork of Tonto Creek to the Tonto-Sitgreaves National Forest boundary along the Mogollan Rim; east along this boundary to the Fort Apache Indian Reservation boundary; southerly along the reservation boundary to the Salt River; westerly along the Salt River to Tonto Creek.

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Unit 24A -- No change.

Unit 24B -- No change.

~~Unit 25 -- All of the Fort Apache Indian Reservation.~~

~~Unit 26 -- All of the San Carlos Indian Reservation.~~

Unit 27 -- No change.

Unit 28 -- Beginning at I-10 and the New Mexico state line; north along the state line to AZ Hwy 78; southwest on AZ Hwy 78 to U.S. Hwy 191 ~~Hwy 666~~; northwest on U.S. Hwy 191 ~~Hwy 666~~ to Clifton; westerly on the Clifton-Morenci-San Carlos road to Eagle Creek; northerly along Eagle Creek to the San Carlos Indian Reservation boundary; southerly and west along the reservation boundary to U.S. Hwy 70; southeast on U.S. Hwy 70 to U.S. Hwy 191 ~~Hwy 666~~; south on U.S. Hwy 191 ~~Hwy 666~~ to I-10 Exit 352; easterly on I-10 to the New Mexico state line.

Unit 29 -- No change.

Unit 30A -- Beginning at the junction of the New Mexico state line and U.S. Hwy 80; south along the state line to the U.S.-Mexico border; west along the border to U.S. Hwy 191 ~~Hwy 666~~; northerly on U.S. Hwy 191 ~~Hwy 666~~ to I-10 Exit 331; northeasterly on I-10 to the Bowie-Apache Pass road; southerly on the Bowie-Apache Pass road to AZ Hwy 186; southeasterly on AZ Hwy 186 to AZ Hwy 181; south on AZ Hwy 181 to the Rucker-Turkey Creek cutoff road; southerly on the cutoff road to Rucker Canyon road; easterly on this road to the Tex Canyon road; southerly on this road to U.S. Hwy 80; northeast on U.S. Hwy 80 to the New Mexico state line.

Unit 30B -- Beginning at U.S. Hwy 191 ~~Hwy 666~~ and the U.S.-Mexico border; west along the border to the San Pedro River; north along the San Pedro River to I-10 Exit 331; northeasterly on I-10 to U.S. Hwy 191 ~~Hwy 666~~; southerly on U.S. Hwy 191 ~~Hwy 666~~ to the U.S.-Mexico border.

Unit 31 -- Beginning at Willcox Exit 340 on I-10; north on the Willcox-Bonita-Klondyke road to the junction with Aravaipa Creek; west along Aravaipa Creek to AZ Hwy 77; northerly along AZ Hwy 77 to the Gila River; northeast along the Gila River to the San Carlos Indian Reservation boundary; south then east and north along the reservation boundary to U.S. Hwy 70; southeast on U.S. Hwy 70 to U.S. Hwy 191 ~~Hwy 666~~; south on U.S. Hwy 191 ~~Hwy 666~~ to the 352 exit on I-10; southwest on I-10 to Exit 340.

Unit 32 -- No change.

Unit 33 -- No change.

Unit 34A -- No change.

Unit 34B -- No change.

Unit 35A -- No change.

Unit 35B -- No change.

Unit 36A -- No change.

Unit 36B -- No change.

Unit 36C -- No change.

Unit 37A -- No change.

Unit 37B -- No change.

Unit 37M -- No change.

~~Unit 38 -- All of the Tohono O'odham (Papago) Indian Reservation.~~

Unit 39 -- No change.

Unit 39M -- No change.

Unit 40A -- No change.

Unit 40B -- No change.

Unit 41 -- No change.

Unit 42 -- No change.

Unit 42M -- Beginning at the junction of I-17 and the Table Mesa Road (Exit 236); west on the Table Mesa Road to the Castle Hot Springs Road Junction; south on the Castle Hot Springs Road to AZ Hwy 74; west on AZ Hwy 74 to the junction with U.S. Hwy 93; southeasterly on U.S. Hwy 93 Carefree Hwy (Exit 223); west on the Carefree Hwy to the Lake Pleasant Road; southerly on the Lake Pleasant Road to the Central Arizona Project (CAP) Canal; westerly on the CAP Canal to the Beardsley Canal; southwest along the Beardsley Canal to Indian School road; west on Indian School road to Jackrabbit Trail; south on Jackrabbit Trail to I-10 (Exit 121); west on I-10 to Oglesby Road (Exit 112); south on Oglesby road to AZ Hwy 85; south on AZ Hwy 85 to the Gila River; east along the Gila River to the Salt River; east along the Salt River to I-10; easterly on I-10 to U.S. Hwy 60; east on U.S. Hwy 60 to the Usery Pass road (Ellsworth Road); north on the Usery Pass road to Bush Hwy; easterly on Bush Hwy to the Salt River at the Blue Point Bridge; westerly along the Salt River to the Verde River; northerly along the Verde River to the Tonto National Forest boundary; northwesterly along this boundary to the Table Mesa Road; westerly on the Table Mesa Road to I-17 (Exit 236); Cave Creek Road; southwesterly on Cave Creek Road to the Carefree Hwy; west on the Carefree Hwy to I-17 (Exit 223).

Unit 43A -- No change.

Unit 43B -- No change.

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- Unit 44A -- No change.
- Unit 44B -- No change.
- Unit 45A -- No change.
- Unit 45B -- No change.
- Unit 45C -- No change.
- Unit 46A -- No change.
- Unit 46B -- No change.

D. This rule is effective January 1, ~~2000~~ 1996.

R12-4-109. Wildlife areas Repealed

A. ~~Wildlife areas shall be established to:~~

- ~~1. Provide protective measures for wildlife, habitat, or both; and~~
- ~~2. Allow for special management or research practices; and~~
- ~~3. Enhance wildlife and habitat conservation.~~

B. ~~Wildlife areas shall be:~~

- ~~1. Lands owned or leased by the Commission and managed by the Department, or~~
- ~~2. Federally owned lands of unique wildlife habitat where cooperative agreements provide wildlife management and research implementation.~~

C. ~~Wildlife area designation shall not be given to any private lands, or lands in which private parcels are located, solely for the purpose of protecting private property. Wildlife area designation on private property, or where private property is involved, shall be considered by the Commission only when the Commission and the owners arrive at a mutual agreement that shall not confine or restrict the Department in fulfilling management or research objectives, nor close the area to hunting, trapping, or fishing.~~

D. ~~Land qualified for wildlife areas shall be:~~

- ~~1. Lands with unique topographic or vegetative characteristics that contribute to wildlife;~~
- ~~2. Lands where certain wildlife species are confined because of habitat demands;~~
- ~~3. Lands that can be physically managed and modified to attract wildlife, or~~
- ~~4. Lands that are identified as critical habitat for certain wildlife species during critical periods of their life cycles.~~

E. ~~The Department may restrict public access to and public use of wildlife areas and the resources of wildlife areas for up to 90 days when necessary to protect property, ensure public safety, or to ensure maximum benefits to wildlife. Closures or restrictions exceeding 90 days shall require Commission approval.~~

F. ~~Closures of all or any part of a wildlife area to public entry, and any restriction to public use of a wildlife area, shall be clearly posted at each entrance to the wildlife area. No person shall conduct an activity restricted by such posting.~~

G. ~~When a wildlife area is posted against travel except on existing roads, no person shall drive a motor-operated vehicle over the countryside except by road.~~

H. ~~Wildlife areas are described as follows:~~

- ~~1. Alamo Wildlife Area. The Alamo Wildlife Area shall be:~~

~~T10N, R12W;~~

~~Section 6, Lots 4, 5, 12, 13, and 14.~~

~~T10N, R13W;~~

~~Section 1, Lots 1, 2, 3, and 4, S 1/2 N 1/2, SW 1/4, and N 1/2 SE 1/4;~~

~~Sections 2 and 3;~~

~~Section 4, E 1/2 SW 1/4, and SE 1/4;~~

~~Section 9, NE 1/4, and E 1/2 NW 1/4;~~

~~Section 10, N 1/2;~~

~~Section 11, N 1/2;~~

~~Section 12, NW 1/4.~~

~~T11N, R12W~~

~~Section 4, Lots 2, 3, and 4, SW 1/4 NE 1/4, S 1/2 NW 1/4, SW 1/4, and W 1/2 SE 1/4;~~

~~Section 5, Lot 1, SE 1/4 NE 1/4, and E 1/2 SE 1/4;~~

~~Section 7, Lots 3 and 4, SE 1/4 NE 1/4, E 1/2 SW 1/4, and SE 1/4;~~

~~Section 8, NE 1/4, S 1/2 NW 1/4, and S 1/2;~~

~~Section 9;~~

~~Section 10, S 1/2 NW 1/4, and S 1/2;~~

~~Section 11, S 1/2 S 1/2;~~

~~Section 12, S 1/2 S 1/2;~~

~~Section 13, N 1/2, and N 1/2 S 1/2;~~

~~Section 14, N 1/2, N 1/2 S 1/2, and SE 1/4 SE 1/4;~~

~~Section 15, N 1/2, SW 1/4, N 1/2 SE 1/4, and SW 1/4 SE 1/4;~~

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Sections 16, 17, 18, and 19;
Section 20, N 1/2, and SW 1/4;
Section 21, W 1/2 NE 1/4, and NW 1/4;
Section 23, E 1/2 NE 1/4;
Section 29, NW 1/4, and S 1/2;
Sections 30 and 31;
Section 32, W 1/2, and W 1/2 E 1/2.

T11N, R13W

Section 12, SE 1/4 SW 1/4, SW 1/4 SE 1/4, and E 1/2 SE 1/4;
Section 13;
Section 14, S 1/2 NE 1/4, SE 1/4 SW 1/4, and SE 1/4;
Section 22, S 1/2;
Section 23, E 1/2, E 1/2 NW 1/4, SW 1/4 NW 1/4, and SW 1/4;
Sections 24, 25, and 26;
Section 27, E 1/2, and E 1/2 W 1/2;
Section 34, E 1/2, E 1/2 NW 1/4, and SW 1/4;
Section 35;
Section 36.

T12N, R12W

Section 17, W 1/2 SW 1/4;
Section 18, Lots 2, 3, and 4, SW 1/4 NE 1/4; SE 1/4 NW 1/4, E 1/2 SW 1/4, and SE 1/4;
Section 19, Lot 1, NE 1/4 NW 1/4, E 1/2, and SE 1/4 SW 1/4;
Section 20, NW 1/4 NW 1/4, and SW 1/4 SW 1/4;
Section 28, SW 1/4 SW 1/4;
Section 29, W 1/2 NW 1/4, and S 1/2;
Section 30, E 1/2, E 1/2 NW 1/4, and NE 1/4 SW 1/4;
Section 31, NE 1/4 NE 1/4;
Section 32, N 1/2, N 1/2 SE 1/4, and SE 1/4 SE 1/4;
Section 33, W 1/2 E 1/2, and W 1/2.

T12N, R13W

Section 12, S 1/2 SW 1/4;
Section 13, NE 1/4, N 1/2 NW 1/4, SE 1/4 NW 1/4, and N 1/2 SE 1/4, all in G&SRB&M, Mohave and La Paz Counties, Arizona.

2. ~~Allen Severson Memorial Wildlife Area: The Allen Severson Memorial Wildlife Area shall be that area including Pintail Lake and South Marsh lying within the fenced and posted portions of the SE 1/4 Section 32; and the S 1/2 SW 1/4 Section 33; T11N, R22E and the N 1/2 NW 1/4 Section 4, T10N, R22E and the posted portion of the SW 1/4 NW 1/4, and the NW 1/4 SW 1/4 Section 4, T10N, R22E, all in G&SRB&M, Navajo County, Arizona, consisting of approximately 300 acres.~~
3. ~~Aravaipa Canyon Wildlife Area: The Aravaipa Canyon Wildlife Area shall be that area within the boundaries of the Aravaipa Canyon Primitive Area administered by the Bureau of Land Management, Graham and Pinal Counties, Arizona, consisting of approximately 4,044 acres.~~
4. ~~Arlington Wildlife Area: The Arlington Wildlife Area shall be those portions of Section 9, 16 and 21 lying west on a line 100 feet west of the main channel of the Gila River (Ca. 1960), except the NW 1/4, Section 9 and the W 1/2 SW 1/4, Section 21, all in T2S, R5W, G&SRB&M, Maricopa, Arizona, consisting of approximately 1,320 acres.~~
5. ~~Base and Meridian Wildlife Area: The Base and Meridian Wildlife Area shall be the area within the following described legal subdivisions: Township 1 North, Range 1 East, Section 31, Lots 3, 5, 6, 7, & 8, NE 1/4 SW 1/4; T1N, R1W, Section 36, S 1/2 N 1/2 SE 1/4; all in G&SRB&M, Maricopa County, Arizona, consisting of approximately 773 acres.~~
6. ~~Becker Lake Wildlife Area: The Becker Lake Wildlife Area shall be that area including Becker Lake lying within the fenced and posted portions of the SE 1/4 SW 1/4 Section 19, SW 1/4 SW 1/4 Section 20, W 1/2 NW 1/4, and NW 1/4 SW 1/4 Section 29, the E 1/2 NE 1/4 and NE 1/4 SE 1/4 Section 30, T9N, R29E, G&SRB&M, Apache County, Arizona, consisting of approximately 325 acres.~~
7. ~~Bog Hole Wildlife Area: Bog Hole Wildlife Area lying in Sections 29, 32 and 33, T22S, R17E shall be the fenced and posted area described as follows: Beginning at the southeast corner of Section 32, Township 22 South, Range 17 East, G&SRB&M, Santa Cruz County, Arizona; thence N21°42'20"W, 1394.86 feet to the true point of beginning; thence N9°15'26"W, 1014.82 feet; thence N14°30'58"W, 1088.82 feet; thence N36°12'57"W, 20.93 feet; thence N50°16'38"W, 1341.30 feet; thence N57°51'08"W, 1320.68 feet; thence N39°03'53"E, 1044.90 feet; thence N39°07'43"E, 1232.32 feet; thence S36°38'48"E, 1322.93 feet; thence S43°03'17"E, 1312.11 feet; thence~~

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S38°19'38"E, 1315.69 feet; thence S13°11'59"W, 2083.31 feet; thence S69°42'45"E, 920.49 feet to the true point of beginning-

8. Chevelon Creek Wildlife Area: The Chevelon Creek Wildlife Area shall be that area lying in the NE 1/4 Section 26, and E 1/2 of Section 23, all in T18N, R17E, G&SRB&M, Navajo County, Arizona, consisting of approximately 668 acres.
9. Clarece May and C.M.H. May Memorial Wildlife Area: Clarece May and C.M.H. May Memorial Wildlife Area shall be the SE 1/4 of Section 8 and N 1/2 of the NE 1/4 of Section 17, Township 17 South, Range 31 East, and the W 1/2 SE 1/4, S 1/2 NW 1/4, SW 1/4 of Section 9, T17S, R31E, G&SRB&M, Cochise County, Arizona, consisting of approximately 560 acres.
10. Cluff Ranch Wildlife Area: The Cluff Ranch Wildlife Area is that area within the fenced and posted portions of Sections 13, 14, 23, 24, and 26, T7S, R24E, G&SRB&M, Graham County, Arizona; consisting of approximately 788 acres.
11. Lamar Haines Memorial Wildlife Area: The Lamar Haines Memorial Wildlife Area is that area lying within the NW 1/4 Section 12, T22N, R6E, G&SRB&M, Coconino County, Arizona; consisting of approximately 160 acres.
12. House Rock Wildlife Area: House Rock Wildlife Area is described as follows: Beginning at the common one-quarter corner of Sections 17 and 20, T36N, R4E; thence east along the south section lines of Sections 17, 16, 15, 14, 13 T36N, R4E, and Section 18, T36N, R5E, to the intersection with the top of the southerly escarpment of Bedrock Canyon; thence meandering southeasterly along the top of said escarpment to the top of the northerly escarpment of Fence Canyon; thence meandering along the top of said north escarpment to its intersection with the top of the southerly escarpment of Fence Canyon; thence meandering northeasterly along the top of said southerly escarpment to its intersection with the top of the escarpment of the Colorado River; thence meandering southerly along top of said Colorado River escarpment to its intersection with Boundary Ridge in Section 29, T34N, R5E; thence meandering westerly along Boundary Ridge to its intersection with the top of the escarpment at the head of Saddle Canyon; thence northerly along the top of the westerly escarpment to its intersection with a line beginning approximately at the intersection of the Cockscomb and the east fork of South Canyon extending southeast to a point approximately midway between Buck Farm Canyon and Saddle Canyon; thence northwest to the bottom of the east fork of South Canyon in the SW 1/4 SW 1/4 of Section 16, T34N, R4E; thence meandering northerly along the west side of the Cockscomb to the bottom of North Canyon in the SE 1/4 of Section 12, T35N, R3E; thence meandering northeasterly along the bottom of North Canyon to a point where the slope of the land becomes nearly flat; thence northerly along the westerly edge of House Rock Valley to the point of beginning; all in G&SRB&M, Coconino County, Arizona.
13. Jacques Marsh: Jacques Marsh Wildlife Area is that area within the fenced and posted portions of the SE 1/4 SW 1/4, NE 1/4 SW 1/4, NE 1/4 SW 1/4 SW 1/4, NW 1/4 SW 1/4, N 1/2 NW 1/4 SE 1/4, SE 1/4 SW 1/4 NE 1/4, S 1/2 SE 1/4 NW 1/4, SE 1/4 SE 1/4 NW 1/4, Section 11; and N 1/2 NE 1/4 NW 1/4 Section 14; T9N, R22E, G&SRB&M, Navajo County, Arizona.
14. Luna Lake Wildlife Area: The Luna Lake Wildlife Area shall be the fenced, buoyed, and posted area lying north of U.S. Highway 180 in the N 1/2 Section 17, T5N, R31E, G&SRB&M, Apache County, Arizona.
15. Mittry Lake Wildlife Area: The Mittry Lake Wildlife Area shall be that area lying within the following described legal subdivisions:
T6S, R21W
 Section 31: All of Lots 1, 2, 3, 4, E 1/2 W 1/2, and that portion of E 1/2 lying westerly of Gila Gravity Main Canal Right-of-Way.
T7S, R21W
 Section 5: that portion of SW 1/4 SW 1/4 lying westerly of Gila Gravity Main Canal Right-of-Way;
 Section 6: all of Lots 2, 3, 4, 5, 6, 7 and that portion of Lot 1, S 1/2 NE 1/4, SE 1/4 lying westerly of Gila Gravity Main Canal R/W;
 Section 7: all of Lots 1, 2, 3, 4, E 1/2 W 1/2, S 1/2 E 1/2, and that portion of E 1/2 E 1/2 lying westerly of Gila Gravity Main Canal R/W;
 Section 8: that portion of W 1/2 W 1/2 lying westerly of Gila Gravity Main Canal R/W;
 Section 18: all of Lots 1, 2, 3, E 1/2 NW 1/4, and that portion of Lot 4, NE 1/4, E 1/2 SW 1/4, NW 1/4 SE 1/4 lying westerly of Gila Gravity Main Canal R/W.
T6S, R22W
 Section 36: all of Lots 1, 2.
T7S, R22W
 Section 1: all of Lot 1;
 Section 12: all of Lots 1, 2, SE 1/4 SE 1/4;
 Section 13: all of Lots 1, 2, 3, 4, 5, 6, 7, 8, NE 1/4, N 1/2 SE 1/4, and that portion of S 1/2 SE 1/4 lying northerly of Gila Gravity Main Canal R/W, all in G&SRB&M, Yuma County, Arizona.

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16. **Painted Rock Wildlife Area:** The Painted Rock Wildlife Area shall be that area within the following described legal subdivisions:
S 1/2, SW 1/4 Section 26; S 1/2 S 1/2 NW 1/4, NW 1/4 NW 1/4 Section 27; all of Sections 28 and 29; E 1/2, S 1/2 NW 1/4, E 1/2 SW 1/4, NW 1/4, SW 1/4 Section 30; S 1/2 SE 1/4, NE 1/4 SE 1/4, N 1/2 SW 1/4, SE 1/4 SW 1/4, SW 1/4 NW 1/4 Section 31; NE 1/4 NW 1/4 Section 35; all T4S R6W and NE 1/4, NE 1/4 SE 1/4, NE 1/4 NW 1/4 Section 33; all of Section 34; S 1/2, S 1/2 NE 1/4, S 1/2 NW 1/4 Section 35; all of Section 36; all T4S, R7W and N 1/2 N 1/2 Section 1, T5S, R7W, and N 1/2 N 1/2, SE 1/4 NE 1/4 Section 6, T5S, R6W; all in G&SRB&M, Maricopa County, Arizona.
17. **Powers Butte (Mumme Farm) Wildlife Area:** The Powers Butte Wildlife Area (otherwise known as Mumme Farm) is that area described in the following parcels. Parcel No. 1: S 1/2 NE 1/4, SE 1/4, E 1/2 SW 1/4 Section 34; T1S, R5W. Parcel No. 2: Lots 1 and 2 of Section 3; T2S, R5W. Parcel No. 3: NW 1/4 NE 1/4, E 1/2 NW 1/4, NW 1/4 NW 1/4 Section 10; T2S, R5W. Parcel No. 4: SE 1/4 SW 1/4 Section 15; T2S, R5W. Parcel No. 5: E 1/2 NW 1/4, NW 1/4 NW 1/4 Section 22; T2S, R5W. Parcel No. 6: SE 1/4 SE 1/4 Section 27; NE 1/4 NE 1/4 Section 34; T1S, R5W. Parcel No. 7: S 1/2 NE 1/4, W 1/2 SE 1/4 Section 3; T2S, R5W. Parcel No. 8: Lot 3, SE 1/4 NW 1/4, E 1/2 SW 1/4 Section 3; T2S, R5W, all in G&SRB&M, Maricopa County, Arizona.
18. **Raymond Ranch Wildlife Area:** Raymond Ranch Wildlife Area is described as follows: All of Sections 24, 25, 26, 34, 36, and the portions of Sections 27, 28, and 33 lying east of the following described line: Beginning at the west one-quarter corner of Section 33; thence northeasterly through the one-quarter corner common to Sections 28 and 33, one-quarter corner common to Sections 27 and 28 to the north one-quarter corner of Section 27 all in T19N, R11E. All of Sections 16, 17, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34 all in T19N, R12E, all in G&SRB&M, Coconino County, Arizona.
19. **Robbins Butte Wildlife Area:** The Robbins Butte Wildlife Area shall be that area lying within the fenced portion of the S 1/2 SE 1/4 Section 21 and that portion of the SW 1/4 Section 21 lying 100 feet south of the main channel of the Gila River (Ca. 1960), the S 1/2 S 1/2, NE 1/4 SE 1/4 Section 22; the S 1/2, S 1/2 NE 1/4 Section 23; those portions of the SW 1/4, NW 1/4 W 1/2 SW 1/4 Section 24 and the NW 1/4 NW 1/4 Section 25 lying west of U.S. Hwy 85; the N 1/2 NE 1/4, SW 1/4 NE 1/4, NW 1/4 Section 26; the N 1/2 Section 27; the NE 1/4 Section 28, and that area in the NW 1/4 Section 28 lying north and east of a road extending in a northwest direction from the center of Section 28 to the west boundary of Section 28, all in T1S, R4W, G&SRB&M, Maricopa County, Arizona; consisting of approximately 1,681 acres.
20. **Roosevelt Lake Wildlife Area:** The Roosevelt Lake Wildlife Area shall be that area lying within the following described boundary: Beginning at the junction of A Cross Road and AZ Hwy 188; south on AZ Hwy 188 to junction of AZ Hwy 88; east on AZ Hwy 88 to Carson's Landing; northeast across Roosevelt Lake to the south tip of Bass Point; directly north to the Long Gulch Road; northeast on this road to the A Cross Road; northwest on the A Cross Road to the point of beginning; all in Gila County, Arizona.
21. **Santa Rita Wildlife Area:** The Santa Rita Wildlife Area is coincidental to the Santa Rita Experimental Range and includes the posted portion of the following sections: Sections 33 through 36, T17S, R14E, Section 25, Section 35 and Section 36, T18S, R13E, Sections 1 through 4, Sections 9 through 16, and Sections 21 through 36, T18S, R14E, Sections 3 through 9, Sections 16 through 21, Sections 26 through 34, T18S, R15E, Sections 1 through 6, Sections 9 through 16 Section 23, T19S, R14E, Sections 3 through 10, Sections 16 through 18, T19S, R15E; all in G&SRB&M, Pima County, Arizona, and all being coincidental with the Santa Rita Experimental Range Area.
22. **Springerville Marsh Wildlife Area:** The Springerville Marsh Wildlife Area shall be: S 1/2 SE 1/4 Section 27 and N 1/2 NE 1/4 Section 34, T9N, R29E, G&SRB&M, Apache County, Arizona.
23. **Three Bar Wildlife Area:** The Three Bar Wildlife Area shall be that area lying within the following described boundary: Beginning at Roosevelt Dam, northwesterly on AZ Hwy 188 to milepost 252 (Bumble Bee Wash); westerly along the boundary fence for approximately 7 1/2 miles to the boundary of Gila and Maricopa counties; southerly along this boundary through Four Peaks to a fence line south of Buckhorn Mountain; southerly along the barbed wire drift fence at Ash Creek to Apache Lake; northeasterly along Apache Lake to Roosevelt Dam.
24. **Tucson Mountain Wildlife Area:** The Tucson Mountain Wildlife Area shall be that area lying within the following described boundary: Beginning at the northwest corner of Section 33; T13S, R11E on the Saguaro National Monument boundary; due south approximately one mile to the El Paso Natural Gas Pipeline; southeast along this pipeline to Sandario Road; south on Sandario Road approximately two miles to the southwest corner of Section 15; T14S, R11E, east along the section line to the El Paso Natural Gas Pipeline; southeast along this pipeline to its junction with State Road 86, also known as the Ajo Highway; easterly along this highway to the Tucson city limits; north along the city limits to Silverbell Road; northwest along this road to Twin Peaks Road; west along this road to Sandario Road; south along this road to the Saguaro National Monument boundary; west and south along the monument boundary to the point of beginning, all in G&SRB&M, Pima County, Arizona.
25. **Willeox Playa Wildlife Area:** The Willeox Playa Wildlife Area shall be that area within the posted Arizona Game and Fish Department fences enclosing the following described area: Beginning at the section corner common to Sections 2, 3, 10 and 11, T15S, R25E, G&SRB&M, Cochise County, Arizona; thence S0°15'57"W, 2645.53 feet to the east

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one-quarter corner of Section 10; thence S89°47'15"W, 2578.59 feet to the center one-quarter corner of Section 10; thence N1°45'24"E, 2647.85 feet to the center one-quarter corner of Section 3; thence N1°02'42"W, 2647.58 feet to the center one-quarter corner of said Section 3; thence N89°41'37"E to the common one-quarter corner of Section 2 and 3; thence S0°00'03"W, 1323.68 feet to the south one-sixteenth corner of said Sections 2 and 3; thence S44°46'30"E, 1867.80 feet to a point on the common section line of Section 2 and Section 11; thence S44°41'13"E, 1862.94 feet to a point; thence S44°42'35"E, 1863.13 feet to a point; thence N0°13'23"E, 1322.06 feet to a point; thence S89°54'40"E, 1276.24 feet to a point on the west right of way fence line of Kansas Settlement Road; thence S0°12'32"W, 2643.71 feet along said fence line to a point; thence N89°55'43"W, 2591.30 feet to a point; thence N0°14'14"E, 661.13 feet to a point; thence N89°55'27"W, 658.20 feet to a point; thence N0°14'39"E, 1322.36 feet to a point; thence N44°41'19"W, 931.44 feet to a point; thence N44°40'31"W, 1862.85 feet to the point of beginning. Said wildlife area contains 543.10 acres approximately.

ARTICLE 2. MISCELLANEOUS LICENSES AND PERMITS

R12-4-202. Disabled Veteran's License ~~veteran's license~~

- A.** A disabled veteran's license shall grant all of the hunting and fish privileges of a Class F combination hunting and fishing license and an urban fishing license.
- B.** Persons meeting the criteria set in A.R.S. § 17-336(2) may apply for a disabled veteran's license as follows. Eligibility for the license is based on 100% disability and not on the percentage of compensation.
- ~~1.~~ ~~The application shall be accompanied by current certification from the Veteran's Administration that disabilities are rated as 100% disabling. In addition, the certification shall attest that the disabilities are permanent, are service connected, and that compensation is being received.~~
12. An applicant for a disabled veteran's license shall apply on an application form available from any Department office. The applicant shall provide the following on the application form available from any Department office:
- a. Full name and date of birth, and physical description;
- b. Current residence address, or physical location of residence;
- c. Current mailing address;
- d. If applicant has resided at current location for less than 1 year, the residence address or physical location of each residence within the year immediately preceding application;
- e. Applicant's signature, ~~signature shall be~~ either witnessed by a Department employee or notarized.
2. The applicant shall submit as part of the application an original certification, issued within 90 days of application, from the Department of Veterans Affairs. The Department shall issue the license only if the Department of Veterans Affairs certification includes the following information:
- a. Full name and date of birth of the applicant;
- b. Certification that the applicant is receiving compensation for permanent service connected disabilities rated as 100% disabling;
- c. Certification that the 100% rating is permanent and will not require reevaluation; or that the 100% rating is permanent, but will be reevaluated in 3 years;
- d. Signature and title of an agent of the Department of Veterans Affairs issuing or approving the certification.
- C.** The Department shall deny a disabled veteran's license if the applicant fails to comply with the requirements of this Section and, or if the applicant provides false information upon or with the application for a disabled veteran's license. Failure to comply with subsection (B) of this rule, or providing false information upon or with the application for a disabled veteran's license, shall result in denial of the license.
- ~~**D.** The Department shall issue the license or deny the application within 30 calendar days of receipt of the application prescribed in subsection (B).~~
- ~~**DE.** The Department shall issue a duplicate disabled veteran's license without charge upon written request from the licensee stating that the original license has been lost or destroyed, when Department records prove that the original disabled veteran's license was issued to the licensee.~~
- ~~**EE.** A disabled veteran's license is valid for 3 years from the date of issuance. If the Department of Veterans Affairs certifies that the applicant's disability rate of 100% is permanent and will not be reevaluated, a new certification will not be required for renewal.~~

~~R12-4-208. Guide License Repealed~~

- ~~**A.** A hunting guide license authorizes the licensee to act as a guide for taking wildlife, other than aquatic wildlife. A fishing guide license authorizes the licensee to act as a guide for taking aquatic wildlife only. A hunting and fishing guide license authorizes the licensee to act as a guide for taking all wildlife. No person shall act as a guide as defined in A.R.S. § 17-101 unless at the time he or she has a valid license therefor on his or her person and exhibits it upon request to any peace officer. A copy of the valid guide license shall be acceptable for this purpose.~~
- ~~**B.** In addition to the requirements at A.R.S. § 17-362, the following criteria are requisite to approval of application for a guide license:~~

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1. A guide license shall not be issued for five years from the date of conviction to any person who has been convicted of a felony violation of any of the federal laws cited hereafter, not including any later amendments of these laws, all of which are incorporated by reference herein; a copy of each is on file with the Secretary of State and is available for inspection at any Department office:
 - a. Lacey Act, amended November 14, 1988, 16 U.S.C. 3371-3378.
 - b. Endangered Species Act, amended October 7, 1988, 16 U.S.C. 1531-1543.
 - c. Bald Eagle Protection Act, amended November 8, 1988, 16 U.S.C. 668-668e.
 - d. Airborne Hunting Act, amended October 18, 1972, 16 U.S.C. 742j-1.
 - e. Migratory Bird Treaty Act, amended November 8, 1978, 16 U.S.C. 703-711.
2. A guide license shall not be issued for five years from the date of conviction to any person convicted of violating the provisions of A.R.S. § 17-309(D).
3. The applicant's privilege to take wildlife shall not be under current suspension or revocation by the government of any state or of the United States.
4. An applicant for a hunting guide license shall have a current Arizona hunting license. An applicant for a current fishing guide license shall have a current Arizona fishing license. An applicant for a hunting and fishing guide license shall have a current Arizona hunting and fishing license.
5. An applicant for a hunting guide license shall answer correctly at least 80% of the questions in a written examination supervised and administered by the Department, related to:
 - a. A.R.S. Title 17, Arizona Game and Fish Laws, and the rules on taking and handling of terrestrial wildlife promulgated thereunder.
 - b. Requirements for guiding on federal lands.
 - c. Identification of wildlife, special state and federal laws which may be relevant to certain species, and general knowledge of species habitat and wildlife which may occur in the same habitat.
 - d. General knowledge of the types of habitat within the state, and knowledge of special jurisdictions.
6. An applicant for a fishing guide license shall answer correctly at least 80% of the questions in a written examination supervised and administered by the Department, related to:
 - a. A.R.S. Title 17, Arizona Game and Fish Laws, and the rules on taking and handling of aquatic wildlife promulgated thereunder.
 - b. A.R.S. Title 5, Chapter 3, Arizona Boating and Watersport Laws, and the rules on boating promulgated thereunder.
 - c. Identification of aquatic wildlife species.
 - d. General knowledge of special or concurrent jurisdictions upon bodies of water within the state.
7. An applicant for a hunting and fishing guide license shall comply with both subsections (B)(5) and (B)(6).
8. Any licensed guide who has once met the preceding examination requirements shall not be required to take the written examination when applying for renewal of a guide license issued pursuant to this rule except:
 - a. If, within the past year, the applicant for authorization as a hunting guide has been convicted of a violation of A.R.S. Title 17, Arizona Game and Fish Laws, or the rules promulgated thereunder, related to taking and handling of terrestrial wildlife;
 - b. If, within the past year, the applicant for authorization as a fishing guide has been convicted of a violation of A.R.S. Title 17, or the rules promulgated thereunder, related to taking and handling of aquatic wildlife; or of A.R.S. Title 5, Chapter 3, Arizona Boating Laws, and the rules promulgated thereunder;
 - c. Application to add any guiding category to that currently authorized on a guide license shall require that the applicant answer correctly at least 80% of the questions in the examination relevant to the addition;
 - d. The examination shall be required when application for renewal of a guide license is made after the expiration date of the license or when an annual report is not submitted as required by A.R.S. § 17-362.
- C.** The examination required in subsection (B) shall be administered quarterly by the Department at a Department office. The exact dates for testing shall be available from the Department by the first working day of each year. The written examination score shall be mailed to the applicant within seven working days of the examination date.
- D.** Application shall be made on a form provided by the Department. The application shall be accompanied by the written examination score, dated within the past 12 months, when an examination or required by subsection (B) of this rule. The Department shall issue the license or deny the application within 30 calendar days of receiving a completed application, except for those applications made pursuant to subsection (F). The following shall be provided by the applicant on the form:
 1. Full name, date of birth, identification number, and physical description.
 2. Whether resident or nonresident.
 3. Current mailing address.
 4. Arizona hunting or fishing license number or numbers.
 5. Designation of guiding authority sought:
 - a. Hunting guide.

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- b. ~~Fishing guide.~~
- e. ~~Hunting and fishing guide.~~
- 6. ~~Responses to questions directly related to the criteria set in subsection (B) of this rule.~~
- 7. ~~Applicant's signature.~~
- E.** Applicants not previously licensed as a guide by the Department shall also provide one of the following with the application. Original or certified copies shall be returned to the applicant after the Department has verified receipt on the application form:
 - 1. ~~Passport; or~~
 - 2. ~~Original or certified copy of birth certificate; or~~
 - 3. ~~Original or photocopy of valid driver's license; or~~
 - 4. ~~Original or photocopy of valid Motor Vehicle Division identification card.~~
- F.** ~~The Department shall accept applications for renewals of a guide license issued pursuant to this rule after December 1 of the year preceding the new license year. The current guide license will remain valid while application for renewal is pending with the Department, provided application is made prior to the expiration date and provided the annual report required by A.R.S. § 17-362 is received by January 10 of the new license year. If renewal application is not made prior to the expiration date or a report is received after January 10, the applicant shall be required to pass the examination prescribed in subsection (B). When the requirements of this subsection are met, renewals will be issued or denied by the Department by January 31 of the new license year.~~
- G.** ~~Failure to comply with subsections (B), (D) or (E) of this rule, or providing false information upon or with application for a guide license, shall result in denial of that license, and any guide license so obtained is void and of no effect from the date of issuance thereof.~~
- H.** ~~A licensed guide shall not pursue or hold at bay any wildlife for any client who was not present during any part of the pursuit on the same day. A person may hold wildlife at bay only during daylight hours except when Commission order authorizes take of the species at night.~~
- I.** ~~A guide license may be revoked by the Commission pursuant to A.R.S. § 17-362(A) for any conviction of violation of Title 17 wildlife laws or the rules promulgated thereunder while acting as a guide; or when any license held by the guide is revoked or suspended pursuant to A.R.S. § 17-340; or for conviction of a felony violation of the laws listed in subsection (B) of this rule or for revocation of the privilege to take wildlife by any government jurisdiction.~~
- J.** ~~This rule is effective January 1, 1995.~~

R12-4-208. Guide License

- A.** No person shall act as a guide as defined in A.R.S. § 17-101 without a valid guide license. The Department shall issue the following guide licenses to eligible applicants:
 - 1. A hunting guide license authorizing the licensee to act as a guide for taking wildlife, other than aquatic wildlife.
 - 2. A fishing guide license authorizing the licensee to act as a guide for taking aquatic wildlife only.
 - 3. A hunting and fishing guide license authorizing the licensee to act as a guide for taking all wildlife.
- B.** The Department shall not issue a guide license to an applicant if any of the following apply:
 - 1. The applicant has been convicted, within 5 years preceding application, of a felony violation of any of the following federal laws:
 - a. Lacey Act, 16 U.S.C. 3371-3378.
 - b. Endangered Species Act, 16 U.S.C. 1531-1543.
 - c. Bald Eagle Protection Act, 16 U.S.C. 668-668c.
 - d. Airborne Hunting Act, 16 U.S.C. 742j-1.
 - e. Migratory Bird Treaty Act, 16 U.S.C. 703-711.
 - 2. The applicant has been convicted, within 5 years preceding application, of a violation of the provisions of A.R.S. § 17-309(D).
 - 3. The applicant's privilege to take or possess wildlife is under current suspension or revocation by the government of any state or of the United States.
- C.** The Department shall issue a guide license to an applicant who satisfies the requirements of A.R.S. § 17-362 and meets the following criteria:
 - 1. An applicant for a hunting guide license shall:
 - a. Have a current Arizona hunting license.
 - b. Answer correctly at least 80% of the questions in a written examination, supervised and administered by the Department, which covers:
 - i. A.R.S. Title 17, Arizona Game and Fish Laws, and the rules on taking and handling of terrestrial wild life;
 - ii. Requirements for guiding on federal lands;
 - iii. Identification of wildlife, special state and federal laws which covering certain species, and general knowledge of species habitat and wildlife which may occur in the same habitat;
 - iv. General knowledge of the types of habitat within the state, and knowledge of special jurisdictions.

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2. An applicant for a fishing guide license shall:
 - a. Have a current Arizona fishing license.
 - b. Answer correctly at least 80% of the questions in a written examination, supervised and administered by the Department, which covers:
 - i. A.R.S. Title 17, Arizona Game and Fish Laws, and the rules on taking and handling of aquatic wildlife;
 - ii. A.R.S. Title 5, Chapter 3, Arizona Boating and Watersport Laws, and the rules on boating;
 - iii. Identification of aquatic wildlife species.
 - iv. General knowledge of special or concurrent jurisdictions upon bodies of water within the state.
3. An applicant for a hunting and fishing guide license shall:
 - a. Have a current Arizona hunting and fishing license;
 - b. Answer correctly at least 80% of the questions in the written examination required in subsection (C)(1) and the written examination required in subsection(C)(2).
4. An applicant shall apply for a guide license in compliance with subsections (E) and (F).
- D.** The Department shall give the examinations required in subsection (C) quarterly at a Department Office. The exact dates for examinations shall be available from the Department by the 1st working day of each year. The written examination score shall be mailed to the applicant within seven working days of the examination date.
- E.** An applicant for a guide license shall obtain from and submit to the Department an application form providing the following information:
 1. Applicant's full name, address, telephone number, residency status, date of birth, identification number, and physical description.
 2. Designation of guide license sought:
 - a. Hunting guide.
 - b. Fishing guide.
 - c. Hunting and fishing guide.
 3. Applicant's current Arizona hunting and, or fishing license numbers.
 4. Responses to questions regarding applicant's eligibility for licensure under subsection (B).
 5. Applicant's signature.
- F.** An applicant for a guide license shall also submit the following with the application form:
 1. Applicant's original written examination score, dated within the past 12 months, for each examination required in subsection (C).
 2. One of the following as proof of applicant's identification. The Department shall return an original or certified copy to the applicant after the Department has verified receipt on the application form:
 - a. Passport;
 - b. Original or certified copy of birth certificate;
 - c. Original or photocopy of valid driver's license; or
 - d. Original or photocopy of valid Motor Vehicle Division identification card.
- G.** The Department shall deny a guide license if the applicant fails to comply with the requirements of this section and, or if the applicant provides false information upon or with the application for a guide license. Any guide license so obtained is void and of no effect from the date of issuance.
- H.** A person acting as a guide, who may or may not be hunting with the aid of dogs, shall not pursue any wildlife or hold at bay any wildlife for a hunter unless the hunter is present. The hunter must be continuously present during the entire pursuit of that specific animal. When dogs are being used, the hunter must be present when the dogs are released on a specific target animal and must be continuously present for the remainder of the pursuit. Any wildlife taken in violation of this subsection is unlawfully taken. A person may hold wildlife at bay only during daylight hours except when Commission order authorizes take of the species at night.
- I.** A licensed guide, when acting as a guide, shall carry an original or legible copy of the valid guide license and shall exhibit it upon request to any peace officer.
- J.** A guide license expires on December 31 of the year of issuance and may be renewed for the new license year:
 1. The Department shall accept an application for renewal of a guide license after December 1 of the year preceding the new license year, but shall not start the application administrative review process, required by A.R.S. § 41-1072 et seq., prior to January 10 of the new license year unless the applicant's annual report required by A.R.S. § 17-362 is received by the Department.
 2. The current guide license will remain valid pending Department action on the application for renewal, only if the application is made prior to the guide license expiration date and the annual report required by A.R.S. § 17-362 is received by January 10 of the new license year.
- K.** The Department shall renew a guide license only if the applicant continues to satisfy the requirements of A.R.S. § 17-362 and meets the following criteria:
 1. The applicant is not ineligible under subsection (B).
 2. The applicant has a current Arizona hunting or fishing license as required for the guide license sought.

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3. The applicant applies for a guide license as required in subsection (E).
4. The applicant has submitted the annual report for the preceding license year required by A.R.S. § 17-362.
5. The applicant takes or re-takes and passes each applicable written examination required in subsection (C), only if required to do so because:
 - a. The applicant is seeking to add a guiding authority to a current guide license.
 - b. The applicant for hunting guide authority has been convicted, within 1 year preceding application, of a violation of A.R.S. Title 17, Arizona Game and Fish Laws, or the rules governing the taking and handling of terrestrial wildlife.
 - c. The applicant for fishing guide authority has been convicted, within 1 year preceding application, of a violation of A.R.S. Title 17, Arizona Game and Fish Laws, the rules governing the taking and handling of aquatic wildlife, A.R.S. Title 5, Chapter 3, Arizona Boating Laws, or the rules governing boating and water sports.
 - d. The applicant failed to submit the renewal application prior to the expiration date of the guide license.
 - e. The applicant failed to submit by January 10 of the new license year the annual report for the preceding license year required by A.R.S. § 17-362.
- L.** The Commission may revoke a guide license issued to any person for conviction of a violation of statute or rule as provided in A.R.S. § 17-362(A), for revocation or suspension of any license held by the guide as provided in A.R.S. § 17-340, for conviction of a felony violation of the laws listed in subsection (B), or for revocation of the privilege to take wildlife by any government jurisdiction.
- M.** This rule is effective January 1, 2000.

R12-4-216. Crossbow Permit

- A.** “Crossbow permit” means a document issued by the Department that authorizes the named hunter to use a crossbow during an archery-only season established ~~under pursuant to~~ R12-4-318.
- B.** A crossbow permit is valid only when the legal animal for the archery-only season may otherwise be taken by crossbow ~~under pursuant to~~ R12-4-304. Possession of a crossbow permit does not waive any other requirement regarding method of take or licensing.
- C.** An applicant for a crossbow permit shall apply on an application form available from any Department office. The applicant shall provide the following on the application form: Applicants for a crossbow permit shall obtain from and submit to the Department a form that sets forth the following information:
 1. Applicant’s name, identification number, mailing address, and telephone number.
 2. A statement from a M.D., doctor of medicine, licensed under A.R.S. § 32-1421 et seq. or a D.O., doctor of osteopathic medicine, licensed under A.R.S. § 32-1821 et seq., physician licensed pursuant to A.R.S. §§ 32-1421 et seq. or 32-1821 et seq., attesting that the applicant has a permanent disability of at least 90% impairment of function of 1 arm and providing the physician's typed or printed name, business address, and signature.
- D.** All information and documentation provided by an applicant for a crossbow permit is subject to verification by the Department.
- ~~**E.** The Department shall issue the crossbow permit or deny the application within 30 calendar days of receipt of the complete application.~~
- ~~**EF.** The Department shall return, without denial or approval, an incomplete application for a crossbow permit unless the Department is able to obtain the information needed to complete the application. The Department shall attach a letter to a returned application that explains why the application is returned.~~
- ~~**FG.** When an applicant is able to provide verbally the information that caused an application for a crossbow permit to be incomplete, the Department shall add the information to the application, note where each change is made, date each change, and indicate the source of the added information.~~
- ~~**GH.** In accordance with R12-4-608, the Department shall provide written notice to an applicant whose application for a crossbow permit is denied. The denied and the applicant may appeal the denial to the Commission as prescribed in A.R.S. § 41-1092.02 through 41-1092.12.~~
- ~~**HI.** A crossbow permit is valid as long as the criteria for obtaining the permit are met, unless the Commission revokes the permit.~~
- ~~**IJ.** When acting under the authority of a crossbow permit, the crossbow permittee shall be in possession of and exhibit the crossbow permit upon request of a peace officer.~~
- ~~**JK.** A crossbow permittee shall not transfer the permit to another individual or allow another individual to use the permit issued to the crossbow permittee.~~
- ~~**KL.** After a hearing and upon sufficient cause showing, the Commission shall revoke the crossbow permit of a crossbow permittee who transfers the permit to another individual or allows another individual to use the permit. An individual whose crossbow permit is revoked by the Commission may petition the Commission for rehearing in accordance with R12-4-607.~~
- ~~**LM.** This rule is effective January 1, 2000, 1996.~~

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R12-4-217. Challenged Hunter Access/Mobility Permit

- A.** The Department shall issue to qualified individuals a Challenged Hunter Access/Mobility Permit, also known as a CHAMP, that allows the following activities by the licensed hunter to whom the CHAMP is issued:
1. Discharge of a firearm or other legal hunting device from a motor vehicle when, under existing conditions, the discharge is otherwise lawful and the motor vehicle is motionless, is not on any road as defined by A.R.S. § 17-101, and has its engine turned off;
 2. Discharge of a firearm or other legal hunting device from a watercraft (except a sinkbox), including those propelled by a motor, sail and wind, or both; when the motor has been shut off, the sail furled, or both; and progress has ceased. The watercraft may be drifting as a result of current or wind action, beached, moored, resting at anchor, or propelled by paddle, oars, or pole. A watercraft under power may be used to retrieve dead or wounded wildlife but no discharge of a firearm is permitted while the watercraft is underway;
 3. Access to off-road locations in a motor vehicle when the access is not in conflict with other law and the motor vehicle is used as a place to wait for game. A motor vehicle shall not be used to chase or pursue game;
 4. Designation of an assistant to track and dispatch a wounded animal, and to retrieve the animal, in accordance with the requirements of this rule.
- B.** A qualified individual who possesses a CHAMP shall comply with all legal requirements governing method of take and licensing.
- C.** An applicant for a CHAMP shall apply on an application form available from any Department office. The applicant shall provide the following on the application form: ~~Applicants for a CHAMP shall obtain from and submit to the Department a form that provides the following information:~~
1. Applicant's name, identification number, mailing address, and telephone number.
 2. A statement from a M.D., doctor of medicine, licensed under A.R.S. § 32-1421 et seq. or a D.O., doctor of osteopathic medicine, licensed under A.R.S. § 32-1821 et seq., physician licensed pursuant to A.R.S. §§ 32-1421 et seq. of 32-1821 et seq., which includes the physician's printed or typed name, business address, and signature, attesting that the applicant is permanently disabled as follows:
 - a. Has a disability or combination of disabilities creating a minimum impairment of function of or equivalent to no less than 90% loss of function in 1 leg or no more than 10% maximal functional use in 1 leg ~~of no less than 90% or a maximal functional use of 1 leg of no more than 10%~~ regardless of the functional level of the other leg; or
 - b. Has a visual field of no more than 20% in the better eye; or
 - c. Has vision in the better eye of 20/200 or less after best correction.
- D.** All information and documentation provided by the applicant for the CHAMP is subject to verification by the Department.
- ~~**E.** The Department shall issue the CHAMP or deny the application within 30 calendar days of receipt of the completed application.~~
- ~~**EF.** The Department shall return, without denial or approval, an incomplete application for a CHAMP unless the Department is able to obtain the information needed to complete the application. The Department shall attach a letter to a returned application that explains why the application is returned.~~
- ~~**FG.** When an applicant is able to provide verbally the information that caused an application for a CHAMP to be incomplete, the Department shall add the information to the application, note where each change is made, date each change, and indicate the source of the added information.~~
- ~~**GH.** In accordance with R12-4-608, the Department shall provide written notice to an applicant whose application for a CHAMP is denied. The ~~denied and~~ applicant may appeal the denial to the Commission as prescribed in A.R.S. § 41-1092.02 through 41-1092.12.~~
- ~~**HI.** While a motor vehicle or watercraft is in use under R12-4-217(A), pursuant to subsection (A), the CHAMP permittee shall display on the motor vehicle or watercraft the CHAMP vehicle placard issued by the Department with the CHAMP.~~
- ~~**IJ.** The Department shall provide CHAMP permittees with a dispatch permit that the CHAMP permittee may use to designate a licensed hunter as an assistant to dispatch and retrieve or to retrieve an animal wounded or killed by the CHAMP permittee. The CHAMP permittee shall designate the assistant only after the animal is wounded or killed. The CHAMP permittee shall ensure that designation on the permit is in ink and includes a description of the animal, the assistant's name and hunting license number, and the date and time the animal was wounded or killed. The CHAMP permittee shall also ensure compliance with the following requirements:~~
1. The site where the animal is wounded and from which tracking begins is marked so it can be identified later.
 2. The assistant possesses the dispatch permit while tracking and dispatching the wounded animal.
 3. The CHAMP permittee is in the field while the assistant is tracking and dispatching the wounded animal.
 4. The assistant does not transfer the dispatch permit to anyone except the CHAMP permittee.
 5. Dispatch is made by a method that is lawful for the take of the particular animal in the particular season.
 6. The assistant attaches the dispatch permit to the carcass of the animal and returns the carcass to the CHAMP permittee, and the tag of the CHAMP permittee is affixed to the carcass.

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7. If the assistant is unsuccessful in locating and dispatching the wounded animal, the assistant returns the dispatch permit to the CHAMP permittee who strikes the name and authorization of the assistant from the dispatch permit.
- ~~**JK.**~~ A dispatch permit is void when all spaces for designation of an assistant are filled or the dispatch permit is attached to a carcass.
- ~~**KL.**~~ A CHAMP is valid as long as the criteria for obtaining the permit are met, unless the Commission revokes the permit.
- ~~**LM.**~~ When acting under the authority of the CHAMP, the permittee shall be in possession of and exhibit the CHAMP upon request to a peace officer.
- ~~**MN.**~~ A CHAMP permittee shall not transfer the permit to another individual or allow another individual to use the permit issued to the CHAMP permittee.
- ~~**NO.**~~ After a hearing and upon sufficient cause showing, the Commission shall revoke the CHAMP of a permittee who transfers the permit to another individual or allows another individual to use the permit, or upon conviction of violating A.R.S. § 17-312 or any law governing the take of wildlife, or for violation of this rule. An individual whose CHAMP permit is revoked by the Commission may petition the Commission for rehearing in accordance with R12-4-607.
- ~~**OP.**~~ This rule is effective January 1, 2000, ~~1996~~.

ARTICLE 4. LIVE WILDLIFE

R12-4-412. Tuberculosis and Brucellosis Procedures for Cervidae Possessed by Special License

- A.** Procedures for tuberculosis control and eradication for Cervidae listed as restricted live wildlife in R12-4-406 shall be as prescribed in the USDA publication "*Tuberculosis Eradication in Cervidae -- Uniform Methods and Rules*," U.S.D.A., A.P.H.I.S 91-45-005, effective May 15, 1994, including 1995 amendments. This material is incorporated by reference, does not include any later amendments or editions of incorporated matter, and is on file with the Secretary of State. In addition, a copy may be ordered from the U.S.D.A. A.P.H.I.S. Veterinary Services, Cattle Diseases and Surveillance Staff, P.O. Box 96464, Washington, D.C. 20090-6464.
- B.** Procedures for the prevention, control, and eradication of brucellosis in Cervidae listed as restricted live wildlife in R12-4-406 shall be as prescribed in the United States Department of Agriculture publication "*Brucellosis in Cervidae: Uniform Methods and Rules*," U.S.D.A., A.P.H.I.S. 91-45-12, effective September 30, 1998. This material is incorporated by reference, does not include any later amendments or editions of incorporated matter, and is on file with the Secretary of State. In addition, a copy may be ordered from the U.S.D.A., A.P.H.I.S. Veterinary Services, Cattle Diseases and Surveillance Staff, P. O. Box 96464, Washington, D.C. 20090-6464.

~~R12-4-417. Wildlife holding permit Repealed~~

- ~~**A.** A wildlife holding permit allows the possession and transport of the live wildlife specified on the permit. It may also allow the import, educational display, purchase, propagation and disposal of the specified live wildlife, dependent upon Department evaluation of and stipulations made pursuant to the proposal submitted in compliance with subsection (B).~~
- ~~**B.** The following criteria are requisite to approval:~~
- ~~1. The applicant's privilege to take or possess wildlife is not under current suspension or revocation by the government of any state or the United States.~~
 - ~~2. Issuance of a wildlife holding permit shall be for a purpose which is in the best interest of the wildlife or species to be held, wildlife management, education, the advancement of science, or promotion of the public health or welfare, when such purpose may be served without posing a threat to wildlife or public safety and shall not adversely impact upon any other affected wildlife in Arizona. Determination of purpose shall be based upon a written proposal which shall be submitted with the application form required at subsection (C). The written proposal shall stipulate, demonstrate, or include all of the following:~~
 - ~~a. If wildlife is in possession, evidence of lawful possession as defined in R12-4-401; if wildlife is not in possession, proof of application for evidence of lawful possession;~~
 - ~~b. The street address or legal description of the location where wildlife is to be held, and a detailed diagram of the facilities where the wildlife is to be held along with a detailed description of the procedures to be employed by the applicant in meeting the requirements of R12-4-428;~~
 - ~~c. Dates that the holding of wildlife is proposed to begin and end;~~
 - ~~d. A detailed description of the scientific or educational activity proposed;~~
 - ~~e. A statement of the planned disposition and method of disposition of the wildlife at the conclusion of the proposed activities;~~
 - ~~f. A statement of the applicant's experience in handling and providing care for the wildlife proposed for possession or of other experience that may be relevant to handling or providing care for wildlife.~~
 - ~~3. Wildlife holding permits may also be issued for specific animals when humane treatment by a person is necessary to safeguard and protect the interests of that animal, including animals which are unable to meet their own needs in the wild, have been abandoned, are permanently disabled, or are no longer useful for any previously existing captive or licensed purpose. Application for possession of animals for this purpose shall be accompanied by a written statement specifying what the animal is, where it is currently possessed, who is currently in possession, and why the animal~~

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meets the requirements of this Section. The statement shall also include the street address or legal description of the location where wildlife is to be held, and a detailed diagram of the facilities where the animal is to be held, along with a detailed description of the procedures to be employed by the applicant in meeting the requirements of R12-4-428.

- ~~C.~~ Applications for wildlife holding permits are available from any Department office and shall be submitted to the Department's Phoenix office. The Department shall issue the permit or deny the application within 30 calendar days of receiving the application. The following shall be provided by the applicant on the form:
 - 1. Name, mailing address, and telephone number.
 - 2. If applicable, the name, address and telephone number of the educational, scientific or other institutional affiliation of the applicant.
 - 3. The species, or higher taxa, if appropriate, of wildlife proposed for possession.
 - 4. Signature of applicant.
- ~~D.~~ A copy of the permit shall accompany any shipment of wildlife made under the authority of the permit.
- ~~E.~~ Any person holding wildlife pursuant to this rule shall file an annual report, on a form supplied by the Department to the Department's Phoenix office, within 30 days after expiration of the permit. The following information shall be provided by the permittee on the form:
 - 1. Name, address and phone number of permittee;
 - 2. Federal permit number or numbers, if applicable;
 - 3. A listing of each animal held during the year, by species, including the source and date of acquisition and the place and date of disposition for each animal.
- ~~F.~~ Wildlife holding permits are subject to the provisions of R12-4-409 and R12-4-428.
- ~~G.~~ Wildlife holding permits expire on December 31 of the year of issuance, or, if the permittee is a representative of an institution, organization or agency, upon termination of affiliation with that entity, whichever comes first.

R12-4-417. Wildlife Holding License

- A. The Department shall issue wildlife holding licenses to qualified individuals for the purposes provided in this Section. The wildlife holding license authorizes the person holding the license to engage in specific activities with the specific live wildlife listed on the license. The activities must be listed on the license to be authorized and may include but not be limited to any of the following: possession, transportation, importation, educational display, exhibit to promote economic development or commerce, purchase, propagation, export, give away, or kill. The Department's evaluation of the applicant's proposal and qualifications and the purpose of the license will determine if the Department will issue or deny the permit and the activities the license authorizes.
- B. The Department shall not issue a license to any applicant whose privilege to take or possess wildlife is under current suspension or revocation by the government of any state or the United States.
- C. The Department shall issue wildlife holding licenses only for the primary purposes following, when the purpose is in the best interest of the wildlife or the species, will not adversely impact other affected wildlife in Arizona, and when the purpose may be served without posing a threat to wildlife or public safety:
 - 1. Wildlife management: gathering information valuable to maintenance of wild populations.
 - 2. Education.
 - 3. The advancement of science, or promotion of the public health or welfare.
 - 4. When humane treatment by a person is necessary to safeguard and protect the interests of an animal unable to meet its own needs in the wild, when it has been abandoned, or permanently disabled, or is no longer useful for any previously-existing licensed purpose.
 - 5. Exhibit of wildlife possessed under the authority of R12-4-404. Permission to exhibit any other wildlife will be granted by the Department only when it is secondary to 1 of the purposes listed in 1-4 above.
- D. Applicants for a wildlife holding license shall obtain from and submit to the Department a form providing the following information:
 - 1. The applicant's name, mailing address, and telephone number.
 - 2. If applicable, the name, address and telephone number of the educational, scientific, or other institutional affiliation of the applicant.
 - 3. The species, or higher taxa, if appropriate, of wildlife proposed for an allowable activity.
 - 4. The applicant's signature.
- E. Applicants for a wildlife holding license shall also submit the following with their application form:
 - 1. If the wildlife is currently in possession, submit evidence of lawful possession as defined in R12-4-401. If the wildlife is not yet in possession, submit proof of application for evidence of lawful possession. If the application is for exhibit of wildlife possessed under the authority of R12-4-404, provide an affidavit that the wildlife was lawfully taken under authority of a hunting or fishing license in accordance with Commission order, or is the progeny of wildlife lawfully taken.
 - 2. The street address or legal description of the location where the wildlife is to be held, and a detailed diagram of the facilities where the wildlife is to be held.

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3. A detailed description of the procedures that will be used to meet the requirements of R12-4-428.
 4. A statement of the applicant's experience in handling and providing care for the wildlife to be held or of other experience that may be relevant to handling or providing care for wildlife.
 5. The dates proposed to begin and end holding the wildlife.
 6. A statement of the planned disposition and method of disposition of the wildlife at the conclusion of the proposed activities.
 7. If the purpose of the license is for science or education, submit a detailed description of the proposed scientific or educational activity.
 8. If the purpose of the license is for humane treatment, submit a written statement explaining why the wildlife is unable to meet its own needs in the wild, whether it has been abandoned, or permanently disabled, or is no longer useful for any previously-existing licensed purpose. The statement shall also specify where the wildlife is currently possessed and who possesses it.
- F.** The Department may require that wildlife used for lawful activities under the authority of the wildlife holding license be permanently marked for identification purposes, when the Department determines this is necessary for the best interest of the public and the wildlife. If this is a requirement, it will be specified on the license.
- G.** The licensee shall ensure that a copy of the license accompanies any shipment of wildlife made under the authority of the license.
- H.** The licensee shall annually obtain from and submit to the Department a report form providing the following information within 30 days after the license expires:
1. The licensee's name, address and phone number.
 2. A listing of each animal held during the year, by species, including the source and date of acquisition and the place and date of disposition for each animal.
- I.** The licensee shall comply with R12-4-409 and R12-4-428.
- J.** Wildlife holding licenses expire on December 31 of the year of issuance, or, if the licensee is a representative of an institution, organization or agency, upon termination of affiliation with that entity, whichever comes first.
- K.** This rule is effective January 1, 2000.

R12-4-422. Sport Falconry License Falconers: Licensing and Requirements

- A.** For the purposes of this Section, the following definitions apply:
1. "Eyas" means a flightless raptor that is found in the nest and is dependent upon a parent bird for food;
 2. "Form 3-186A" means U.S. Fish and Wildlife Service Migratory Bird Acquisition and Disposition Report, Form 3-186A, dated June 30, 1991, not including any later revisions. This form is incorporated by reference. A copy of the incorporated form is on file with the Secretary of State and available from the U.S. Fish and Wildlife Service Regional Law Enforcement Office, Albuquerque, New Mexico, 87103 and all Arizona Game and Fish Department Regional offices.
 2. ~~"Falconry" means the sport of taking quarry by means of a trained raptor;~~
 3. "Passage" means a raptor in immature plumage, capable of flight and able to hunt and obtain its own food, and which is less than 1 year of age;
 4. "Raptor" means a live bird of the Order Falconiformes or the Order Stringiformes, other than a bald eagle (*Haliaeetus leucocephalus*) species great horned owl, *Bubo virginianus*, of the family Strigidae; any of the family Falconidae; and any of the family Accipitridae, other than the bald eagle, *Haliaeetus leucocephalus*; which under the provisions of this rule may be used in the practice of falconry;
 5. "Sponsor" means a licensed Class II or Class III falconer who agrees to supervise and instruct no more than 3 Class I falconers in the practice of falconry at any 1 time.
- B.** An Arizona resident who possesses for the purpose of sport falconry a raptor listed in 50 C.F.R. Part 10.13 shall possess an Arizona Sport Falconry License and a falconry permit from the U.S. Fish and Wildlife Service. Arizona residents possessing for the purpose of sport falconry a raptor not listed in 50 C.F.R. Part 10.13 need only possess an Arizona Sport Falconry License. A Sport Falconry License is not required to possess a raptor not listed in 50 C.F.R. Part 10.13 not being used for falconry. Visiting nonresident falconers licensed in their state of residency are exempted under R12-4-407.
- CB.** The Department shall inspect the raptor housing facilities and equipment of any applicant not previously licensed in Arizona, and determine that the facilities and equipment meet the requirements of this rule, before issuing a license to the applicant. A license is valid from the date it is issued by the Department until the 3rd December from the date of issue. The Department shall issue a Sport Falconry License ~~falconer license~~ to an applicant who complies with application procedures in this rule and meets the following criteria:
1. For a Class I Apprentice Sport Falconry License ~~Falconer License~~:
 - a. Is 14 years of age or older;
 - b. Has a sponsor at the time of application, and shall provide to the Department a written commitment from the sponsor to continue sponsoring the applicant for the 1st 2years as a licensed falconer;

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- c. Answers correctly at least 80% of the questions on an examination supervised and administered by the Department and approved by the U.S. Fish and Wildlife Service, relating to basic biology, care, and handling of raptors, and other subject matter related to falconry.
 2. For a Class II General Sport Falconry License ~~Falconer License~~:
 - a. Is 18 years of age or older,
 - b. Has at least 2 years of falconry experience at the Class I level, computed from the date that the applicant obtained the 1st Class I Apprentice Falconer License;
 - e. ~~Provides to the Department a letter of recommendation from a falconers' association affiliated with the North American Falconers Association, stating that the applicant is qualified and eligible to become a Class II falconer.~~
 3. For a Class III Master Sport Falconry License ~~Falconer License~~:
 - a. Is 23 years of age or older;
 - b. Has at least 5 years of falconry experience at the Class II level, computed from the date that the applicant obtained the 1st Class II General Sport Falconry License ~~Falconer License~~.
- DE.** Any new resident shall make application for an Arizona Sport Falconry License ~~falconer license~~ within 30 days of importing any raptor possessed by the authority of a license authorizing falconry ~~falconer license~~ issued by another lawful jurisdiction. Any applicant for an Arizona Sport Falconry License ~~falconer's license~~ shall present any raptor in possession for inspection at the time their facilities are inspected ~~of application~~.
- ED.** Applicants shall provide the following information on a form available from the Department, and shall sign the completed form:
1. Name, address, and telephone number;
 2. Physical description and date of birth;
 3. Valid Arizona hunting license number and identification number;
 4. The Sport Falconry License ~~falconer license~~ classification desired. Class I applicants shall supply their sponsor's name and address on the form;
 5. The number of raptors the applicant possesses at the time of application and the species; age, if known; sex, if known; band numbers (if banded); date of acquisition; and source of each.
- EE.** A Class I licensee may possess only 1 raptor at a time; the raptor may be lawfully obtained in another state. The Class I licensee shall obtain all birds from the wild and shall not obtain more than 1 raptor for replacement purposes during any 12-month period ~~calendar year~~. A Class I licensee shall not take an eyas bird.
- GF.** A Class II licensee shall not possess more than 2 raptors at a time. The raptors may be any species except a golden eagle or a species listed as endangered or threatened. A Class II licensee shall not obtain more than 2 raptors during any 12-month period ~~calendar year~~.
- HG.** A Class III licensee shall not possess more than 3 raptors at a time. The raptors may be of any species ~~authorized by the U.S. Fish and Wildlife Service~~. A Class III licensee shall not obtain more than 2 raptors taken from the wild during any 12-month period ~~calendar year~~, but may obtain raptors from other lawful sources within the 3-raptor possession limit.
- IH.** All Sport Falconry License ~~falconer~~ applicants and licensees shall provide either an indoor or outdoor housing facility with the following attributes, designed to protect the raptor from the environment, predators and undue disturbances:
1. Indoor facilities.
 - a. An area large enough to allow easy access for caring for the raptors housed in the facility.
 - b. An area for each bird large enough to allow each raptor to fully extend its wings, with perches textured to prevent foot problems;
 - c. At least 1 window, protected on the inside by vertical bars, spaced narrower than the width of the raptor's body, and a door that can be easily closed and secured;
 - d. A well-drained floor designed to permit easy cleaning;
 - e. Tethers or partitions separating each raptor, if the licensee is keeping more than 1 raptor in the same facility.
 2. Outdoor facilities.
 - a. A fenced and covered enclosure with netting or wire, or roofed to protect the raptors from disturbance and attack by predators, except that perches more than 6-1/2 feet high need not be covered or roofed;
 - b. An enclosed area large enough to insure the raptors cannot strike the fence when flying from the perch;
 - c. Protection from the sun, wind, and inclement weather for each raptor and perches which are textured to prevent foot problems.
- IJ.** All Sport Falconry License ~~falconer~~ applicants and licensees shall possess and use the following equipment:
1. At least 1 pair of jesses constructed of pliable, high-quality leather or synthetic material, containing bracelets to affix to each leg of a raptor, with a grommet through which a strap passes freely so that an escaped raptor can pull the strap out of the bracelet. The licensee shall use this equipment when any raptor is flown free. Licensees may use traditional 1-piece jesses on raptors only when not being flown;
 2. At least 1 flexible, weather-resistant leash and 1 strong swivel designed for falconry;
 3. At least 1 container, 2 to 6 inches deep and wider than the length of the raptor, for drinking and bathing for each raptor;

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4. At least 1 raptor perch for each raptor;
 5. A reliable scale or balance suitable for weighing the raptor or raptors, held and graduated to increments of not more than 1/2 ounce, or 15 grams.
- KJ.** A Sport Falconry License Class I, II, or III falconer licensed in Arizona or a state recognized by the U.S. Fish and Wildlife Service as meeting federal falconry standards may capture raptors for the purpose of falconry only, in accordance with the Commission order establishing raptor capture seasons for licensed falconers. When there is reason to believe that a species of raptors may be over-harvested by nonresidents if the number of permits is not limited, the Commission shall specify the number of permits available to nonresidents in the Commission order.
1. During capture, the licensee shall have in possession the Sport Falconry License or falconer license issued by another lawful jurisdiction, Arizona hunting license, and any required hunt permit-tag issued to that licensee.
 2. The licensee shall immediately release any nontarget raptor inadvertently captured. If the raptor is wearing a band or other marker the licensee shall report the capture and release of the marked bird to the Department, along with any identifying number and related information.
 3. The licensee shall not remove any eyas raptor from any nest unless 1 or more live eyas raptors remain in the nest after the removal.
 4. The licensee may capture raptors only with traps or bird nets which are unlikely to cause injury to the raptor, and shall not use mist nets, steel-jawed traps, or stupefying substances.
 5. The licensee shall ensure that all traps or nets in use are in constant attendance, and that any raptor trap or net being used is plainly identified with the licensee's name and address.
 6. The licensee shall present each captured Harris hawk, Gyrfalcon, or Peregrine falcon to the Department within 5 calendar days after capture. ~~The licensee shall present each captured raptor of any other species to the Department within 14 calendar days after capture.~~ A Department representative shall attach a numbered band to 1 leg of the lawfully obtained raptor. This band shall not be removed except by an authorized official of the Department, or except as provided in this rule. Licensees shall not alter, counterfeit, or deface a band but may remove the rear tab on the band and may smooth any imperfect surface provided the integrity of the band and numbering are not affected. Raptors other than Harris Hawks, Gyrfalcons, or Peregrine falcons will not be banded.
- LK.** ~~A licensee~~ Licensees may use a lawfully held raptor ~~raptors~~ for educational display. A licensee may exhibit a raptor not listed in 50 C.F.R. Part 10.13 without an additional special license. A federal permit to exhibit is required for a licensee to exhibit a raptor listed in 50 C.F.R. Part 10.13.
- ML.** Licensees may retain and exchange feathers that are molted or those feathers from raptors held in captivity that die only for purposes of repairing or replacing a broken feather with a feather.
- NM.** If any raptor used in falconry incidentally kills any species of wildlife for which there is no open season or for which the season is closed, the licensee shall not take the dead wildlife into possession. The licensee shall leave the wildlife where it lies, but may allow the raptor making the kill to feed on the dead wildlife before leaving the site.
- ON.** Licensees may transfer raptors taken from the wild in Arizona to an Arizona resident's federal raptor propagation license, with the concurrence of the U.S. Fish and Wildlife Service.
- PO.** A licensee shall not transfer a raptor taken from the wild in Arizona to another falconer or raptor breeder licensed outside of Arizona, or export the raptor from the state, without written authorization from the Department. The Department shall not authorize exportation transactions involving more than 2 raptors taken from the wild in Arizona, singly or in combination, per licensee in any calendar year. The Department shall deny any request for authorization of exportation when the number or species which have been or are being exported is not in the best interest of raptor management.
- QP.** A licensee may place a raptor or raptors listed in 50 CFR. 10.13 in temporary facilities, under the care of another licensee, for a period not to exceed 30 days, providing that the licensee completes a Form 3-186A naming the temporary caregiver as the recipient and provides it to the temporary caregiver to retain at the location where the raptor is being held. A licensee possessing a nonlisted raptor may place it under the care of another person without restriction. gives written authorization to the other licensee for temporary care.
- RQ.** A licensee may do 1 of the following when in possession of a raptor no longer used in the practice of falconry:
1. Release the raptor to the wild into suitable habitat, provided that the raptor was taken from the wild in Arizona, and that all jesses, markers or other equipment are removed, and that any federal marker is removed and returned to the Department within 10 days of release;
 2. Give the raptor to another licensed falconer, except as provided in subsection (P); ~~(Q)~~;
 3. Transfer the raptor to the Department;
 4. Sell or trade the raptor, if it is a lawfully possessed captive-bred raptor marked with a seamless leg band.
- SR.** Licensees changing residence to another jurisdiction may export their lawfully possessed raptors.
- TS.** A licensee shall transfer the carcass of a raptor listed in 50 C.F.R. Part 10.13 ~~which has died~~ to a Department office, or destroy the carcass after receiving authorization for destruction of the carcass from the Department. The licensee shall remove any federal markers prior to destroying the carcass and return the markers to the Department.
- UF.** A licensee shall report the escape of a raptor to the Department within 5 days. Any licensed falconer may recapture an escaped ~~banded~~ raptor at any time and shall notify the Department within 5 calendar days of the capture.

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- ~~VU.~~ Within 5 calendar days of acquiring a raptor for falconry purposes, or disposing of a raptor possessed under the authority of this Section, a sport falconry licensee shall submit a copy of Form 3-186A to the Department, completed and signed in accordance with the instructions on the form. ~~acquisition of any raptor, by any method, or disposition of any raptor by any method, a falconer licensee shall submit to the Department a copy of a U.S. Fish and Wildlife Service Migratory Bird Acquisition and Disposition Report, Form 3-186A, dated June 30, 1991, not including any later revisions, which is incorporated by reference herein. The form shall be completed and signed by the licensee in accordance with the instructions on the form. A copy of the incorporated form is on file with the Secretary of State and available from the U.S. Fish and Wildlife Service Regional Law Enforcement Office, Albuquerque, New Mexico, 87103~~
- ~~WV.~~ A sport falconry licensee shall comply with ~~Falconer licensees are subject to the provisions of R12-4-409.~~

ARTICLE 6. RULES OF PRACTICE BEFORE THE COMMISSION

R12-4-608. Appeal from Department Action on Controlled-Use Markers

- ~~A.~~ An applicant for a license or permit which has been denied by the Department may appeal to the Commission. The applicant shall file the written appeal in the office of the Director within 30 calendar days after the denial is mailed or delivered to the applicant:
- ~~1.~~ The appellant shall prepare and sign the appeal form provided by the Department, describing the type of license or permit applied for and the reason the license or permit should be issued.
 - ~~2.~~ The Director shall schedule a hearing before the Commission on the appeal within 90 days of receipt of the appeal. The appellant may present testimony at the hearing.
- ~~B.~~ Any person, including any organization or agency, requesting that the Commission overturn the Department's denial of a request for the establishment, change, a Department decision on the establishment or removal of controlled-use markers under R12-4-522 shall:
1. File a petition with the Arizona Game and Fish Department, Director's Office, 2221 West Greenway, Phoenix, Arizona, 85023, 30 calendar days prior to a scheduled Commission meeting. Petitions received after that time will be submitted by the Director to the Commission at the following regularly scheduled Commission meeting.
 2. Submit petition typewritten or computer-printed, double-spaced, on 8½" x 11" paper. The petitioner shall place the title "Petition for Watercraft Restriction Amendment to the Arizona Game and Fish Commission" at the top of the 1st page, and provide the following information:
 - a. Name, mailing address, and phone number of the petitioner, including the name, address, and phone number of the person acting as official representative for any group, organization, or agency involved in the petition;
 - b. A statement of facts concerning the exact action requested, including specific location of controlled-use markers or watercraft or boat engine restrictions to be changed or removed;
 - c. A statement of reasons to support the requested action;
 - d. The signature of the petitioner or official representative for the petitioner, and the date the petition was signed.

NOTICE OF PROPOSED RULEMAKING

TITLE 18. ENVIRONMENTAL QUALITY

CHAPTER 13. DEPARTMENT OF ENVIRONMENTAL QUALITY

SOLID WASTE MANAGEMENT

PREAMBLE

- | | |
|------------------------------------|---------------------------------|
| 1. <u>Sections Affected</u> | <u>Rulemaking Action</u> |
| Article 25 | New Article |
| R18-13-2501 | New Section |
- 2. The specific authority for the rule making, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
Authorizing Statutes: A.R.S. §§ 41-1003 and 49-104
Implementing Statute: A.R.S. § 49-833(C)
- 3. List all previous notices appearing in Register addressing the proposed rules:**
Notice of Docket Opening: 4 A.A.R. 1349-1350, June 12, 1998
Notice of Docket Opening: 5 A.A.R. 1234, April 30, 1999
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Deborah K. Blacik or Martha Seaman

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Address: Department of Environmental Quality
Rule Development Section, M0836A-829
3033 North Central Avenue
Phoenix, AZ 85012-2809

Telephone: (602) 207-2223 or (800) 234-5677, Ext. 2222 (Arizona only)

TTD: (602) 207-4829

Fax: (602) 207-2251

5. An explanation of the rule, including the agency's reasons for initiating the rule:

The recycling emblem was created as a result of the solid waste recycling act of 1990. The act required that ADEQ establish a state recycling emblem and use it to help increase public awareness of recycling programs and the potential for reducing waste. This proposed rulemaking satisfies the statutory requirement that the recycling emblem be adopted by rule.

To create a recycling emblem, ADEQ held a statewide contest in 1991 through the public and private school districts giving students an opportunity to offer graphic renditions for a state recycling emblem. More than 800 entries were received and evaluated. Of those received, the 24 finalists were evaluated by the Arizona recycling advisory committee (ARAC) and ADEQ recycling program staff to determine the winning entry. The original winning entry, produced by Ian Morrison, a Grand Canyon University student, was an emblem with a saguaro cactus with 2 arrows.

The ARAC is established by state law at A.R.S. § 49-837(D). The director of ADEQ appoints the committee members. The membership consists of 2 representatives from private solid waste collection businesses, 2 representatives from solid waste recycling businesses, 4 representatives from political businesses, 4 representatives from political subdivisions which have implemented recycling and source reduction programs, of which at least 1 of whom resides in a county having a population of fewer than 500,000 persons, and 1 representative of the general public. The members of the ARAC are intended to represent the entire state of Arizona.

The ARAC modified the emblem to include the universally accepted recycling symbol of 3 arrows following each other. In addition, the ARAC decided the emblem appeared incomplete without a slogan. Slogan ideas were suggested; the ARAC and the recycling program staff agreed upon the present official state recycling emblem with the 2 ovals containing the slogan, "Arizona Cares – Reduce – Reuse – Recycle." ADEQ generally uses a green Saguaro cactus on a white background with a blue outer oval as its preferred colors for the emblem.

ADEQ has used this modified emblem as the official state recycling emblem since 1991. The emblem wraps the 3 arrows of the universal recycling symbol around a saguaro cactus. A double oval frame surrounds the emblem and bears the slogan, Arizona Cares – Reduce – Reuse – Recycle.

The emblem was registered as a trademark with the State of Arizona on August 30, 1994, effective until August 30, 2004. The trademark may be used in any variety of sizes and colors including black and white.

The ADEQ's recycling program staff established minimum guidelines for public use of the recycling emblem. Any organization or person that is interested in promoting recycling is welcome to use the symbol without any ADEQ approval. Use of the emblem is voluntary. The ADEQ's recycling program staff has incorporated the emblem in projects that have been funded through the Recycling Fund either by grant or contract. Because the statute requires that the emblem be used to increase public awareness, ADEQ's focus has been to use the emblem to promote education about the benefits of recycling.

An organization or person that is interested in using the recycling emblem in promoting recycling education is able to obtain either a printed copy or an electronic version of the emblem by calling ADEQ at 1-800-234-5677, extension 4133 or 602-207-4133.

A commenter orally noted that the Saguaro cactus may not be an appropriate symbol to use for a state emblem as it is not indigenous to all areas of the state and, in fact, it cannot survive in most regions of Arizona. This would appear to make the emblem represent only 1 region of Arizona. The Department does not now recall what considerations were used by ARAC to conclude that the saguaro cactus was the best symbol submitted in the contest. The saguaro cactus, however, has long been associated in the public's mind with Arizona and its bloom was declared the territorial flower in 1901 and the state flower in 1931.

The proposed rule sets forth the following:

1. A description of the recycling emblem.

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2. The use of the recycling emblem as a tool to promote education about recycling.
3. How an organization or person that is interested in using the emblem can obtain a copy of the emblem from the Department.
6. **A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material:**
None.
7. **A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**
Not applicable.
8. **The preliminary summary of the economic, small business, and consumer impact:**
Implementation of this rule will not result in a compliance burden to any class of person or a regulatory burden on ADEQ. The use of this emblem is voluntary and it does not require any approval from ADEQ. A person or entity may obtain the emblem in either an electronic or printed format. It may be used in any color or size although ADEQ prefers the cactus to be green on a white background with a blue outer oval.

According to ADEQ records, 15 requests have been made to obtain the official recycling emblem during the past 2 years. Although increased requests potentially could result from implementing this rule, the future impact on ADEQ is expected to be de minimis.

ADEQ expects the benefits of this rule to exceed costs. The use of this emblem should help increase public awareness about the benefits of recycling. Increased recycling could lead to reduced waste. Consequently, ADEQ anticipates no adverse impacts on any class of person, such as private and public businesses, small businesses, political subdivisions of this state, ADEQ, or consumers.
9. **The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement.**
Name: David Lillie

Address: Department of Environmental Quality
3033 N. Central, 8th Floor
Phoenix, AZ 85012-2809

Telephone: (602) 207-4436 or (800) 234-5677, Ext. 4436 (Arizona only)
TTD: (602) 207-4829
Fax: (602) 207-2251
10. **The time, place and nature of the proceedings for the adoption, amendment, or repeal of the rule or, if no proceeding is scheduled, where, when and how persons may request an oral proceeding on the proposed rule:**
Due to the nature of the rulemaking, an oral proceeding will be held only if requested. A person may make a request for an oral proceeding by submitting a written request for 1 to either of the persons listed under the answer to Question 4 by 5 p.m. on August 30, 1999. The close of written comment is 5 p.m. on August 30, 1999.
11. **Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules.**
Not applicable.
12. **Incorporations by reference and their location in the rules:**
Not applicable.
13. **The full text of the rules follows:**

TITLE 18. ENVIRONMENTAL QUALITY

**CHAPTER 13. DEPARTMENT OF ENVIRONMENTAL QUALITY
SOLID WASTE MANAGEMENT**

ARTICLE 25. RECYCLING

R18-13-2501. Recycling Emblem Description and Usage

ARTICLE 25. RECYCLING

R18-13-2501. Recycling Emblem Description and Usage

- A.** The Department's official state recycling emblem wraps the 3 arrows of the universal recycling symbol around a saguaro cactus. A double oval frame surrounds the emblem and bears the slogan, Arizona Cares – Reduce – Reuse – Recycle.
- B.** The purpose of the emblem is to increase public awareness of recycling programs and the potential for reducing waste. Any organization or person that is interested in promoting recycling may use the emblem without receiving approval from the Department. An organization or person can obtain either a printed copy or electronic version of the emblem from the Department by calling the Recycling and Data Management Unit at 1-800-234-5677, extension 4133 or 602-207-4133.
- C.** The emblem may be used in any variety of sizes and colors including black and white. The preferred colors are a green cactus on a white background with a blue outer oval. The emblem appears as follows:



NOTICE OF PROPOSED RULEMAKING

TITLE 20. COMMERCE, BANKING, AND INSURANCE

CHAPTER 6. DEPARTMENT OF INSURANCE

PREAMBLE

- | <u>1. Sections Affected</u> | <u>Rulemaking Action</u> |
|------------------------------------|---------------------------------|
| R20-6-309 | New Section |
| R20-6-309.01 | New Section |
| R20-6-309.02 | New Section |
| R20-6-309.03 | New Section |
| R20-6-309.04 | New Section |
| Appendix A | New Section |
- 2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
Authorizing statutes: A.R.S. § 20-143.
Implementing statutes: A.R.S. §§ 20-143, 20-510, 20-696 through 20-696.07.
- 3. List of all previous notices appearing in the Register addressing the proposed rules:**
Notice of Docket Opening: 5 A.A.R. 1617 (May 28, 1999).

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4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:

Name: Vista Thompson Brown
Address: Arizona Department of Insurance
2910 N. 44th Street, Suite 210
Phoenix, Arizona 85018
Telephone: (602) 912-8451
Fax: (602) 912-8452

5. An explanation of the rules, including the agency's reasons for initiating the rules:

This rule arises out of a docket opening notice at 5 A.A.R. 1618 (May 28, 1999). The proposed rules, commonly referred to by the insurance industry as "Triple X," address: (1) the valuation of life insurance plans with nonlevel premiums or benefits, and (2) the valuation of universal life products with secondary guarantees. The proposed rules also include new tables of select mortality factors and provisions for their use. The purpose of these rules is: (1) to provide a greater degree of specificity regarding the calculation of reserves for plans with nonlevel premiums or benefits and universal life products with secondary guarantees; and (2) to incorporate a new set of select mortality factors to enable the establishment of appropriate reserves for different products at different durations.

6. A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rules and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material:

Report of the Society of Actuaries Committee on Review of NAIC Mortality Proposals (November 24, 1998). The report can be viewed at the address listed in question #9.

7. A showing of good cause why the rules are necessary to promote a statewide interest if the rules will diminish a previous grant of authority of a political subdivision of this state:

Not applicable.

8. The preliminary summary of the economic, small business, and consumer impact:

The primary concern with level-term life insurance is that life insurance companies are underpricing level-term products, leaving them with insufficient reserves for significant periods during the policy period. To guarantee the premiums of 10, 15, and 20-year level-term policies under Triple X, companies which have not implemented practices substantially in compliance with this rule will likely have to increase the reserves for these products. If this occurs, some of the smaller, less stable companies may choose to exit the market for this product, leaving the bulk of the market share to the control of a smaller number of large companies. If the larger companies raise premiums significantly to meet the reserve requirements, guaranteed life term products will be more expensive and may become less popular and scarcer.

The economic impact to insurers and insureds is significantly outweighed by the increased security to consumers and insureds by requiring higher reserves. As previously stated, the proposed rules are designed to cure a problem with inadequate reserves and to establish valuation mortality standards more in line with current experience. The benefits to consumers and insureds of adopting these rules are threefold: they will encourage national uniformity, assure consistency for insurers and consumers, and promote solvency of insurance companies.

First, by promoting rules consistent with other states, the Department will help ensure that no state has a competitive advantage or disadvantage. Secondly, by requiring realistic reserve requirements, the Department is protecting consumers and their economic interests in these products. Finally, these rules will protect consumers by insuring that insurance companies to do not become insolvent because of unrealistic reserve requirements.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Vista Thompson Brown
Address: Arizona Department of Insurance
2910 N. 44th Street, Suite 210
Phoenix, Arizona 85018
Telephone: (602) 912-8451
Fax: (602) 912-8452

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10. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rules or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rules:

The Department invites and will accept written comment during regular business hours at the address listed in question #9 until the close of the record at 5 p.m. on Wednesday, August 25, 1999, concerning the "Triple X" rules to be adopted.

The Department will hold an oral proceeding on Tuesday, August 24, 1999, at 2 p.m. at the Department of Insurance, 2910 N. 44th Street, Phoenix, Arizona, in the Third Floor Training Room.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

None.

12. Incorporations by reference and their location in the rules:

None.

13. The full text of the rules follows:

TITLE 20. COMMERCE, PROFESSIONS, AND OCCUPATIONS

CHAPTER 6. DEPARTMENT OF INSURANCE

ARTICLE 3. FINANCIAL PROVISIONS AND PROCEDURES

Section

R20-6-309. Definitions

R20-6-309.01. Applicability

R20-6-309.02. General Calculation Requirements for Basic Reserves and Premium Deficiency Reserves

R20-6-309.03. Calculation of Minimum Valuation Standard for Policies with Guaranteed Nonlevel Gross Premiums or Guaranteed Nonlevel Benefits (Other than Universal Life Policies)

R20-6-309.04. Calculation of Minimum Valuation Standard for Flexible Premium and Fixed Premium Universal Life Insurance Policies that Contain Provisions Resulting in the Ability of a Policy owner to Keep in Force Over a Secondary Guarantee Period

Appendix A. Select Mortality Factors

ARTICLE 3. FINANCIAL PROVISIONS AND PROCEDURES

R20-6-309. Definitions

The definitions in this Section apply in R20-6-309 through R20-6-309.04.

1. "Basic reserves" mean reserves calculated in accordance with A.R.S. § 20-510(H).
2. "Contract segmentation method" means the method of dividing the period from issue to mandatory expiration of a policy into successive segments, with the length of each segment defined as the period from the end of the prior segment (from policy inception, for the 1st segment) to the end of the latest policy year as determined in this subsection and calculated using the 1980 CSO valuation tables, as defined in subsection (6), and, if elected, the optional minimum mortality standard for deficiency reserves in R20-6-309.02 (B).

An insurer shall set the length of a particular contract segment equal to the minimum of the value t for which G_t is greater than R_t , as defined below. If G_t never exceeds R_t the segment length is deemed to be the number of years from the beginning of the segment to the mandatory expiration date of the policy.

$$G_t = \frac{GP_{x+k+t}}{GP_{x+k+t-1}}$$

where:

x = original issue age;

k = the number of years from the date of issue to the beginning of the segment;

$t = 1, 2, \dots$; t is reset to 1 at the beginning of each segment;

$GP_{x+k+t-1}$ = Guaranteed gross premium per thousand of face amount for year t of the segment, ignoring policy fees only if level for the premium paying period of the policy.

$$R_t = \frac{qx+k+t}{qx+k+t-1}$$

However, an insurer may elect to increase or decrease R_t by 1% in any policy year, but R_t shall not be less than 1,

where:

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- x, k and t are as defined above, and the insurer elects the mortality in R20-6-309.02(B)(3) for deficiency reserves $qx+k+t-1 =$ valuation mortality rate for deficiency reserves in policy year k+t but using the mortality of R20-6-309.02 (B)(2) if R20-6-309.02(B)(3) is elected for deficiency reserves.
However, if $GPx+k+t$ is greater than 0 and $GPx+k+t-1$ is equal to 0, Gt is deemed to be 1000. If $GPx+k+t$ and $GPx+k+t-1$ are both equal to 0, Gt is deemed to be 0.
3. “Deficiency reserves” means the excess, if greater than 0, of:
 - a. Minimum reserves calculated in accordance with A.R.S. § 20-510(L), over
 - b. Basic reserves.
 4. “Guaranteed gross premiums” means the premiums under a policy of life insurance that are guaranteed and determined at issue.
 5. “Maximum valuation interest rates” mean the interest rates defined in A.R.S. § 20-510(G) that an insurer shall use to determine the minimum standard for the valuation of life insurance policies.
 6. NAIC” means the National Association of Insurance Commissioners.
 7. “1980 CSO valuation tables” means the NAIC 1980 Standard Ordinary Mortality Table (1980 CSO Table) without 10-year selection factors, incorporated into the 1980 amendments to the NAIC Standard Valuation Law, and variations of the 1980 CSO Table approved by the NAIC, such as the smoker and nonsmoker versions approved in December 1983.
 8. “Scheduled gross premium” means:
 - a. For other than universal life insurance policies, the smallest illustrated gross premium at issue; and
 - b. For universal life insurance policies, the smallest specified premium in R20-6-309.04(A)(3), if any, or else the minimum premium in R20-6-309.04(A)(4).
 9. “Segmented reserves” means reserves, calculated using segments produced by the contract segmentation method, equal to the present value of all future guaranteed benefits less the present value of all future net premiums to the mandatory expiration of a policy, where the net premiums within each segment are a uniform percentage of the respective guaranteed gross premiums within the segment. The uniform percentage for each segment is such that, at the beginning of the segment, the present value of the net premiums within the segment equals:
 - a. The present value of the death benefits within the segment, plus
 - b. The present value of any unusual guaranteed cash value, as defined in R20-6-309.03(D), occurring at the end of the segment, less
 - c. Any unusual guaranteed cash value occurring at the start of the segment, plus
 - d. For the 1st segment only, the excess of item (i) over item (ii), as follows:
 - i. A net level annual premium equal to the present value, at the date of issue, of the benefits provided for in the 1st segment after the 1st policy year, divided by the present value, at the date of issue, of an annuity of 1 per year payable on the 1st and each subsequent anniversary within the 1st segment on which a premium falls due. However, the net level annual premium shall not exceed the net level annual premium on the 19-year premium whole life plan of insurance of the same renewal year equivalent level amount at an age 1 year higher than the age at issue of the policy.
 - ii. A net 1-year term premium for the benefits provided for in the 1st policy year.
 - e. The length of each segment is determined by the contract segmentation method.
 - f. The interest rates used in the present value calculations for any policy may not exceed the maximum valuation interest rate, determined with a guarantee duration equal to the sum of the lengths of all segments of the policy.
 - g. For both basic reserves and deficiency reserves computed by the contract segmentation method, present values shall include future benefits and net premiums in the current segment and in all later segments.
 10. “Tabular cost of insurance” means the net single premium at the beginning of a policy year for 1-year term insurance in the amount of the guaranteed death benefit in that policy year.
 11. “Ten-year select factors” mean the select factors adopted with the 1980 amendments to the NAIC Standard Valuation Law set forth at A.R.S. § 20-510.
 12. “Unitary reserves” means the present value of all future guaranteed benefits less the present value of all future modified net premiums, where:
 - a. Guaranteed benefits and modified net premiums are considered to the mandatory expiration of the policy; and
 - b. Modified net premiums are a uniform percentage of the respective guaranteed gross premiums, where the uniform percentage is such that, at issue, the present value of the net premiums equals the present value of all death benefits and pure endowments, plus the excess of item (i) over item (ii), as follows:
 - i. A net level annual premium equal to the present value, at the date of issue, of the benefits provided for after the 1st policy year, divided by the present value, at the date of issue, of an annuity of 1 per year payable on the 1st and each subsequent anniversary of the policy on which a premium falls due. However, the net level annual premium shall not exceed the net level annual premium on the 19-year premium whole life plan of insurance of the same renewal year equivalent level amount at an age 1 year higher than the age at issue of the policy.

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- ii. A net 1-year term premium for the benefits provided for in the 1st policy year.
 - c. The interest rates used in the present value calculations for any policy shall not exceed the maximum valuation interest rate, determined with a guarantee duration equal to the length from issue to the mandatory expiration of the policy.
13. “Universal life insurance policy” means an individual life insurance policy that includes charges to the policy separately identified interest credits (other than in connection with dividend accumulations, premium deposit funds, or other supplementary accounts) and mortality or expense charges.

R20-6-309.01, Applicability

A. General Scope. R20-6-309 through R20-6-309.04 apply to all life insurance policies with or without nonforfeiture values, issued on or after the effective date of this rule, subject to the exceptions and conditions in this Section.

B. Exceptions. R20-6-309 through R20-6-309.04 do not apply to the policies listed in this subsection.

- 1. An individual life insurance policy issued in accordance with and as a result of the exercise of a reentry provision in an original life insurance policy that:
 - a. Has the same or a greater face amount.
 - b. Was issued before the effective date of this rule, and
 - c. Guarantees the premium rates of the new policy.
- 2. An individual life insurance policy subsequently issued under a derivation of a reentry provision, as described in subsection (B)(1).
- 3. A universal life policy that meets all the following requirements:
 - a. Any secondary guarantee period in the policy is 5 years or less;
 - b. The specified premium for the secondary guarantee period is not less than the net level reserve premium for the secondary guarantee period based on the 1980 CSO valuation tables in R20-6-309.01(6) and the applicable valuation interest rate; and
 - c. The initial surrender charge is not less than 100% of the 1st year annualized specified premium for the secondary guarantee period.
- 4. A variable life insurance policy that provides for life insurance, the amount or duration of which varies according to the investment experience of any separate account or accounts.
- 5. A variable universal life insurance policy that provides for life insurance, the amount or duration of which varies according to the investment experience of any separate account or accounts.
- 6. A group life insurance certificate unless the certificate has a stated or implied schedule of maximum gross premiums required to continue coverage in force for a period in excess of 1 year.

C. Conditions

- 1. An insurer shall calculate the minimum valuation standard for policies with guaranteed nonlevel gross premiums or guaranteed nonlevel benefits (other than universal life policies), or both, as provided in R20-6-309.03.
- 2. An insurer shall calculate the minimum valuation standard for flexible premium and fixed premium universal life insurance policies, that allow a policyholder to keep a policy in force over a secondary guarantee period as provided in R20-6-309.04.

R20-6-309.02, General Calculation Requirements for Basic Reserves and Premium Deficiency Reserves

A. For any 1 or more specified plans of life insurance, an insurer may elect to calculate the minimum mortality standard for basic reserves using the 1980 CSO valuation tables with select mortality factors. If the insurer elects to use select mortality factors the insurer may use:

- 1. The 10-year select mortality factors incorporated into the 1980 amendments to the NAIC Standard Valuation Law; or
- 2. The select mortality factors in the Appendix;

B. An insurer shall calculate deficiency reserves, if any, for each policy as the excess, if greater than 0, of the quantity A over the basic reserve. Quantity A is obtained by recalculating the basic reserve for a policy using guaranteed gross premiums instead of net premiums when the guaranteed gross premiums are less than the corresponding net premiums. For any 1 or more specified plans of insurance, an insurer may elect to base the quantity A and the corresponding net premiums used in the determination of quantity A on the 1980 CSO valuation tables with select mortality factors. If the insurer elects to use select mortality factors the insure may use:

- 1. The 10-year select mortality factors incorporated into the 1980 amendments to the NAIC Standard Valuation Law;
- 2. The select mortality factors in Appendix 1;
- 3. For durations in the 1st segment, X% of the select mortality factors in Appendix 1, subject to the conditions listed in this subsection.
 - a. X may vary by policy year, policy form, underwriting classification, issue age, or any other policy factor expected to affect mortality experience.
 - b. X shall not be less than 20%.
 - c. X shall not decrease in any successive policy years.

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- d. X is such that, when using the valuation interest rate for basic reserves, item (i) is greater than or equal to item (ii):
 - i. The actuarial present value of future death benefits, calculated using the mortality rates resulting from the application of X:
 - ii. The actuarial present value of future death benefits, calculated using anticipated mortality experience without recognition of mortality improvement beyond the valuation date.
 - e. X is such that the mortality rates resulting from the application of X are at least as great as the anticipated mortality experience, without recognition of mortality improvement beyond the valuation date, in each of the 1st 5 years after the valuation date.
 - f. The insurer's appointed actuary shall increase X at any valuation date when it is necessary to continue to meet all the requirements of subsection (B)(3).
 - g. The insurer's appointed actuary may decrease X at any valuation date if X does not decrease in any successive policy years and continues to meet all the requirements of subsection (B)(3).
 - h. The insurer's appointed actuary shall take into account the adverse effect on expected mortality and lapsation of any anticipated or actual increase in gross premiums.
 - i. If X is less than 100% at any duration for any policy, the insurer shall meet the following requirements:
 - i. The insurer's appointed actuary shall annually prepare an actuarial opinion and memorandum as required by A.R.S. §§ 20-696.04 and 20-5104 et seq.; and
 - ii. The insurer's appointed actuary shall annually opine for all policies subject to R20-6-309 through R20-6-309.04 as to whether the mortality rates resulting from the application of X meet the requirements of subsection (B)(3).
 - iii. The actuary shall support the opinions described in subsections (B)(3)(i)(i) and (B)(3)(i)(ii) by an actuarial report, subject to Actuarial Standards of Practice promulgated by the Actuarial Standards Board of the American Academy of Actuaries.
 - j. The X factors shall reflect anticipated future mortality, without recognition of mortality improvement beyond the valuation date, taking into account relevant emerging experience.
- C.** This Section applies to both basic reserves and deficiency reserves. An insurer may use any set of select mortality factors for only the 1st segment, except that if the 1st segment of the policy is less than 10 years, the insurer shall use the appropriate 10-year select mortality factors incorporated into the 1980 amendments to the NAIC Standard Valuation Law through the 10th policy year from the date of issue.
- D.** To determine basic reserves or deficiency reserves, an insurer may use guaranteed gross premiums without policy fees if the calculation involves the guaranteed gross premium, but only if the policy fee is a level dollar amount after the 1st policy year. In determining deficiency reserves, the insurer may include policy fees in guaranteed gross premiums, even if those fees are not included in the actual calculation of basic reserves.
- E.** An insurer shall calculate reserves for policies that have changes to guaranteed gross premiums, guaranteed benefits, guaranteed charges, or guaranteed credits, that are unilaterally made by the insurer after issue and that are effective for more than 1 year after the date of the change as the greatest of the following:
- 1. Reserves calculated without regard to the guarantee.
 - 2. Reserves assuming the guarantee was made at time of issue, and
 - 3. Reserves assuming that the policy was issued on the date of the guarantee.
- F.** The director may require the insurer to document the extent of the adequacy of reserves for specified blocks of business, including policies issued prior to the effective date of this rule. This documentation may include a demonstration of the extent to which the insurer has relied upon aggregation with other nonspecified blocks of business to form the appointed actuary's opinion under A.R.S. §§ 20-510 and 20-696.07.

R20-6-309.03. Calculation of Minimum Valuation Standard for Policies with Guaranteed Nonlevel Gross Premiums or Guaranteed Nonlevel Benefits (Other than Universal Life Policies)

- A.** Basic Reserves. An insurer shall calculate basic reserves as the greater of the segmented reserves and the unitary reserves. The insurer shall use the same valuation mortality table and selection factors for both the segmented reserves and the unitary reserves for any policy to calculate segmented reserves and net premiums, the insurer may elect 1 of the following adjustments:
- 1. Treat the unitary reserve, if greater than 0, applicable at the end of each segment as a pure endowment and subtract the unitary reserve, if greater than 0, applicable at the beginning of each segment, from the present value of guaranteed life insurance and endowment benefits for each segment.
 - 2. Treat the guaranteed cash surrender value, if greater than 0, applicable at the end of each segment as a pure endowment; and subtract the guaranteed cash surrender value, if greater than 0, applicable at the beginning of each segment, from the present value of guaranteed life insurance and endowment benefits for each segment.
- B.** Deficiency Reserves
- 1. An insurer shall calculate the deficiency reserve at any duration on the following basis:

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- a. A unitary basis if the corresponding basic reserve determined by subsection (A) is unitary;
 - b. A segmented basis if the corresponding basic reserve determined by subsection (A) is segmented; or
 - c. The segmented basis if the corresponding basic reserve determined by subsection (A) is equal to both the segmented reserve and the unitary reserve.
2. Section B applies to any policy for which the guaranteed gross premium at any duration is less than the corresponding modified net premium calculated by the method used in determining the basic reserves, but using the minimum valuation standards of mortality (specified in R20-6-309.02 (B)) and rate of interest.
 3. An insurer shall calculate deficiency reserves, if any, for each policy as the excess if greater than 0, for the current and all remaining periods, of the quantity A over the basic reserve, where A is obtained as indicated in R20-6-309.02(B).
 4. For deficiency reserves determined on a segmented basis, the quantity A is determined using segment lengths equal to those determined for segmented basic reserves.
- C. Minimum Value.** Basic reserves may not be less than the tabular cost of insurance for the balance of the policy year, if an insurer uses mean reserves. Basic reserves may not be less than the tabular cost of insurance for the balance of the current modal period or to the paid-to-date, if later, but not beyond the next policy anniversary, if mid-terminal reserves are used. The tabular cost of insurance shall use the same valuation mortality table and interest rates as that used for the calculation of the segmented reserves if the insurer uses select mortality factors, the insurer shall use the 10-year select factors incorporated into the 1980 amendments of the NAIC Standard Valuation Law. See A.R.S. § 20-510. In no case may total reserves (including basic reserves, deficiency reserves and any reserves held for supplemental benefits that would expire upon contract termination) be less than the amount that the policy owner would receive upon termination of the policy.
- D. Unusual Pattern of Guaranteed Cash Surrender Values.**
1. For any policy with an unusual pattern of guaranteed cash surrender values, the reserves actually held prior to the 1st unusual guaranteed cash surrender value shall not be less than the reserves calculated by treating the 1st unusual guaranteed cash surrender value as a pure endowment and treating the policy as an n year policy providing term insurance plus a pure endowment equal to the unusual cash surrender value, where n is the number of years from the date of issue to the date the unusual cash surrender value is scheduled.
 2. The reserves actually held after any unusual guaranteed cash surrender value shall not be less than the reserves calculated by treating the policy as an n year policy providing term insurance plus a pure endowment equal to the next unusual guaranteed cash surrender value, and treating any unusual guaranteed cash surrender value at the end of the prior segment as a net single premium, where:
 - a. n is the number of years from the date of the last unusual guaranteed cash surrender value, prior to the valuation date to the earlier of:
 - i. The date of the next unusual guaranteed cash surrender value, if any, that is scheduled after the valuation date; or
 - ii. The mandatory expiration date of the policy; and
 - b. The net premium for a given year during the n year period is equal to the product of the net to gross ratio and the respective gross premium; and
 - c. The net to gross ratio is equal to item (i) divided by item (ii) as follows:
 - i. The present value, at the beginning of the n year period of death benefits payable during the n year period plus the present value, at the beginning of the n year period, of the next unusual guaranteed cash surrender value, if any, minus the amount of the last unusual guaranteed cash surrender value, if any, scheduled at the beginning of the n year period.
 - ii. At the beginning of the n year period, the present value of the scheduled gross premiums payable during the n year period.
 3. In this subsection, a policy is considered to have an unusual pattern of guaranteed cash surrender values if any future guaranteed cash surrender value exceeds the prior year's guaranteed cash surrender value by more than the sum of:
 - a. 110% of the scheduled gross premium for that year;
 - b. 110% of 1 year's accrued interest on the sum of the prior year's guaranteed cash surrender value and the scheduled gross premium using the nonforfeiture interest rate used for calculating policy guaranteed cash surrender values; and
 - c. 5% of the 1st policy year surrender charge, if any.
- E. Optional Exemption for Yearly Renewable Term Reinsurance ("YRT").** An insurer may elect the following approach for reserves on YRT reinsurance:
1. Calculate the valuation net premium for each future policy year as the tabular cost of insurance for that future year.
 2. Basic reserves shall never be less than the tabular cost of insurance for the appropriate period, as defined in subsection (C).
 3. Deficiency reserves.
 - a. For each policy year, calculate the excess, if greater than 0, of the valuation net premium over the respective maximum guaranteed gross premium.

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- b. For any duration, the minimum premium is less than the corresponding 1-year valuation premium, calculated using the maximum valuation interest rate and the 1980 CSO valuation tables with or without 10-year select mortality factors.
- 2. A secondary guarantee period is the period for which the policy is guaranteed to remain in force subject only to a secondary guarantee. When a policy contains more than 1 secondary guarantee, the minimum reserve shall be the greatest of the respective minimum reserves at that valuation date of each unexpired secondary guarantee, ignoring all other secondary guarantees. Secondary guarantees that are unilaterally changed by the insurer after issue are deemed to have been made at issue. An insurer shall recalculate Reserves described in subsections (B) and (C) below from issue to reflect these changes.
- 3. Specified premiums mean the premiums specified in the policy, which, if paid guarantees that the policy will remain in force at the original schedule of benefits, but which are otherwise insufficient to keep the policy in force if the insurer imposes maximum mortality and expense charges and minimum interest credits and assesses any applicable surrender charges.
- 4. In subsection (A), the minimum premium for any policy year is the premium that, when paid into a policy with a 0 account value at the beginning of the policy year, produces a 0 account value at the end of the policy year. To calculate the minimum premium the insurer shall use the policy cost factors (including mortality charges, loads, and expense charges) and the interest crediting rate, which are all guaranteed at issue.
- 5. The 1-year valuation premium means the net 1-year premium based on the original schedule of benefits for a given policy year. The 1-year valuation premiums for all policy years are calculated at issue. An insurer shall not use the select mortality factors defined in R20-6-309.02 (B) (2) through (4) to calculate the 1-year valuation premiums.
- 6. The 1-year valuation premium shall reflect the frequency of fund processing, as well as the distribution of deaths assumption used to calculate the monthly mortality charges to the fund.
- B.** Basic Reserves for the Secondary Guarantees. An insurer shall use the segmented reserves for the secondary guarantee period as the Basic reserves for the secondary guarantees. In calculating the segments and the segmented reserves, the insurer shall set gross premiums equal to the specified premiums, if any, or otherwise to the minimum premiums, that keep the policy in force and determine the segments under the contract segmentation method in R20-6-309.01(B).
- C.** Deficiency Reserves for the Secondary Guarantees. An insurer shall calculate Deficiency reserves, if any, for the secondary guarantees for the secondary guarantee period as described in R20-6-309.03(B) with gross premiums set equal to the specified premiums, if any, or otherwise to the minimum premiums that keep the policy in force.
- D.** Minimum Reserves. The minimum reserves during the secondary guarantee period are the greater of:
 - 1. The basic reserves for the secondary guarantee plus the deficiency reserve, if any, for the secondary guarantees; or
 - 2. The minimum reserves required by other rules or regulations governing universal life plans.

Appendix A. Select Mortality Factors

This appendix contains tables of select mortality factors that are the bases to which the respective percentage of R20-6-309.02(A)(2) and (B)(2) and (3) are applied.

The 6 tables of select mortality factors include: (1) male aggregate, (2) male nonsmoker, (3) male smoker, (4) female aggregate, (5) female nonsmoker, and (6) female smoker.

These tables apply to both age last birthday and age nearest birthday mortality tables.

For sex-blended mortality tables, compute select mortality factors in the same proportion as the underlying mortality. For example, for the 1980 CSO-B Table, the calculated select mortality factors are 80% of the appropriate male table in this Appendix, plus 20% of the appropriate female table in this Appendix.

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Appendix A.

SELECT MORTALITY FACTORS

Male, Aggregate
Duration

Issue

<u>Age</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	<u>11</u>	<u>12</u>	<u>13</u>	<u>14</u>	<u>15</u>	<u>16</u>	<u>17</u>	<u>18</u>	<u>19</u>	<u>20+</u>
0-15	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
16	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
17	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
18	96	98	98	99	99	100	100	90	92	92	92	92	93	93	96	97	98	98	99	100
19	83	84	84	87	87	87	79	79	79	81	81	82	82	82	85	88	91	94	97	100
20	69	71	71	74	74	69	69	67	69	70	71	71	71	71	74	79	84	90	95	100
21	66	68	69	71	66	66	67	66	67	70	70	70	70	71	71	77	83	88	94	100
22	65	66	66	63	63	64	64	64	65	68	68	68	68	69	71	77	83	88	94	100
23	62	63	59	60	62	62	63	63	64	65	65	67	67	69	70	76	82	88	94	100
24	60	56	56	59	59	60	61	61	61	64	64	64	66	67	70	76	82	88	94	100
25	52	53	55	56	58	58	60	60	60	63	62	63	64	67	69	75	81	88	94	100
26	51	52	55	56	58	58	57	61	61	62	63	64	66	69	66	73	80	86	93	100
27	51	52	55	57	58	60	61	61	60	63	63	64	67	66	67	74	80	87	93	100
28	49	51	56	58	60	60	61	62	62	63	64	66	65	66	68	74	81	87	94	100
29	49	51	56	58	60	61	62	62	62	64	64	62	66	67	70	76	82	88	94	100
30	49	50	56	58	60	60	62	63	63	64	62	63	67	68	71	77	83	88	94	100
31	47	50	56	58	60	62	63	64	64	62	63	66	68	70	72	78	83	89	94	100
32	46	49	56	59	60	62	63	66	62	63	66	67	70	72	73	78	84	89	95	100
33	43	49	56	59	62	63	64	62	65	66	67	70	72	73	75	80	85	90	95	100
34	42	47	56	60	62	63	61	63	66	67	70	71	73	75	76	81	86	90	95	100
35	40	47	56	60	63	61	62	65	67	68	71	73	74	76	76	81	86	90	95	100
36	38	42	56	60	59	61	63	65	67	68	70	72	74	76	77	82	86	91	95	100
37	38	45	56	57	61	62	63	65	67	68	70	72	74	76	76	81	86	90	95	100
38	37	44	53	58	61	62	65	66	67	69	69	73	75	76	77	82	86	91	95	100
39	37	41	53	58	62	63	65	65	66	68	69	72	74	76	76	81	86	90	95	100
40	34	40	53	58	62	63	65	65	66	68	68	71	75	76	77	82	86	91	95	100

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Male, Aggregate
Duration

Issue

Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+
41	34	41	53	58	62	63	65	64	64	66	68	70	74	76	77	82	86	91	95	100
42	34	43	53	58	61	62	63	63	63	64	66	69	72	75	77	82	86	91	95	100
43	34	43	54	59	60	61	63	62	62	64	66	67	72	74	77	82	86	91	95	100
44	34	44	54	58	59	60	61	60	61	62	64	67	71	74	77	82	86	91	95	100
45	34	45	53	58	59	60	60	60	59	60	63	66	71	74	77	82	86	91	95	100
46	31	43	52	56	57	58	59	59	59	60	63	67	71	74	75	80	85	90	95	100
47	32	42	50	53	55	56	57	58	59	60	65	68	71	74	75	80	85	90	95	100
48	32	41	47	52	54	56	57	57	57	61	65	68	72	73	74	79	84	90	95	100
49	30	40	46	49	52	54	55	56	57	61	66	69	72	73	74	79	84	90	95	100
50	30	38	44	47	51	53	54	56	57	61	66	71	72	73	75	80	85	90	95	100
51	28	37	42	46	49	53	54	56	57	61	66	71	72	73	75	80	85	90	95	100
52	28	35	41	45	49	51	54	56	57	61	66	71	72	74	75	80	85	90	100	100
53	27	35	39	44	48	51	53	55	57	61	67	71	74	75	76	81	86	100	100	100
54	27	33	38	44	48	50	53	55	57	61	67	72	74	75	76	81	100	100	100	100
55	25	32	37	43	47	50	53	55	57	61	68	72	74	75	78	100	100	100	100	100
56	25	32	37	43	47	49	51	54	56	61	67	70	73	74	100	100	100	100	100	100
57	24	31	38	43	47	49	51	54	56	59	66	69	72	100	100	100	100	100	100	100
58	24	31	38	43	48	48	50	53	56	59	64	67	100	100	100	100	100	100	100	100
59	23	30	39	43	48	48	51	53	55	58	63	100	100	100	100	100	100	100	100	100
60	23	30	39	43	48	47	50	52	53	57	100	100	100	100	100	100	100	100	100	100
61	23	30	39	43	49	49	50	52	53	75	100	100	100	100	100	100	100	100	100	100
62	23	30	39	44	49	49	51	52	75	75	100	100	100	100	100	100	100	100	100	100
63	22	30	39	45	50	50	52	75	75	75	100	100	100	100	100	100	100	100	100	100
64	22	30	39	45	50	51	75	75	75	75	100	100	100	100	100	100	100	100	100	100
65	22	30	39	45	50	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
66	22	30	39	45	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
67	22	30	39	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
68	23	32	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
69	23	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
70	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100

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Male, Aggregate
Duration

Issue

Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+
71	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
72	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
73	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
74	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
75	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
76	48	52	55	60	60	65	70	70	70	100	100	100	100	100	100	100	100	100	100	100
77	48	52	55	60	60	65	70	70	100	100	100	100	100	100	100	100	100	100	100	100
78	48	52	55	60	60	65	70	100	100	100	100	100	100	100	100	100	100	100	100	100
79	48	52	55	60	60	65	100	100	100	100	100	100	100	100	100	100	100	100	100	100
80	48	52	55	60	60	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
81	48	52	55	60	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
82	48	52	55	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
83	48	52	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
84	48	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
85+	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

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Male, Nonsmoker
Duration

Issue

Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+
0-15	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
16	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
17	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
18	93	95	96	98	99	100	100	90	92	92	92	92	95	95	96	97	98	98	99	100
19	80	81	83	86	87	87	79	79	79	81	81	82	83	83	86	89	92	94	97	100
20	65	68	69	72	74	69	69	67	69	70	71	71	72	72	75	80	85	90	95	100
21	63	66	68	71	66	66	67	66	67	70	70	70	71	71	73	78	84	89	95	100
22	62	65	66	62	63	64	64	64	67	68	68	68	70	70	73	78	84	89	95	100
23	60	62	58	60	62	62	63	63	64	67	68	68	67	69	71	77	83	88	94	100
24	59	55	56	58	59	60	61	61	63	65	67	66	66	69	71	77	83	88	94	100
25	52	53	55	56	58	58	60	60	61	64	64	64	64	67	70	76	82	88	94	100
26	51	53	55	56	58	60	61	61	61	63	64	64	66	69	67	74	80	87	93	100
27	51	52	55	58	60	60	61	61	62	63	64	66	67	66	67	74	80	87	93	100
28	49	52	57	58	60	61	63	62	62	64	66	66	63	66	68	74	81	87	94	100
29	49	51	57	60	61	61	62	62	63	64	66	63	65	67	68	74	81	87	94	100
30	49	51	57	60	61	62	63	63	63	64	62	63	66	68	70	76	82	88	94	100
31	47	50	57	60	60	62	63	64	64	62	63	65	67	70	71	77	83	88	94	100
32	46	50	57	60	62	63	64	64	62	63	65	66	68	71	72	78	83	89	94	100
33	45	49	56	60	62	63	64	62	63	65	66	68	71	73	74	79	84	90	95	100
34	43	48	56	62	63	64	62	62	65	66	67	70	72	74	74	79	84	90	95	100
35	41	47	56	62	63	61	62	63	66	67	68	70	72	74	75	80	85	90	95	100
36	40	47	56	62	59	61	62	63	66	67	68	70	72	74	75	80	85	90	95	100
37	38	45	56	58	59	61	62	63	66	67	67	69	71	73	74	79	84	90	95	100
38	38	45	53	58	61	62	63	65	65	67	68	70	72	74	73	78	84	89	95	100
39	37	41	53	58	61	62	63	64	65	67	68	70	71	73	73	78	84	89	95	100
40	34	41	53	58	61	62	63	64	64	66	67	69	71	73	72	78	83	89	94	100

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Male, Nonsmoker
Duration

Issue

Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+
41	34	41	53	58	61	61	62	62	63	65	65	67	69	71	71	77	83	88	94	100
42	34	43	53	58	60	61	62	61	61	63	64	66	67	69	71	77	83	88	94	100
43	32	43	53	58	60	61	60	60	60	60	62	64	66	68	69	75	81	88	94	100
44	32	44	52	57	59	60	60	59	59	58	60	62	65	67	69	75	81	88	94	100
45	32	44	52	57	59	60	59	57	57	57	59	61	63	66	68	74	81	87	94	100
46	32	42	50	54	56	57	57	56	55	56	59	61	63	65	67	74	80	87	93	100
47	30	40	48	52	54	55	55	54	54	55	59	61	62	63	66	73	80	86	93	100
48	30	40	46	49	51	52	53	53	54	55	57	61	62	63	63	70	78	85	93	100
49	29	39	43	48	50	51	50	51	53	54	57	61	61	62	62	70	77	85	92	100
50	29	37	42	45	47	48	49	50	51	54	57	61	61	61	61	69	77	84	92	100
51	27	35	40	43	45	47	48	50	51	53	57	60	61	61	62	70	77	85	92	100
52	27	34	39	42	44	45	48	49	50	53	56	60	60	62	62	70	77	85	100	100
53	25	31	37	41	44	45	47	49	50	51	56	59	61	61	62	70	77	100	100	100
54	25	30	36	39	43	44	47	48	49	51	55	59	59	61	62	70	100	100	100	100
55	24	29	35	38	42	43	45	48	49	50	56	58	59	61	62	100	100	100	100	100
56	23	29	35	38	42	42	44	47	48	50	55	57	58	59	100	100	100	100	100	100
57	23	28	35	38	42	42	43	45	47	49	53	55	56	100	100	100	100	100	100	100
58	22	28	33	37	41	41	43	45	45	47	51	53	100	100	100	100	100	100	100	100
59	22	26	33	37	41	41	42	44	44	46	50	100	100	100	100	100	100	100	100	100
60	20	26	33	37	41	40	41	42	42	45	100	100	100	100	100	100	100	100	100	100
61	20	26	33	37	41	40	41	42	42	75	100	100	100	100	100	100	100	100	100	100
62	19	25	32	38	40	40	41	42	75	75	100	100	100	100	100	100	100	100	100	100
63	19	25	33	36	40	40	41	75	75	75	100	100	100	100	100	100	100	100	100	100
64	18	24	32	36	39	40	75	75	75	75	100	100	100	100	100	100	100	100	100	100
65	18	24	32	36	39	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
66	18	24	32	36	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
67	18	24	32	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
68	18	24	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
69	18	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
70	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100

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Male, Nonsmoker
Duration

Issue

Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+
71	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
72	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
73	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
74	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
75	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
76	48	52	55	60	60	65	70	70	70	100	100	100	100	100	100	100	100	100	100	100
77	48	52	55	60	60	65	70	70	100	100	100	100	100	100	100	100	100	100	100	100
78	48	52	55	60	60	65	70	100	100	100	100	100	100	100	100	100	100	100	100	100
79	48	52	55	60	60	65	100	100	100	100	100	100	100	100	100	100	100	100	100	100
80	48	52	55	60	60	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
81	48	52	55	60	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
82	48	52	55	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
83	48	52	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
84	48	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
85+	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

Arizona Administrative Register
Notices of Proposed Rulemaking

Male, Smoker
Duration

Issue

Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20 ±
0-15	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
16	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
17	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
18	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
19	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
20	98	100	100	100	100	100	100	99	99	99	100	99	99	99	100	100	100	100	100	100
21	95	98	99	100	95	96	96	95	96	97	97	96	96	96	96	97	98	98	99	100
22	92	95	96	90	90	93	93	92	93	95	95	93	93	92	93	94	96	97	99	100
23	90	92	85	88	88	89	89	89	90	90	90	90	89	90	92	94	95	97	98	100
24	87	81	82	85	84	86	88	86	86	88	88	86	86	88	89	91	93	96	98	100
25	77	78	79	82	81	83	83	82	83	85	84	84	84	85	86	89	92	94	97	100
26	75	77	79	82	82	83	83	82	83	84	84	84	84	85	81	85	89	92	96	100
27	73	75	78	82	82	83	83	82	82	82	82	84	84	80	81	85	89	92	96	100
28	71	73	79	82	81	82	83	81	81	82	82	82	80	80	81	85	89	92	96	100
29	69	72	78	81	81	82	82	81	81	81	81	77	80	80	81	85	89	92	96	100
30	68	71	78	81	81	81	82	81	81	81	76	77	80	80	81	85	89	92	96	100
31	65	70	77	81	79	81	82	81	81	76	77	79	81	81	83	86	90	93	97	100
32	63	67	77	78	79	81	81	81	76	77	77	80	83	83	85	88	91	94	97	100
33	60	65	74	78	79	79	81	76	77	77	79	80	83	85	85	88	91	94	97	100
34	57	62	74	77	79	79	75	76	77	79	79	81	83	85	87	90	92	95	97	100
35	53	60	73	77	79	75	75	76	77	79	80	82	84	86	88	90	93	95	98	100
36	52	59	71	75	74	75	75	76	77	79	79	81	83	85	87	90	92	95	97	100
37	49	58	70	71	74	74	75	76	77	78	79	81	84	86	86	89	92	94	97	100
38	48	55	66	70	72	74	74	75	76	78	79	81	83	85	87	90	92	95	97	100
39	45	50	65	70	72	72	74	74	75	77	79	81	84	86	86	89	92	94	97	100
40	41	49	63	68	71	72	73	74	74	76	78	80	83	85	86	89	92	94	97	100

Arizona Administrative Register
Notices of Proposed Rulemaking

Male, Smoker
Duration

Issue

Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+
41	40	49	63	68	71	72	72	72	73	75	76	78	81	84	85	88	91	94	97	100
42	40	49	62	68	70	71	71	71	71	73	75	76	81	83	85	88	91	94	97	100
43	39	50	62	67	69	69	70	70	70	71	73	76	79	83	85	88	91	94	97	100
44	39	50	60	66	68	69	68	69	69	69	71	74	79	81	85	88	91	94	97	100
45	37	50	60	66	68	68	68	67	67	67	69	73	78	81	85	88	91	94	97	100
46	37	48	58	63	65	67	66	66	66	67	71	74	78	81	84	87	90	94	97	100
47	36	47	55	61	63	64	64	64	65	67	71	75	79	81	84	87	90	94	97	100
48	35	46	53	58	60	62	63	63	65	67	72	75	79	81	83	86	90	93	97	100
49	34	45	51	56	58	59	61	62	63	67	72	77	80	81	83	86	90	93	97	100
50	34	43	49	53	55	57	60	61	63	67	73	78	80	81	81	85	89	92	96	100
51	32	42	47	52	55	57	60	61	63	67	73	78	80	83	84	87	90	94	97	100
52	32	40	46	50	54	56	60	61	63	67	73	78	81	84	85	88	91	94	100	100
53	30	37	44	49	54	56	59	61	65	67	74	79	83	85	87	90	92	100	100	100
54	30	36	43	48	53	55	59	61	65	67	74	80	84	85	89	91	100	100	100	100
55	29	35	42	47	53	55	59	61	65	67	75	80	84	86	90	100	100	100	100	100
56	28	35	42	47	53	55	57	60	63	68	74	79	83	85	100	100	100	100	100	100
57	28	35	42	47	53	54	57	60	64	67	74	78	81	100	100	100	100	100	100	100
58	26	33	43	48	54	54	56	59	63	67	73	78	100	100	100	100	100	100	100	100
59	26	33	43	48	54	53	57	59	63	66	73	100	100	100	100	100	100	100	100	100
60	25	33	43	48	54	53	56	58	62	66	100	100	100	100	100	100	100	100	100	100
61	25	33	43	49	55	55	57	59	63	75	100	100	100	100	100	100	100	100	100	100
62	25	33	43	50	56	56	58	61	75	75	100	100	100	100	100	100	100	100	100	100
63	24	33	45	51	56	56	59	75	75	75	100	100	100	100	100	100	100	100	100	100
64	24	34	45	51	57	57	75	75	75	75	100	100	100	100	100	100	100	100	100	100
65	24	34	45	52	57	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
66	24	35	45	53	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
67	25	35	45	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
68	25	36	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
69	27	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
70	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100

Arizona Administrative Register
Notices of Proposed Rulemaking

Male, Smoker
Duration

Issue

Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+
71	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
72	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
73	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
74	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
75	48	52	55	60	60	65	70	70	70	70	100	100	100	100	100	100	100	100	100	100
76	48	52	55	60	60	65	70	70	70	100	100	100	100	100	100	100	100	100	100	100
77	48	52	55	60	60	65	70	70	100	100	100	100	100	100	100	100	100	100	100	100
78	48	52	55	60	60	65	70	100	100	100	100	100	100	100	100	100	100	100	100	100
79	48	52	55	60	60	65	100	100	100	100	100	100	100	100	100	100	100	100	100	100
80	48	52	55	60	60	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
81	48	52	55	60	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
82	48	52	55	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
83	48	52	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
84	48	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
85+	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

Arizona Administrative Register
Notices of Proposed Rulemaking

Female, Aggregate
Duration

Issue

Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20 ±	
0-15	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
16	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
17	99	100	100	100	100	100	100	100	93	95	96	97	97	100	100	100	100	100	100	100	100
18	83	83	84	84	84	84	86	78	78	79	82	84	85	88	88	90	93	95	98	100	100
19	65	66	68	68	68	68	63	63	64	66	69	71	72	74	75	80	85	90	95	100	100
20	48	50	51	51	51	47	48	48	49	51	56	57	58	61	63	70	78	85	93	100	100
21	47	48	50	51	47	47	48	49	51	53	57	60	61	64	64	71	78	86	93	100	100
22	44	47	48	45	47	47	48	49	53	54	60	61	63	64	66	73	80	86	93	100	100
23	42	45	44	45	47	47	49	51	53	54	61	64	64	67	69	75	81	88	94	100	100
24	39	40	42	44	47	47	50	51	54	56	64	64	66	69	70	76	82	88	94	100	100
25	34	38	41	44	47	47	50	53	56	57	64	67	69	71	73	78	84	89	95	100	100
26	34	38	41	45	49	49	51	56	58	59	66	69	70	73	70	76	82	88	94	100	100
27	34	38	41	47	50	51	54	57	59	60	69	70	73	70	71	77	83	88	94	100	100
28	34	37	43	47	53	53	56	59	62	63	70	73	70	72	74	79	84	90	95	100	100
29	34	38	43	49	54	56	58	60	63	64	73	70	72	74	75	80	85	90	95	100	100
30	35	38	43	50	56	56	59	63	66	67	70	71	74	75	76	81	86	90	95	100	100
31	35	38	43	51	56	58	60	64	67	65	71	72	74	75	76	81	86	90	95	100	100
32	35	39	45	51	56	59	63	66	65	66	72	72	75	76	76	81	86	90	95	100	100
33	36	39	44	52	58	62	64	65	66	67	72	74	75	76	76	81	86	90	95	100	100
34	36	40	45	52	58	63	63	66	67	68	74	74	76	76	76	81	86	90	95	100	100
35	36	40	45	53	59	61	65	67	68	70	75	74	75	76	75	80	85	90	95	100	100
36	36	40	45	53	55	62	65	67	68	70	74	74	74	75	75	80	85	90	95	100	100
37	36	41	47	52	57	62	65	67	68	69	72	72	73	75	74	79	84	90	95	100	100
38	34	41	44	52	57	63	66	68	69	70	72	71	72	74	75	80	85	90	95	100	100
39	34	40	45	53	58	63	66	68	69	69	70	70	70	73	74	79	84	90	95	100	100
40	32	40	45	53	58	65	65	67	68	69	70	69	70	73	73	78	84	89	95	100	100

Arizona Administrative Register
Notices of Proposed Rulemaking

Female, Aggregate
Duration

Issue

Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20 ±
41	32	40	45	53	57	63	64	67	68	68	69	69	69	73	74	79	84	90	95	100
42	32	40	45	52	56	61	63	65	66	68	69	68	70	74	75	80	85	90	95	100
43	31	39	45	51	55	59	61	65	65	66	68	69	69	74	77	82	86	91	95	100
44	31	39	45	50	54	58	61	63	64	66	67	68	71	75	78	82	87	91	96	100
45	31	38	44	49	53	56	59	62	63	65	67	68	71	77	79	83	87	92	96	100
46	29	37	43	48	51	54	59	62	63	65	67	69	71	77	78	82	87	91	96	100
47	28	35	41	46	49	54	57	61	62	66	68	69	71	77	77	82	86	91	95	100
48	28	35	41	44	49	52	57	61	63	66	68	71	72	75	77	82	86	91	95	100
49	26	34	39	43	47	52	55	61	63	67	69	71	72	75	75	80	85	90	95	100
50	25	32	38	41	46	50	55	61	63	67	69	72	72	75	74	79	84	90	95	100
51	25	32	38	41	45	50	55	61	63	66	68	69	71	74	74	79	84	90	95	100
52	23	30	36	41	45	51	56	61	62	65	66	68	68	73	73	78	84	89	100	100
53	23	30	36	41	47	51	56	61	62	63	65	66	68	72	72	78	83	100	100	100
54	22	29	35	41	47	53	57	61	61	62	62	66	66	69	70	76	100	100	100	100
55	22	29	35	41	47	53	57	61	61	61	62	63	64	68	69	100	100	100	100	100
56	22	29	35	41	45	51	56	59	60	61	62	63	64	67	100	100	100	100	100	100
57	22	29	35	41	45	50	54	56	58	59	61	62	63	100	100	100	100	100	100	100
58	22	30	36	41	44	49	53	56	57	57	61	62	100	100	100	100	100	100	100	100
59	22	30	36	41	44	48	51	53	55	56	59	100	100	100	100	100	100	100	100	100
60	22	30	36	41	43	47	50	51	53	55	100	100	100	100	100	100	100	100	100	100
61	22	29	35	39	42	46	49	50	52	80	100	100	100	100	100	100	100	100	100	100
62	20	28	33	39	41	45	47	49	80	80	100	100	100	100	100	100	100	100	100	100
63	20	28	33	38	41	44	46	80	80	80	100	100	100	100	100	100	100	100	100	100
64	19	27	32	36	40	42	80	80	80	80	100	100	100	100	100	100	100	100	100	100
65	19	25	30	35	39	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
66	19	25	30	35	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
67	19	25	30	72	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
68	19	25	68	72	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
69	19	64	68	72	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
70	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100

Arizona Administrative Register
Notices of Proposed Rulemaking

Female, Aggregate
Duration

Issue

Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20 ±
71	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
72	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
73	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
74	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
75	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
76	60	60	64	68	68	72	75	75	80	100	100	100	100	100	100	100	100	100	100	100
77	60	60	64	68	68	72	75	75	100	100	100	100	100	100	100	100	100	100	100	100
78	60	60	64	68	68	72	75	100	100	100	100	100	100	100	100	100	100	100	100	100
79	60	60	64	68	68	72	100	100	100	100	100	100	100	100	100	100	100	100	100	100
80	60	60	64	68	68	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
81	60	60	64	68	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
82	60	60	64	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
83	60	60	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
84	60	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
85+	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

Arizona Administrative Register
Notices of Proposed Rulemaking

Female, Nonsmoker
Duration

Issue

Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+
0-15	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
16	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
17	96	98	98	98	98	99	99	99	92	92	93	95	95	97	99	99	99	100	100	100
18	78	80	80	80	80	81	81	74	75	75	78	79	82	83	85	88	91	94	97	100
19	60	62	63	63	63	65	59	59	60	60	64	67	67	70	72	78	83	89	94	100
20	42	44	45	45	45	42	42	42	45	45	50	51	53	56	58	66	75	83	92	100
21	41	42	44	45	41	42	42	44	47	47	51	53	54	57	59	67	75	84	92	100
22	39	41	44	41	41	42	44	45	49	49	54	56	57	58	60	68	76	84	92	100
23	38	41	38	40	41	42	44	46	49	50	56	57	58	60	62	70	77	85	92	100
24	36	36	38	40	41	42	46	47	50	51	58	59	60	62	63	70	78	85	93	100
25	32	34	37	40	41	43	46	49	51	53	59	60	62	63	64	71	78	86	93	100
26	32	34	37	41	43	45	47	50	53	53	60	62	63	64	62	70	77	85	92	100
27	32	34	38	43	46	47	49	51	53	55	62	63	64	62	62	70	77	85	92	100
28	30	34	39	43	47	49	51	53	56	58	63	63	61	62	63	70	78	85	93	100
29	30	35	40	45	50	51	52	55	58	59	64	61	62	63	63	70	78	85	93	100
30	31	35	40	46	51	52	53	56	59	60	62	62	63	65	65	72	79	86	93	100
31	31	35	40	46	51	53	55	58	60	58	62	62	63	65	65	72	79	86	93	100
32	32	35	40	45	51	53	56	59	57	58	62	63	63	65	64	71	78	86	93	100
33	32	36	41	47	52	55	58	55	58	59	63	63	65	65	65	72	79	86	93	100
34	33	36	41	47	52	55	55	57	58	59	63	65	64	65	64	71	78	86	93	100
35	33	36	41	47	52	53	57	58	59	61	63	64	64	64	64	71	78	86	93	100
36	33	36	41	47	49	53	57	58	59	61	63	64	63	64	63	70	78	85	93	100
37	32	36	41	44	49	53	57	58	59	60	62	62	61	62	63	70	78	85	93	100
38	32	37	39	45	50	54	57	58	60	60	61	61	61	62	61	69	77	84	92	100
39	30	35	39	45	50	54	57	58	60	59	60	60	59	60	61	69	77	84	92	100
40	28	35	39	45	50	54	56	57	59	59	60	59	59	59	60	68	76	84	92	100

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Female, Nonsmoker
Duration

Issue

Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+
41	28	35	39	45	49	52	55	55	58	57	58	59	58	59	60	68	76	84	92	100
42	27	35	39	44	49	52	54	55	56	57	57	57	58	60	61	69	77	84	92	100
43	27	34	39	44	47	50	53	53	55	55	56	57	56	60	61	69	77	84	92	100
44	26	34	38	42	47	50	52	53	54	55	55	55	56	61	62	70	77	85	92	100
45	26	33	38	42	45	48	51	51	52	53	54	55	56	61	62	70	77	85	92	100
46	24	32	37	40	43	47	49	51	52	53	54	55	56	60	61	69	77	84	92	100
47	24	30	35	39	42	45	47	49	51	53	54	55	56	59	60	68	76	84	92	100
48	23	30	35	37	40	44	47	49	50	53	54	55	55	59	57	66	74	83	91	100
49	23	29	33	35	39	42	45	48	50	53	54	55	55	57	56	65	74	82	91	100
50	21	27	32	34	37	41	44	48	50	53	54	55	55	56	55	64	73	82	91	100
51	21	26	30	34	37	41	44	48	49	51	53	53	54	55	55	64	73	82	91	100
52	20	25	30	33	37	41	44	47	48	50	50	51	51	55	53	62	72	81	100	100
53	19	24	29	32	37	41	43	47	48	48	49	49	51	52	52	62	71	100	100	100
54	18	24	29	32	37	41	43	45	47	47	47	49	49	51	51	61	100	100	100	100
55	18	23	28	32	37	41	43	45	45	45	46	46	47	50	50	100	100	100	100	100
56	18	23	28	32	36	39	42	44	44	45	46	46	46	49	100	100	100	100	100	100
57	18	23	28	31	35	38	41	42	44	44	45	45	46	100	100	100	100	100	100	100
58	17	23	26	31	35	36	38	41	41	42	45	45	100	100	100	100	100	100	100	100
59	17	23	26	30	33	35	38	39	40	41	44	100	100	100	100	100	100	100	100	100
60	17	23	26	30	32	34	36	38	39	40	100	100	100	100	100	100	100	100	100	100
61	17	22	25	29	32	33	35	36	38	80	100	100	100	100	100	100	100	100	100	100
62	16	22	25	28	30	32	34	35	80	80	100	100	100	100	100	100	100	100	100	100
63	16	20	24	28	30	32	34	80	80	80	100	100	100	100	100	100	100	100	100	100
64	14	21	24	27	29	30	80	80	80	80	100	100	100	100	100	100	100	100	100	100
65	15	19	23	25	28	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
66	15	19	23	25	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
67	15	19	22	72	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
68	13	18	68	72	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
69	13	64	68	72	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
70	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100

Arizona Administrative Register
Notices of Proposed Rulemaking

Female, Nonsmoker
Duration

Issue

Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+
71	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
72	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
73	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
74	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
75	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
76	60	60	64	68	68	72	75	75	80	100	100	100	100	100	100	100	100	100	100	100
77	60	60	64	68	68	72	75	75	100	100	100	100	100	100	100	100	100	100	100	100
78	60	60	64	68	68	72	75	100	100	100	100	100	100	100	100	100	100	100	100	100
79	60	60	64	68	68	72	100	100	100	100	100	100	100	100	100	100	100	100	100	100
80	60	60	64	68	68	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
81	60	60	64	68	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
82	60	60	64	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
83	60	60	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
84	60	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
85+	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

Arizona Administrative Register
Notices of Proposed Rulemaking

Female, Smoker
Duration

Issue

Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+
0-15	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
16	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
17	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
18	99	100	100	100	100	100	100	95	96	97	100	100	100	100	100	100	100	100	100	100
19	87	89	92	92	92	92	84	84	86	86	92	93	95	96	99	99	99	100	100	100
20	74	77	80	80	80	73	73	73	75	77	83	83	86	88	90	92	94	96	98	100
21	71	74	78	78	71	71	73	74	77	79	85	86	88	89	90	92	94	96	98	100
22	68	71	75	70	71	71	73	74	78	79	88	90	89	89	92	94	95	97	98	100
23	65	69	67	70	70	70	73	77	79	81	89	90	90	92	92	94	95	97	98	100
24	62	60	64	69	70	70	74	77	79	81	92	90	92	93	93	94	96	97	99	100
25	53	58	63	67	69	70	74	78	81	82	92	93	93	95	95	96	97	98	99	100
26	53	58	63	69	71	72	75	79	82	82	93	93	95	96	90	92	94	96	98	100
27	52	56	63	70	74	74	78	81	82	84	93	95	95	90	90	92	94	96	98	100
28	52	56	64	71	75	77	79	82	85	86	95	95	90	92	92	94	95	97	98	100
29	51	56	64	71	78	78	81	84	86	88	95	90	90	92	92	94	95	97	98	100
30	51	56	64	72	79	79	82	85	88	89	90	90	92	93	93	94	96	97	99	100
31	51	56	64	72	78	81	84	84	88	84	90	90	92	93	93	94	96	97	99	100
32	51	56	64	71	78	81	85	86	84	85	90	90	92	94	93	94	96	97	99	100
33	51	57	62	71	78	82	85	83	84	85	90	92	93	93	93	94	96	97	99	100
34	51	56	62	71	78	82	81	83	85	86	90	92	92	94	93	94	96	97	99	100
35	51	56	62	71	78	79	83	84	85	86	90	91	91	93	93	94	96	97	99	100
36	49	56	62	71	74	79	83	84	85	86	90	90	91	93	92	94	95	97	98	100
37	48	55	62	67	74	79	83	84	85	86	89	90	89	92	91	93	95	96	98	100
38	47	55	57	66	72	77	81	84	86	86	87	88	88	90	91	93	95	96	98	100
39	45	50	57	66	72	77	81	83	85	86	86	87	86	89	90	92	94	96	98	100
40	41	50	57	66	72	77	81	83	84	85	86	86	86	89	89	91	93	96	98	100

Arizona Administrative Register
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Female, Smoker
Duration

Issue

Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+
41	40	50	57	65	71	76	79	81	83	84	85	86	85	89	90	92	94	96	98	100
42	40	49	57	65	69	74	77	80	82	83	84	85	86	90	92	94	95	97	98	100
43	39	49	55	63	69	73	76	78	80	82	83	84	85	92	93	94	96	97	99	100
44	39	48	55	62	67	71	75	78	80	80	82	84	86	93	96	97	98	98	99	100
45	37	47	55	61	65	70	73	76	78	80	81	84	86	94	97	98	98	99	99	100
46	36	46	53	59	63	68	71	75	77	79	83	85	86	93	96	97	98	98	99	100
47	34	44	51	57	62	66	70	75	77	80	83	85	86	93	94	95	96	98	99	100
48	34	44	50	54	60	64	69	74	77	80	84	86	87	92	92	94	95	97	98	100
49	33	42	48	53	58	63	68	74	77	81	84	86	87	92	91	93	95	96	98	100
50	31	41	46	51	57	61	67	74	77	81	85	87	87	91	90	92	94	96	98	100
51	30	39	45	51	56	61	67	74	75	80	83	85	85	90	90	92	94	96	98	100
52	29	38	45	50	56	62	68	74	75	79	81	83	84	90	90	92	94	96	100	100
53	28	37	43	49	57	62	68	73	74	77	79	81	83	89	89	91	93	100	100	100
54	28	36	43	49	57	63	69	73	74	75	78	80	81	87	89	91	100	100	100	100
55	26	35	42	49	57	63	69	73	73	74	76	78	79	86	87	100	100	100	100	100
56	26	35	42	49	56	62	67	71	72	74	76	78	79	85	100	100	100	100	100	100
57	26	35	42	49	55	61	66	69	72	73	76	78	79	100	100	100	100	100	100	100
58	28	36	43	49	55	59	63	68	69	72	76	78	100	100	100	100	100	100	100	100
59	28	36	43	49	54	57	63	67	68	70	76	100	100	100	100	100	100	100	100	100
60	28	36	43	49	53	57	61	64	67	69	100	100	100	100	100	100	100	100	100	100
61	26	35	42	48	52	56	59	63	66	80	100	100	100	100	100	100	100	100	100	100
62	26	33	41	47	51	55	58	62	80	80	100	100	100	100	100	100	100	100	100	100
63	25	33	41	46	51	55	57	80	80	80	100	100	100	100	100	100	100	100	100	100
64	25	33	40	45	50	53	80	80	80	80	100	100	100	100	100	100	100	100	100	100
65	24	32	39	44	49	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
66	24	32	39	44	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
67	24	32	39	72	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
68	24	32	68	72	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
69	24	64	68	72	72	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
70	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100

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Female, Smoker
Duration

Issue

Age	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20+
71	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
72	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
73	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
74	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
75	60	60	64	68	68	72	75	75	80	80	100	100	100	100	100	100	100	100	100	100
76	60	60	64	68	68	72	75	75	80	100	100	100	100	100	100	100	100	100	100	100
77	60	60	64	68	68	72	75	75	100	100	100	100	100	100	100	100	100	100	100	100
78	60	60	64	68	68	72	75	100	100	100	100	100	100	100	100	100	100	100	100	100
79	60	60	64	68	68	72	100	100	100	100	100	100	100	100	100	100	100	100	100	100
80	60	60	64	68	68	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
81	60	60	64	68	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
82	60	60	64	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
83	60	60	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
84	60	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
85+	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100