

Arizona Administrative REGISTER

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From the Publisher

ABOUT THIS PUBLICATION

The paper copy of the *Administrative Register* (A.A.R.) is the official publication for rules and rulemaking activity in the state of Arizona.

Rulemaking is defined in Arizona Revised Statutes known as the Arizona Administrative Procedure Act (APA), A.R.S. Title 41, Chapter 6, Articles 1 through 10.

The Office of the Secretary of State does not interpret or enforce rules published in the *Arizona Administrative Register* or *Code*. Questions should be directed to the state agency responsible for the promulgation of the rule as provided in its published filing.

The *Register* is cited by volume and page number. Volumes are published by calendar year with issues published weekly. Page numbering continues in each weekly issue.

In addition, the *Register* contains the full text of the Governor's Executive Orders and Proclamations of general applicability, summaries of Attorney General opinions, notices of rules terminated by the agency, and the Governor's appointments of state officials and members of state boards and commissions.

ABOUT RULES

Rules can be: made (all new text); amended (rules on file, changing text); repealed (removing text); or renumbered (moving rules to a different Section number). Rules activity published in the *Register* includes: proposed, final, emergency, expedited, and exempt rules as defined in the APA.

Rulemakings initiated under the APA as effective on and after January 1, 1995, include the full text of the rule in the *Register*. New rules in this publication (whether proposed or made) are denoted with underlining; repealed text is stricken.

WHERE IS A "CLEAN" COPY OF THE FINAL OR EXEMPT RULE PUBLISHED IN THE REGISTER?

The *Arizona Administrative Code* (A.A.C.) contains the codified text of rules. The A.A.C. contains rules promulgated and filed by state agencies that have been approved by the Attorney General or the Governor's Regulatory Review Council. The *Code* also contains rules exempt from the rulemaking process.

The printed *Code* is the official publication of a rule in the A.A.C. is prima facie evidence of the making, amendment, or repeal of that rule as provided by A.R.S. § 41-1012. Paper copies of rules are available by full Chapter or by subscription. The *Code* is posted online for free.

LEGAL CITATIONS AND FILING NUMBERS

On the cover: Each agency is assigned a Chapter in the *Arizona Administrative Code* under a specific Title. Titles represent broad subject areas. The Title number is listed first; with the acronym A.A.C., which stands for the *Arizona Administrative Code*; following the Chapter number and Agency name, then program name. For example, the Secretary of State has rules on rulemaking in Title 1, Chapter 1 of the *Arizona Administrative Code*. The citation for this chapter is 1 A.A.C. 1, Secretary of State, Rules and Rulemaking

Every document filed in the office is assigned a file number. This number, enclosed in brackets, is located at the top right of the published documents in the *Register*. The original filed document is available for 10 cents a copy.

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ADMINISTRATIVE CODE
A price list for the *Arizona Administrative Code* is available online. You may also request a paper price list by mail. To purchase a paper Chapter, contact us at (602) 364-3223.

PUBLICATION DEADLINES
Publication dates are published in the back of the *Register*. These dates include file submittal dates with a three-week turnaround from filing to published document.

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Participate in the Process

Look for the Agency Notice

Review (inspect) notices published in the *Arizona Administrative Register*. Many agencies maintain stakeholder lists and would be glad to inform you when they proposed changes to rules. Check an agency's website and its newsletters for news about notices and meetings.

Feel like a change should be made to a rule and an agency has not proposed changes? You can petition an agency to make, amend, or repeal a rule. The agency must respond to the petition. (See A.R.S. § 41-1033)

Attend a public hearing/meeting

Attend a public meeting that is being conducted by the agency on a Notice of Proposed Rulemaking. Public meetings may be listed in the Preamble of a Notice of Proposed Rulemaking or they may be published separately in the *Register*. Be prepared to speak, attend the meeting, and make an oral comment.

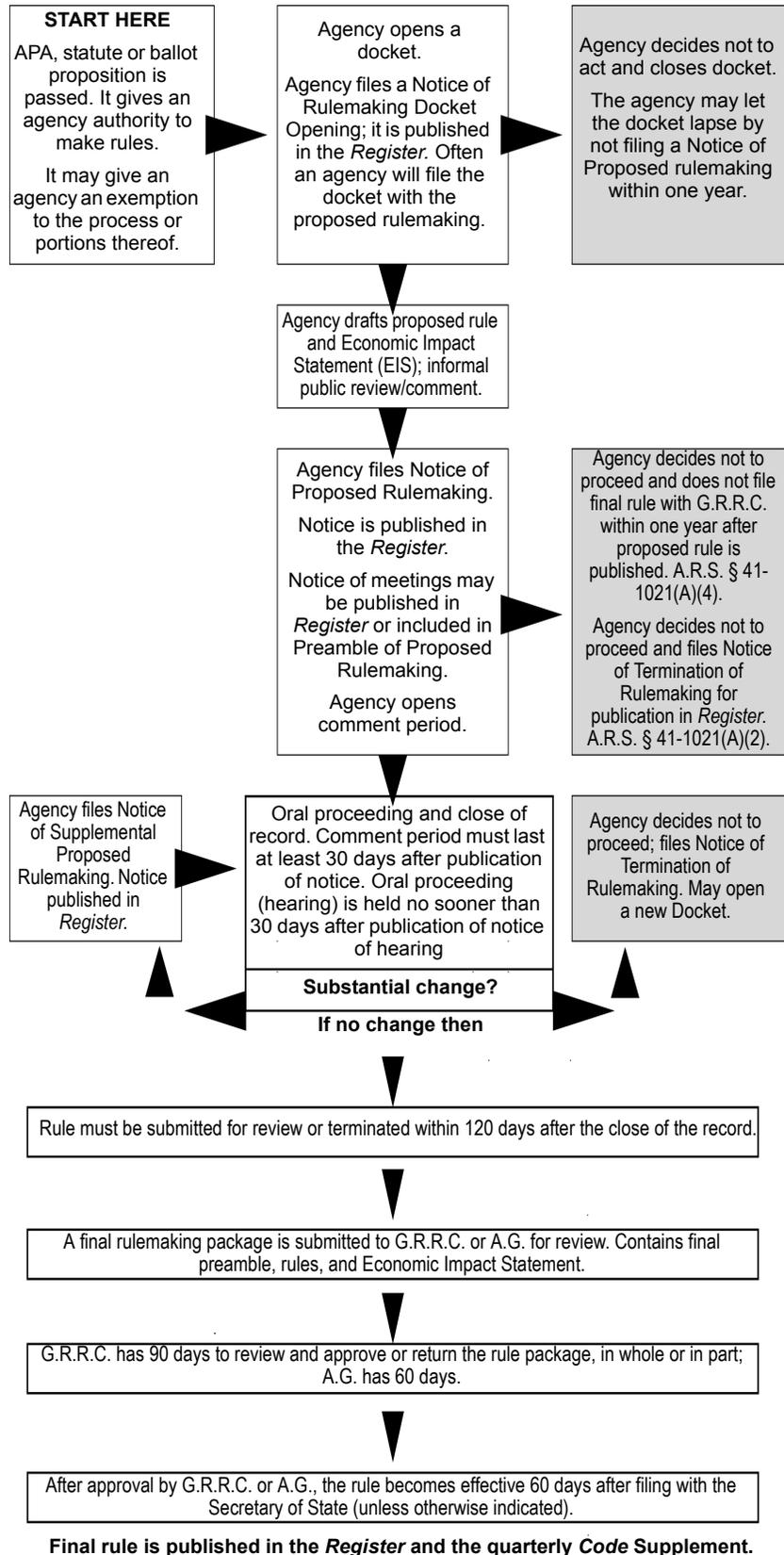
An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request that the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

Write the agency

Put your comments in writing to the agency. In order for the agency to consider your comments, the agency must receive them by the close of record. The comment must be received within the 30-day comment timeframe following the *Register* publication of the Notice of Proposed Rulemaking.

You can also submit to the Governor's Regulatory Review Council written comments that are relevant to the Council's power to review a given rule (A.R.S. § 41-1052). The Council reviews the rule at the end of the rulemaking process and before the rules are filed with the Secretary of State.

Arizona Regular Rulemaking Process



Definitions

Arizona Administrative Code (A.A.C.): Official rules codified and published by the Secretary of State's Office. Available online at www.azsos.gov.

Arizona Administrative Register (A.A.R.): The official publication that includes filed documents pertaining to Arizona rulemaking. Available online at www.azsos.gov.

Administrative Procedure Act (APA): A.R.S. Title 41, Chapter 6, Articles 1 through 10. Available online at www.azleg.gov.

Arizona Revised Statutes (A.R.S.): The statutes are made by the Arizona State Legislature during a legislative session. They are compiled by Legislative Council, with the official publication codified by Thomson West. Citations to statutes include Titles which represent broad subject areas. The Title number is followed by the Section number. For example, A.R.S. § 41-1001 is the definitions Section of Title 41 of the Arizona Administrative Procedures Act. The "§" symbol simply means "section." Available online at www.azleg.gov.

Chapter: A division in the codification of the *Code* designating a state agency or, for a large agency, a major program.

Close of Record: The close of the public record for a proposed rulemaking is the date an agency chooses as the last date it will accept public comments, either written or oral.

Code of Federal Regulations (CFR): The *Code of Federal Regulations* is a codification of the general and permanent rules published in the *Federal Register* by the executive departments and agencies of the federal government.

Docket: A public file for each rulemaking containing materials related to the proceedings of that rulemaking. The docket file is established and maintained by an agency from the time it begins to consider making a rule until the rulemaking is finished. The agency provides public notice of the docket by filing a Notice of Rulemaking Docket Opening with the Office for publication in the *Register*.

Economic, Small Business, and Consumer Impact Statement (EIS): The EIS identifies the impact of the rule on private and public employment, on small businesses, and on consumers. It includes an analysis of the probable costs and benefits of the rule. An agency includes a brief summary of the EIS in its preamble. The EIS is not published in the *Register* but is available from the agency promulgating the rule. The EIS is also filed with the rulemaking package.

Governor's Regulatory Review (G.R.R.C.): Reviews and approves rules to ensure that they are necessary and to avoid unnecessary duplication and adverse impact on the public. G.R.R.C. also assesses whether the rules are clear, concise, understandable, legal, consistent with legislative intent, and whether the benefits of a rule outweigh the cost.

Incorporated by Reference: An agency may incorporate by reference standards or other publications. These standards are available from the state agency with references on where to order the standard or review it online.

Federal Register (FR): The *Federal Register* is a legal newspaper published every business day by the National Archives and Records Administration (NARA). It contains federal agency regulations; proposed rules and notices; and executive orders, proclamations, and other presidential documents.

Session Laws or "Laws": When an agency references a law that has not yet been codified into the Arizona Revised Statutes, use the word "Laws" is followed by the year the law was passed by the Legislature, followed by the Chapter number using the abbreviation "Ch.," and the specific Section number using the Section symbol (§). For example, Laws 1995, Ch. 6, § 2. Session laws are available at www.azleg.gov.

United States Code (U.S.C.): The Code is a consolidation and codification by subject matter of the general and permanent laws of the United States. The Code does not include regulations issued by executive branch agencies, decisions of the federal courts, treaties, or laws enacted by state or local governments.

Acronyms

A.A.C. – *Arizona Administrative Code*

A.A.R. – *Arizona Administrative Register*

APA – *Administrative Procedure Act*

A.R.S. – *Arizona Revised Statutes*

CFR – *Code of Federal Regulations*

EIS – *Economic, Small Business, and Consumer Impact Statement*

FR – *Federal Register*

G.R.R.C. – *Governor's Regulatory Review Council*

U.S.C. – *United States Code*

About Preambles

The Preamble is the part of a rulemaking package that contains information about the rulemaking and provides agency justification and regulatory intent.

It includes reference to the specific statutes authorizing the agency to make the rule, an explanation of the rule, reasons for proposing the rule, and the preliminary Economic Impact Statement.

The information in the Preamble differs between rulemaking notices used and the stage of the rulemaking.



NOTICES OF PROPOSED RULEMAKING

This section of the *Arizona Administrative Register* contains Notices of Proposed Rulemakings.

A proposed rulemaking is filed by an agency upon completion and submittal of a Notice of Rulemaking Docket Opening. Often these two documents are filed at the same time and published in the same *Register* issue.

When an agency files a Notice of Proposed Rulemaking under the Administrative Procedure Act (APA), the notice is published in the *Register* within three weeks of filing. See the publication schedule in the back of each issue of the *Register* for more information.

Under the APA, 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 making, amending, or repealing any rule. (A.R.S. §§ 41-1013 and 41-1022)

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the interpretation of the proposed rules should be addressed to the agency that promulgated the rules. Refer to item #4 below to contact the person charged with the rulemaking and item #10 for the close of record and information related to public hearings and oral comments.

NOTICE OF PROPOSED RULEMAKING

TITLE 2. ADMINISTRATION

CHAPTER 8. STATE RETIREMENT SYSTEM BOARD

[R16-104]

PREAMBLE

- | | |
|--|---------------------------------|
| <u>1. Article, Part or Section Affected (as applicable)</u> | <u>Rulemaking Action</u> |
| R2-8-602 | Amend |
| R2-8-603 | Amend |
| R2-8-604 | Amend |
| R2-8-605 | Amend |
| R2-8-606 | Amend |
| R2-8-607 | Amend |
- 2. Citations to the agency’s statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):**
 Authorizing statute: A.R.S. § 38-714(E)(4)
 Implementing statutes: A.R.S. §§ 41-1021 et seq.; 41-1051 et seq.
- 3. Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the proposed rules:**
 Notice of Rulemaking Docket Opening: 22 A.A.R. 1908, July 22, 2016 (*in this issue*).
- 4. The agency’s contact person who can answer questions about the rulemaking:**
 Name: Jessica A. Ross, Rule Writer
 Address: State Retirement System
 3300 N. Central Ave., Suite 1400
 Phoenix, AZ 85012-0250
 Telephone: (602) 240-2039
 E-mail: JessicaR@azasrs.gov
- 5. An agency’s justification and reason why a rule should be made, amended, repealed, or renumbered, to include an explanation about the rulemaking:**
 The ASRS needs to amend approximately six rules in Article 6. The rules need to reflect statutory language and time frames. For example, the term “individual” should be changed to “person” to be more consistent with A.R.S. § 1001 et seq; R2-8-605 needs to reflect that a person may object to a rule if they believe it is not the least burdensome and costly method. These amendments will ensure the public has notice of how they may participate in the ASRS rulemaking process, including what a person’s options may be if the person disputes a rule. Ultimately, this will establish a more certain and robust rulemaking process for the ASRS, lending itself to the equitable promulgation of more effective rules, which, in turn, will result in the more effective administration of the ASRS.



6. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material.

None

7. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking 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:

There is little to no economic, small business, or consumer impact, other than the minimal cost to the ASRS to prepare the rule package. The rules will have minimal economic impact, if any, because the rulemaking simply clarifies statutory requirements that already exist. The Arizona Administrative Procedures Act allows people to petition the agency regarding the agency’s rules. The rules in Article 6, simply clarify how people may submit particular petitions and further participate in the agency’s rulemaking process. These amendments will clarify the rulemaking process for the public and such clarification will increase the understandability of the rules. Thus, the economic impact is minimized.

9. The agency’s contact person who can answer questions about the economic, small business, and consumer impact statement:

Name: Jessica A. Ross, Rules Writer
Address: Arizona State Retirement System
3300 N. Central Ave., Ste. 1400
Phoenix, AZ 85012-0250
Telephone: (602) 240-2039
E-mail: JessicaR@azasrs.gov

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

An oral proceeding regarding the proposed rule will be held as follows:

Date: August 25, 2016
Time: 9:00 a.m.
Location: Arizona State Retirement System
10th Floor Board Room
3300 N. Central Ave.
Phoenix, AZ 85012-0250

11. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

None

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

None of the rules requires a permit.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law, and if so, citation to the statutory authority to exceed the requirements of federal law:

Federal law applies to retirement programs, but no federal law specifically applies to this rulemaking.

c. Whether a person submitted an analysis to the agency that compares the rule’s impact on the competitiveness of business in this state to the impact on business in other states:

No analysis was submitted.

12. A list of incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

None

13. The full text of the rules follows:

TITLE 2. ADMINISTRATION

CHAPTER 8. STATE RETIREMENT SYSTEM BOARD

ARTICLE 6. PUBLIC PARTICIPATION IN RULEMAKING

Section
R2-8-602. Reviewing Agency Rulemaking Record and Directory of Substantive Policy Statements
R2-8-603. Petition for Rulemaking



- R2-8-604. Review of a Rule, Agency Practice, or Substantive Policy Statement
R2-8-605. Objection to Rule Based Upon Economic, Small Business, and Consumer Impact
R2-8-606. Oral Proceedings
R2-8-607. Petition for Delayed Effective Date

ARTICLE 6. PUBLIC PARTICIPATION IN RULEMAKING

R2-8-602. Reviewing Agency Rulemaking Record and Directory of Substantive Policy Statements

Except on a state holiday, ~~an individual~~ a person may review a rulemaking record or the directory of substantive policy statements at the Phoenix office of the ASRS, Monday through Friday, from 8:00 a.m. until 5:00 p.m.

R2-8-603. Petition for Rulemaking

- A. ~~An individual~~ A person submitting a petition to the ASRS to make or amend a rule under A.R.S. § 41-1033 shall include the following in the petition:
1. The name and current address of the ~~an individual~~ a person submitting the petition;
 2. An identification of the rule to be made or amended;
 3. The suggested language of the rule;
 4. The reason why a new rule should be made or a current rule should be amended with supporting information, including:
 - a. An identification of the persons who would be affected by the rule and how the persons would be affected; and
 - b. If applicable, statistical data with references to attached exhibits;
 5. The signature of the ~~individual~~ person submitting the petition; and
 6. The date the ~~individual~~ person signs the petition.
- B. The ASRS shall send a written notice of the ASRS's decision regarding the Petition for Rulemaking to the ~~individual~~ person within ~~30~~ 60 days of receipt of the petition.

R2-8-604. Review of a Rule, Agency Practice, or Substantive Policy Statement

- A. ~~An individual~~ A person submitting a petition to the ASRS under A.R.S. § 41-1033 requesting that the ASRS review an agency practice or substantive policy statement that the ~~individual~~ person alleges constitutes a rule shall include the following in the petition:
1. The name and current address of the ~~individual~~ person submitting the petition,
 2. The reason the ~~individual~~ person alleges that the agency practice or substantive policy statement constitutes a rule,
 3. The signature of the ~~individual~~ person submitting the petition, and
 4. The date the ~~individual~~ person signs the petition.
- B. The ~~individual~~ person who submits a petition under subsection (A) shall attach a copy of the substantive policy statement or a description of the agency practice to the petition.
- C. The ASRS shall send a written notice of the ASRS's decision regarding the petition to the ~~individual~~ person within ~~30~~ 60 days of receipt of the petition.

R2-8-605. Objection to Rule Based Upon Economic, Small Business and Consumer Impact

- A. ~~An individual~~ A person submitting an objection to a rule based upon the economic, small business and consumer impact under A.R.S. § 41-1056.01 shall include the following in the objection:
1. The name and current address of the ~~individual~~ person submitting the objection;
 2. Identification of the rule;
 3. Either evidence that the actual economic, small business and consumer impact:
 - a. Significantly exceeded the impact estimated in the economic, small business and consumer impact statement submitted during the making of the rule with supporting information attached as exhibits; or
 - b. Was not estimated in the economic, small business and consumer impact statement submitted during the making of the rule and that actual impact imposes a significant burden on persons subject to the rule with supporting information attached as exhibits; or
 - c. Reflects that the ASRS did not select the alternative that imposes the least burden and costs to persons regulated by the rule, including paperwork and other compliance costs, necessary to achieve the underlying regulatory objective.
 4. The signature of the ~~individual~~ person submitting the objection; and
 5. The date the ~~individual~~ person signs the objection.
- B. The ASRS shall respond to the objection as specified in A.R.S. § 41-1056.01(C).

R2-8-606. Oral Proceedings

- A. ~~An individual~~ A person requesting an oral proceeding under A.R.S. § 41-1023(C) shall submit a written request to the ASRS that includes:
1. The name and current address of the ~~individual~~ person making the request;
 2. If applicable, the name of the public or private organization, partnership, corporation or association, or the name of the governmental entity the ~~individual~~ person represents; and
 3. Reference to the proposed rule including, if known, the date and issue of the Arizona Administrative Register in which the Notice of Proposed Rulemaking was published.
- B. The ASRS shall record an oral proceeding by either electronic or stenographic means and any CDs, cassette tapes, tran-



scripts, lists, speaker slips, and written comments received shall become part of the official record.

- C. A presiding officer shall perform the following acts on behalf of the ASRS when conducting an oral proceeding as prescribed under A.R.S. § 41-1023:
 1. Provide a method for ~~individuals~~ a person who ~~attend~~ attends the oral proceeding to voluntarily note ~~their~~ the person's attendance;
 2. Provide a ~~speaker slip~~ Request to Present Oral Comment form that includes space for:
 - a. ~~An individual's~~ The name of the person submitting the Request to Present Oral Comment form,
 - b. ~~The person entity~~ the individual person represents, if applicable, and
 - c. ~~The rule on which~~ the individual person wishes to comment ~~on~~ or about which the person has a question ~~about,~~ and;
 - d. ~~The approximate length of time~~ the individual wishes to speak;
 3. Open the proceeding by identifying the rules to be considered, the location, date, time, purpose of the proceeding, and the agenda;
 4. Explain the background and general content of the proposed rulemaking;
 5. Provide for public comment as specified in A.R.S. § 41-1023(D); and
 6. Close the oral proceeding by announcing the location where written public comments are to be sent and specifying the close of record date and time.
- D. A presiding officer may limit comments to a reasonable time period, as determined by the presiding officer. Oral comments may be limited to prevent undue repetition.

R2-8-607. Petition for Delayed Effective Date

- A. ~~An individual~~ A person who wishes to delay the effective date of a rule under A.R.S. § 41-1032 shall file a petition with the ASRS prior to the proposed rule's close of record date ~~identified in the Notice of Proposed Rulemaking~~. The petition shall contain the:
 1. Name and current address of the ~~individual~~ person submitting the petition;
 2. Identification of the proposed rule;
 3. Need for the delay, specifying the undue hardship or other adverse impact that may result if the request for a delayed effective date is not granted;
 4. Reason why the public interest will not be harmed by the delayed effective date;
 5. Signature of the ~~individual~~ person submitting the petition; and
 6. Date the ~~individual~~ person signs the petition.
- B. The ASRS shall send a written notice of the ASRS's decision to the ~~individual~~ person within 30 days of receipt of the Petition for Delayed Effective Date.



NOTICES OF PROPOSED EXEMPT RULEMAKING

This section of the Arizona Administrative Register contains Notices of Proposed Exempt Rulemaking. An agency may be exempt from rulemaking standards outlined in the Arizona Administrative Procedures Act (APA).

An agency's exemption is listed in the Preamble of the rulemaking as specified under: A.R.S. §§ 41-1005 or 41-1057; or a specific statute; or if a rule is promulgated by the Corporation Commission, it is exempt from Attorney General review under a court decision as determined by the Commission.

If an agency determines it is exempt under the law or court decision, the law may still require publication of the Proposed Exempt Rulemaking in this section to solicit and review public comments on the rulemaking.

Some agencies, even though completely exempt, may still elect to follow certain provisions of the APA, such as circulating its exempt rulemaking for comment. If an agency chooses this option, our office encourages filing the notice with our office for publication in the Register.

Please note, if a statute dictates that an agency is completely exempt from the rulemaking process, the agency is authorized to file a Notice of Exempt Rulemaking.

In all cases, an agency must still follow the procedures as established by our office in order to have its rulemaking package published.

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the interpretation of the proposed exempt rule should be directed to the agency proposing them. Refer to Item #5 of the Preamble to contact the person charged with the rulemaking.

NOTICE OF PROPOSED EXEMPT RULEMAKING

TITLE 2. ADMINISTRATION

CHAPTER 20. CITIZENS CLEAN ELECTIONS COMMISSION

[R16-109]

PREAMBLE

- 1. Article, Part or Sections Affected (as applicable) Rulemaking Action
2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific) and the statute or session law authorizing the exemption:
3. The effective date of the rule and the agency's reason it selected the effective date:
4. A list of all notices published in the Register as specified in R9-1-409(A) that pertain to the record of the exempt rulemaking:
5. The agency's contact person who can answer questions about the rulemaking:
6. An agency's justification and reason why a rule should be made, amended, repealed, or renumbered to include an explanation about the rulemaking:



received a 3/4ths vote of both houses, neither in its initial adoption or its subsequent amendment. Nor does this section further the purpose of the Act. In deference to the legislative action and to mitigate confusion, the Commission treats such entities as subject to a presumption against penalties under this section. Additionally, this change removes references to A.R.S. § 16-917 which will become outdated and reorganizes the rule for benefit of simplicity by moving issues related to separate regulated entities to separate rules.

7. **A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**
Not applicable
8. **A showing of good cause why the rule is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:**
Not applicable
9. **The summary of the economic, small business, and consumer impact, if applicable:**
Not applicable
10. **A description of any changes between the proposed rulemaking, including any supplemental proposed rulemaking, and final rulemaking package, (if applicable):**
The proposal addresses A.R.S. § 16-922 as amended by 2016 Ariz. Laws, Ch. 346, Sec. 2 (52d Legislature 2d Reg. Session). A.R.S. § 16-922 purports to restrict certain action against tax exempt entities. The section has never received a 3/4ths vote of both houses, either in its initial adoption or its subsequent amendment. Nor does this section further the purpose of the Act. In deference to the legislative action and to mitigate confusion, the Commission treats such entities as subject to a presumption against penalties under this section. Additionally, this change removes references to A.R.S. 16-917 which will become outdated and reorganizes the rule for benefit of simplicity by moving issues related to separate regulated entities to separate rules.
11. **An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments, if applicable:**
The Commission solicits public comment throughout the rulemaking process.
12. **Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules. When applicable, matters shall include, but not be limited to:**
 - a. **Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**
Not applicable
 - b. **Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than the federal law and if so, citation to the statutory authority to exceed the requirements of the federal law:**
Not applicable
 - c. **Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:**
Not applicable
13. **A list of any incorporated by reference material and its location in the rules:**
Not applicable
14. **Whether this rule previously made, amended, repealed or renumbered as an emergency rule. If so, the agency shall state where the text changed between the emergency and the exempt rulemaking packages:**
The rule was not previously made, amended, repealed, or renumbered as an emergency rule.
15. **The full text of the rules follows:**

TITLE 2. ADMINISTRATION

CHAPTER 20. CITIZENS CLEAN ELECTIONS COMMISSION

ARTICLE 1. GENERAL PROVISIONS

R2-20-109. **Independent Expenditure Reporting Requirements**

A. No change

~~B. All participating candidates shall file campaign finance reports that include all receipts and disbursements for their current campaign account as follows:~~

- ~~1. Expenditures for consulting, advising, or other such services to a candidate shall include a detailed description of what is included in the service, including an allocation of services to a particular election. When appropriate, the Commission may treat such expenditures as though made during the general election period.~~



- 2. If a participating candidate makes an expenditure on behalf of the campaign using personal funds, the candidate's campaign shall reimburse the candidate within seven calendar days of the expenditure. After the 7 day period has passed, the expenditure shall be deemed an in-kind contribution subject to all applicable limits.
- 3. A candidate may authorize an agent to purchase goods or services on behalf of such candidate, provided that:
 - a. Expenditures shall be reported as of the date that the agent promises, agrees, contracts or otherwise incurs an obligation to pay for the goods or services;
 - b. The candidate shall have sufficient funds in the candidate's campaign account to pay for the amount of such expenditure at the time it is made and all other outstanding obligations of the candidate's campaign committee; and
 - c. Within seven calendar days of the date upon which the amount of the expenditure is known, the candidate shall pay such amount from the candidate's campaign account to the agent who purchases the goods or services.
- 4. A joint expenditure is made when two or more candidates agree to share the cost of goods or services. Candidates may make a joint expenditure on behalf of one or more other campaigns, but must be authorized in advance by the other candidates involved in the expenditure, and must be reimbursed within seven days. Participating candidates may participate in joint expenditures for the cost of goods and services with one or more candidates, subject to the following:
 - a. Joint expenditures must be authorized in advance by all candidates sharing in the expenditure and allocated fairly among candidates. An allocated share of a joint expenditure paid by one candidate pursuant to such an agreement must be reimbursed within seven days.
 - b. Any violator of part (a) shall be liable for a penalty pursuant to R2-20-222, in addition to penalties prescribed by any other law.
 - c. If a fairly allocated share of any joint expenditure is not reimbursed to a candidate, the unreimbursed amount of the joint expenditure fairly allocated to that candidate shall be deemed a contribution to that candidate by the campaign committee of the candidate obligated to reimburse the share.
 - d. If a fairly allocated share of any joint expenditure is not reimbursed to a participating candidate, the candidate obligated to reimburse the share shall reimburse the fund for the unreimbursed amount of the joint expenditure fairly allocated to the obligated candidate, in addition to any penalty specified by law.
- 5. For the purposes of the Act and Commission rules, a candidate or campaign shall be deemed to have made an expenditure as of the date upon which the candidate or campaign promises, agrees, contracts or otherwise incurs an obligation to pay for goods or services.

C. Timing of reporting expenditures.

- 1. Except as set forth in subsection (B)(2) above, a participating candidate shall report a contract, promise or agreement to make an expenditure resulting in an extension of credit as an expenditure, in an amount equal to the full future payment obligation, as of the date the contract, promise or agreement is made.
- 2. In the alternative to reporting in accordance with subsection (B)(1) above, a participating candidate may report a contract, promise or agreement to make an expenditure resulting in an extension of credit as follows:
 - a. For a month-to-month or other such periodic contract or agreement that is terminable by a candidate at will and without any termination penalty or payment, the candidate may report an expenditure, in an amount equal to each future periodic payment, as of the date upon which the candidate's right to terminate the contract or agreement and avoid such future periodic payment elapses.
 - b. For a contract, promise or agreement to provide goods or services during the general election period that is contingent upon a candidate advancing to the general election period, the candidate may report an expenditure, in an amount equal to the general election period payment obligation, as of the date upon which such contingency is satisfied.
 - c. For a contract, promise or agreement to pay rent, utility charges or salaries payable to individuals employed by a candidate's campaign committee as staff, the candidate may report an expenditure, in an amount equal to each periodic payment, as of the date that is the sooner of (i) the date upon which payment is made; or (ii) the date upon which payment is due.

D. Transportation expenses.

- 1. Except as otherwise provided in this subsection (D), the costs of transportation relating to the election of a participating statewide or legislative office candidate shall not be considered a direct campaign expense and shall not be reported by the candidate as expenditures or as in-kind contributions.
- 2. If a participating candidate travels for campaign purposes in a privately owned automobile, the candidate may:
 - a. Use campaign funds to reimburse the owner of the automobile at a rate not to exceed the state mileage reimbursement rate in which event the reimbursement shall be considered a direct campaign expense and shall be reported as an expenditure and reported in the reporting period in which the expenditure was incurred. If a candidate chooses to use campaign funds to reimburse, the candidate shall keep an itinerary of the trip, including name and type of events(s) attended, miles traveled and the rate at which the reimbursement was made. This subsection applies to candidate owned automobiles in addition to any other automobile.



- b. Use campaign funds to pay for direct fuel purchases for the candidate's automobile only and shall be reported. If a candidate chooses to use campaign funds for direct fuel purchases, the candidate shall keep an itinerary of the trip, including name and type of events(s) attended, miles traveled and the rate at which the reimbursement could have been made.
 3. Use of airplanes.
 - a. If a participating candidate travels for campaign purposes in a privately owned airplane, within 7 days from the date of travel, the candidate shall use campaign funds to reimburse the owner of the airplane at a rate of \$150 per hour of flying time, in which event the reimbursement shall be considered a direct campaign expense and shall be reported as an expenditure. If the owner of the airplane is unwilling or unable to accept reimbursement, the participating candidate shall remit to the fund an amount equal to \$150 per hour of flying time.
 - b. If a participating candidate travels for campaign purposes in a state owned airplane, within 7 days from the date of travel, the candidate shall use campaign funds to reimburse the state for the portion allocable to the campaign in accordance with subsection 3a, above. The portion of the trip attributable to state business shall not be reimbursed. If payment to the State is not possible, the payment shall be remitted to the Clean Elections Fund.
 4. If a participating candidate rents a vehicle or purchases a ticket or fare on a commercial carrier for campaign purposes, the actual costs of such rental (including fuel costs), ticket or fare shall be considered a direct campaign expense and shall be reported as an expenditure.
- E. Reports and Refunds of Excess Monies by Participating Candidates**
1. In addition to the campaign finance reports filed pursuant to A.R.S. §16-913, participating candidates shall file the following campaign finance reports and dispose of excess monies as follows:
 - a. Prior to filing the application for funding pursuant to A.R.S. §16-950, participating candidates shall file a campaign finance report with the names of the persons who have made qualifying contributions to the candidate.
 - b. At the end of the qualifying period, a participating candidate shall file a campaign finance report consisting of all early contributions received, including personal monies and the expenditures of such monies.
 - i. The campaign finance report shall be filed with the Secretary of State no later than five days after the last day of the qualifying period and shall include all campaign activity through the last day of the qualifying period.
 - ii. If the campaign finance report shows any amount unspent monies, the participating candidate, within five days after filing the campaign finance report, shall remit all unspent contributions to the Fund, pursuant to A.R.S. §16-945(B). Any unspent personal monies shall be returned to the candidate or the candidates' family member within five days.
 2. Each participating candidate shall file a campaign finance report consisting of all expenditures made in connection with an election, all contributions received in the election cycle in which such election occurs, and all payments made to the Clean Elections Fund. If the campaign finance report shows any amount unspent, the participating candidate, within five days after filing the campaign finance report, shall send a check from the candidate's campaign account to the Commission in the amount of all unspent monies to be deposited the Fund.
 - a. The campaign finance report for the primary election shall be filed within five days after the primary election day and shall reflect all activity through the primary election day.
 - b. The campaign finance report for the general election shall be considered filed upon the filing of the post general campaign finance report filed in accordance with A.R.S. § 16-913(B)(3).
 3. In the event that a participating candidate purchases goods or services from a subcontractor or other vendor through an agent pursuant to subsection (A)(3), the candidate's campaign finance report shall include the same detail as required in A.R.S. § 16-948(C) for each such subcontractor or other vendor. Such detail is also required when petty cash funds are used for such expenditures.
- FB. Independent Expenditure Reporting Requirements.**
1. No change
 2. Any person required to comply with A.R.S. § 16-917 shall provide a copy of the literature and advertisement to the Commission at the same time and in the same manner as prescribed by A.R.S. § 16-917(A) and (B). For purposes of this subsection (F), "literature and advertisement" includes electronic communications, including emails and social media messages or postings, sent to more than 1,000 people.
 3. Any person making an independent expenditure on behalf of a candidate, participating or non-participating, and not timely filing a campaign finance report as required by A.R.S. § 16-941(D), A.R.S. § 16-958, or A.R.S. § 16-913 shall be subject to a civil penalty as described in A.R.S. § 16-942(B). An expenditure advocating against one or more candidates shall be considered an expenditure on behalf of any opposing candidate or candidates. This subsection and A.R.S. § 16-942(B) applies to any political committee that accepts contributions or makes expenditures on behalf of any candidate, participating or nonparticipating, regardless of any other contributions taken or expenditures made. Penalties imposed pursuant to this subsection shall not exceed twice the amount of expenditures not reported. The Commission shall make a rebuttable presumption that an entity that claims to be subject to A.R.S. § 16-922(1) is not subject to penalty under A.R.S. § 16-942(B) for failure to file reports under A.R.S. §§ 16-941 and



-958. The presumption may be rebutted by a preponderance of the evidence showing the entity is conducted for the purpose of influencing elections. The Commission shall make a rebuttable presumption that an entity that claims to be subject to A.R.S. § 16-922(2) is not subject to penalties under 16-922 for failure to report under A.R.S. 16-913. The presumption may be rebutted by a preponderance of the evidence showing that the entity is conducted for the purpose of influencing elections. Penalties shall be assessed as follows:

- a. No change
- b. No change
- c. No change
- d. No change
- e. Penalties imposed pursuant to this subsection shall not exceed twice the amount of expenditures not reported.
- 4. No change
- 5. No change
 - a. No change
 - b. No change
- 6. No change
- 7. No change
 - a. No change
 - b. No change
 - i. No change
 - ii. No change
 - iii. No change
- 8. No change
- 9. No change
- 10. No change
- ~~11. Any entity that has been granted an exemption as of September 11, 2014 is deemed compliant with the requirements of subpart (5) of this subsection (F) for the election cycle ending in 2014.~~
- ~~12~~11. No change
 - a. No change
 - i. No change
 - ii. No change
 - iii. No change
 - (1) No change
 - (2) No change
 - iv. No change
 - v. No change
 - (1) No change
 - (2) No change
 - b. No change

~~G. Non-participating Candidate Reporting Requirements and Contribution Limits. Any person may file a complaint with the Commission alleging that any non-participating candidate or that candidate's campaign committee has failed to comply with or violated A.R.S. § 16-941(B). Complaints shall be processed as prescribed in Article 2 of these rules. In addition to those penalties outlined in R2-20-222(B), a non-participating candidate or candidate's campaign committee violating A.R.S. § 16-941(B) shall be subject to penalties prescribed in A.R.S. § 16-941(B) and A.R.S. § 16-942(B) and (C) as applicable.~~

- ~~1. Penalties under A.R.S. § 16-942(B); for a violation by or on behalf of any non-participating candidate or that candidate's campaign committee of any reporting requirement imposed by chapter 6 of title 16, Arizona Revised Statutes, in association with any violation of A.R.S. § 16-941(B):~~
 - ~~a. For an election involving a candidate for statewide office, the civil penalty shall be \$300 per day.~~
 - ~~b. For an election involving a legislative candidate, the civil penalty shall be \$100 per day.~~
 - ~~e. The penalties in (a) and (b) shall be doubled if the amount not reported for a particular election cycle exceeds ten percent (10%) of the applicable one of the adjusted primary election spending limit or adjusted general election spending limit.~~
 - ~~d. The dollar amounts in items (a) and (b), and the spending limits in item (c) are subject to adjustment of A.R.S. § 16-959.~~
- ~~2. Penalties under A.R.S. § 16-942(C): Where a campaign finance report filed by a non-participating candidate or that candidate's campaign committee indicates a violation of A.R.S. § 16-941(B) that involves an amount in excess of ten percent (10%) of the sum of the adjusted primary election spending limit and the adjusted general election spending limits specified by A.R.S. § 16-961(G) and (H) as adjusted pursuant to A.R.S. § 16-959, that violation shall result in disqualification of a candidate or forfeiture of office.~~
- ~~3. Penalties under A.R.S. § 16-941(B): Regardless of whether or not there is a violation of a reporting requirement, a person who violates A.R.S. § 16-941(B) is subject to a civil penalty of three times the amount of money that has~~



- 12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules. When applicable, matters shall include, but not be limited to:
 - a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:
Not applicable
 - b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than the federal law and if so, citation to the statutory authority to exceed the requirements of the federal law:
Not applicable
 - c. Whether a person submitted an analysis to the agency that compares the rule’s impact of the competitiveness of business in this state to the impact on business in other states:
Not applicable
- 13. A list of any incorporated by reference material and its location in the rules:
Not applicable
- 14. Whether this rule previously made, amended, repealed or renumbered as an emergency rule. If so, the agency shall state where the text changed between the emergency and the exempt rulemaking packages:
The rule was not previously made, amended, repealed, or renumbered as an emergency rule.
- 15. The full text of the rules follows:

TITLE 2. ADMINISTRATION

CHAPTER 20. CITIZENS CLEAN ELECTIONS COMMISSION

ARTICLE 1. GENERAL PROVISIONS

Section
R2-20-110. ~~Candidate Campaign Bank Accounts Renumbered~~

ARTICLE 1. GENERAL PROVISIONS

R2-20-110. Participating Candidate Reporting Requirements

- A. All participating candidates shall file campaign finance reports that include all receipts and disbursements for their current campaign account as follows:
 - 1. Expenditures for consulting, advising, or other such services to a candidate shall include a detailed description of what is included in the service, including an allocation of services to a particular election. When appropriate, the Commission may treat such expenditures as though made during the general election period.
 - 2. If a participating candidate makes an expenditure on behalf of the campaign using personal funds, the candidate’s campaign shall reimburse the candidate within seven calendar days of the expenditure. After the 7 day period has passed, the expenditure shall be deemed an in-kind contribution subject to all applicable limits.
 - 3. A candidate may authorize an agent to purchase goods or services on behalf of such candidate, provided that:
 - a. Expenditures shall be reported as of the date that the agent promises, agrees, contracts or otherwise incurs an obligation to pay for the goods or services;
 - b. The candidate shall have sufficient funds in the candidate’s campaign account to pay for the amount of such expenditure at the time it is made and all other outstanding obligations of the candidate’s campaign committee; and
 - c. Within seven calendar days of the date upon which the amount of the expenditure is known, the candidate shall pay such amount from the candidate’s campaign account to the agent who purchases the goods or services.
 - 4. A joint expenditure is made when two or more candidates agree to share the cost of goods or services. Candidates may make a joint expenditure on behalf of one or more other campaigns, but must be authorized in advance by the other candidates involved in the expenditure, and must be reimbursed within seven days. Participating candidates may participate in joint expenditures for the cost of goods and services with one or more candidates, subject to the following:
 - a. Joint expenditures must be authorized in advance by all candidates sharing in the expenditure and allocated fairly among candidates. An allocated share of a joint expenditure paid by one candidate pursuant to such an agreement must be reimbursed within seven days.
 - b. Any violator of subsection (a) shall be liable for a penalty pursuant to R2-20-222, in addition to penalties prescribed by any other law.
 - c. If a fairly allocated share of any joint expenditure is not reimbursed to a candidate, the unreimbursed amount of the joint expenditure fairly allocated to that candidate shall be deemed a contribution to that candidate by the campaign committee of the candidate obligated to reimburse the share.



- d. If a fairly allocated share of any joint expenditure is not reimbursed to a participating candidate, the candidate obligated to reimburse the share shall reimburse the fund for the unreimbursed amount of the joint expenditure fairly allocated to the obligated candidate, in addition to any penalty specified by law.
 5. For the purposes of the Act and Commission rules, a candidate or campaign shall be deemed to have made an expenditure as of the date upon which the candidate or campaign promises, agrees, contracts or otherwise incurs an obligation to pay for goods or services.
- B. Timing of reporting expenditures.**
1. Except as set forth in subsection (B)(2) above, a participating candidate shall report a contract, promise or agreement to make an expenditure resulting in an extension of credit as an expenditure, in an amount equal to the full future payment obligation, as of the date the contract, promise or agreement is made.
 2. In the alternative to reporting in accordance with subsection (B)(1) above, a participating candidate may report a contract, promise or agreement to make an expenditure resulting in an extension of credit as follows:
 - a. For a month-to-month or other such periodic contract or agreement that is terminable by a candidate at will and without any termination penalty or payment, the candidate may report an expenditure, in an amount equal to each future periodic payment, as of the date upon which the candidate's right to terminate the contract or agreement and avoid such future periodic payment elapses.
 - b. For a contract, promise or agreement to provide goods or services during the general election period that is contingent upon a candidate advancing to the general election period, the candidate may report an expenditure, in an amount equal to the general election period payment obligation, as of the date upon which such contingency is satisfied.
 - c. For a contract, promise or agreement to pay rent, utility charges or salaries payable to individuals employed by a candidate's campaign committee as staff, the candidate may report an expenditure, in an amount equal to each periodic payment, as of the date that is the sooner of (i) the date upon which payment is made; or (ii) the date upon which payment is due.
- C. Reports and Refunds of Excess Monies by Participating Candidates**
1. In addition to the campaign finance reports filed pursuant to A.R.S. §16-913, participating candidates shall file the following campaign finance reports and dispose of excess monies as follows:
 - a. Prior to filing the application for funding pursuant to A.R.S. §16-950, participating candidates shall file a campaign finance report with the names of the persons who have made qualifying contributions to the candidate.
 - b. At the end of the qualifying period, a participating candidate shall file a campaign finance report consisting of all early contributions received, including personal monies and the expenditures of such monies.
 - i. The campaign finance report shall be filed with the Secretary of State no later than five days after the last day of the qualifying period and shall include all campaign activity through the last day of the qualifying period.
 - ii. If the campaign finance report shows any amount unspent monies, the participating candidate, within five days after filing the campaign finance report, shall remit all unspent contributions to the Fund, pursuant to A.R.S. §16-945(B). Any unspent personal monies shall be returned to the candidate or the candidates' family member within five days.
 2. Each participating candidate shall file a campaign finance report consisting of all expenditures made in connection with an election, all contributions received in the election cycle in which such election occurs, and all payments made to the Clean Elections Fund. If the campaign finance report shows any amount unspent, the participating candidate, within five days after filing the campaign finance report, shall send a check from the candidate's campaign account to the Commission in the amount of all unspent monies to be deposited the Fund.
 - a. The campaign finance report for the primary election shall be filed within five days after the primary election day and shall reflect all activity through the primary election day.
 - b. The campaign finance report for the general election shall be considered filed upon the filing of the post-general campaign finance report filed in accordance with A.R.S. § 16-913(B)(3).
 3. In the event that a participating candidate purchases goods or services from a subcontractor or other vendor through an agent pursuant to subsection (A)(3), the candidate's campaign finance report shall include the same detail as required in A.R.S. § 16-948(C) for each such subcontractor or other vendor. Such detail is also required when petty cash funds are used for such expenditures.



- 12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules. When applicable, matters shall include, but not be limited to:
 - a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:
Not applicable
 - b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than the federal law and if so, citation to the statutory authority to exceed the requirements of the federal law:
Not applicable
 - c. Whether a person submitted an analysis to the agency that compares the rule’s impact of the competitiveness of business in this state to the impact on business in other states:
Not applicable
- 13. A list of any incorporated by reference material and its location in the rules:
Not applicable
- 14. Whether this rule previously made, amended, repealed or renumbered as an emergency rule. If so, the agency shall state where the text changed between the emergency and the exempt rulemaking packages:
The rule was not previously made, amended, repealed, or renumbered as an emergency rule.
- 15. The full text of the rules follows:

TITLE 2. ADMINISTRATION

CHAPTER 20. CITIZENS CLEAN ELECTIONS COMMISSION

ARTICLE 1. GENERAL PROVISIONS

Section

R2-20-111. ~~Books and Records~~ Non-participating Candidate Reporting Requirements and Contribution Limits

ARTICLE 1. GENERAL PROVISIONS

~~R2-20-111. Books and Records~~ Non-participating Candidate Reporting Requirements and Contribution Limits

- ~~A.~~ All candidates shall maintain, at a single location within the state, the books and records of financial transactions, and other information required by A.R.S. § 16-904.
- ~~B.~~ All candidates shall ensure that the books and records of accounts and transactions of the candidate are recorded and preserved as follows:
 - 1. ~~The treasurer of a candidate’s campaign committee is the custodian of the candidate’s books and records of accounts and transactions, and shall keep a record of all of the following:~~
 - a. ~~All contributions or other monies received by or on behalf of the candidate.~~
 - b. ~~The identification of any individual or political committee that makes any contribution together with the date and amount of each contribution and the date of deposit into the candidate’s campaign bank account.~~
 - c. ~~Cumulative totals contributed by each individual or political committee.~~
 - d. ~~The name and address of every person to whom any expenditure is made, and the date, amount and purpose or reason for the expenditure.~~
 - e. ~~All periodic bank statements or other statements for the candidate’s campaign bank account.~~
 - f. ~~In the event that the campaign committee uses a petty cash account the candidate’s campaign finance report shall include the same detail for each petty cash expenditure as required in ARS 16-948(C) for each vendor.~~
 - 2. ~~No expenditure may be made for or on behalf of a candidate without the authorization of the treasurer or his or her designated agent.~~
 - 3. ~~Unless specified by the contributor or contributors to the contrary, the treasurer shall record a contribution made by check, money order or other written instrument as a contribution by the person whose signature or name appears on the bottom of the instrument or who endorses the instrument before delivery to the candidate. If a contribution is made by more than one person in a single written instrument, the treasurer shall record the amount to be attributed to each contributor as specified.~~
 - 4. ~~All contributions other than in-kind contributions and qualifying contributions must be made by a check drawn on the account of the actual contributor or by a money order or a cashier’s check containing the name of the actual contributor or must be evidenced by a written receipt with a copy of the receipt given to the contributor and a copy maintained in the records of the candidate.~~
 - 5. ~~The treasurer shall preserve all records set forth in subsection (B) and copies of all campaign finance reports required to be filed for three years after the filing of the campaign finance report covering the receipts and disbursements evidenced by the records.~~



- 6. If requested by the attorney general, the county, city or town attorney or the filing officer, the treasurer shall provide any of the records required to be kept pursuant to this Section.
- ~~C.~~ Any request to inspect a candidate's records under A.R.S. § 16-958(F) shall be sent to the candidate, with a copy to the Commission, 10 or more days before the proposed date of the inspection. If the request is made within two weeks before the primary or general election, the request shall be delivered at least two days before the proposed date of inspection. Every request shall state with reasonable particularity the records sought.
 - 1. ~~The inspection shall occur at a location agreed upon by the candidate and the person making the request. If no agreement can be reached, the inspection shall occur at the Commission office. The inspection shall occur during the Commission's regular business hours and shall be limited to a two-hour time period.~~
 - 2. ~~The requesting party may obtain copies of records for a reasonable fee. The Commission shall not be responsible for making copies. The person in possession of the records shall produce copies within a reasonable time of the receipt of the copying request and fees.~~
 - 3. ~~The Commission will not permit public inspection of records if it determines that the inspection is for harassment purposes.~~
 - 4. ~~If a person who requests to inspect a candidate's records under A.R.S. § 16-958(F) is denied such a request, the requesting party may notify the Commission. The Commission may enforce the public inspection request by issuing a subpoena pursuant to A.R.S. § 16-956(B) for the production of any books, papers, records, or other items sought in the public inspection request. The subpoena shall order the candidate to produce:

 - a. ~~All papers, records, or other items sought in the public inspection request;~~
 - b. ~~No later than two business days after the date of the subpoena; and~~
 - e. ~~To the Commission's office during regular business hours.~~~~
 - 5. ~~Any person who believes that a candidate or a candidate's campaign committee has not complied with this Section may appeal to Superior Court.~~
- A. Any person may file a complaint with the Commission alleging that any non-participating candidate or that candidate's campaign committee has failed to comply with or violated A.R.S. § 16-941(B). Complaints shall be processed as prescribed in Article 2 of these rules. In addition to those penalties outlined in R2-20-222(B), a non-participating candidate or candidate's campaign committee violating A.R.S. § 16-941(B) shall be subject to penalties prescribed in A.R.S. § 16-941(B) and A.R.S. § 16-942(B) and (C) as applicable.
- B. Penalties under A.R.S. § 16-942(B), for a violation by or on behalf of any non-participating candidate or that candidate's campaign committee of any reporting requirement imposed by chapter 6 of title 16, Arizona Revised Statutes, in association with any violation of A.R.S. § 16-941(B):
 - 1. For an election involving a candidate for statewide office, the civil penalty shall be \$300 per day.
 - 2. For an election involving a legislative candidate, the civil penalty shall be \$100 per day.
 - 3. The penalties in (B)(1) and (B)(2) shall be doubled if the amount not reported for a particular election cycle exceeds ten percent (10%) of the applicable one of the adjusted primary election spending limit or adjusted general election spending limit.
 - 4. The dollar amounts in items (B)(1) and (B)(2), and the spending limits in item (B)(3) are subject to adjustment of A.R.S. § 16-959.
- C. Penalties under A.R.S. § 16-942(C): Where a campaign finance report filed by a non-participating candidate or that candidate's campaign committee indicates a violation of A.R.S. § 16-941(B) that involves an amount in excess of ten percent (10%) of the sum of the adjusted primary election spending limit and the adjusted general election spending limits specified by A.R.S. § 16-961(G) and (H) as adjusted pursuant to A.R.S. § 16-959, that violation shall result in disqualification of a candidate or forfeiture of office.
- D. Penalties under A.R.S. § 16-941(B): Regardless of whether or not there is a violation of a reporting requirement, a person who violates A.R.S. § 16-941(B) is subject to a civil penalty of three times the amount of money that has been received, expended, or promised in violation of A.R.S. § 16-941(B) or three times the value in money for an equivalent of money or other things of value that have been received, expended, or promised in violation of A.R.S. § 16-941(B).

NOTICE OF PROPOSED EXEMPT RULEMAKING

TITLE 2. ADMINISTRATION

CHAPTER 20. CITIZENS CLEAN ELECTIONS COMMISSION

[R16-112]

PREAMBLE

<u>1. Article, Part or Sections Affected (as applicable)</u>	<u>Rulemaking Action</u>
R2-20-114	Renumber
R2-20-114	New Section



- 2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific) and the statute or session law authorizing the exemption:**
Authorizing statute: A.R.S. § 16-940, et seq.
Implementing statute and statute authorizing the exemption: A.R.S. § 16-956(C).
The Citizens Clean Elections Commission is exempt from Executive Order 15-01 because it is not an agency whose head is appointed by the Governor and is, therefore, exempt.
- 3. The effective date of the rule and the agency's reason it selected the effective date:**
The proposal may be effective no sooner than August 23, 2015.
- 4. A list of all notices published in the Register as specified in R9-1-409(A) that pertain to the record of the exempt rulemaking:**
Notice of Proposed Exempt Rulemaking: 22 A.A.R. 1888, July 22, 2016 (*in this issue*).
- 5. The agency's contact person who can answer questions about the rulemaking:**
Name: Thomas M. Collins, Executive Director
Address: Citizens Clean Elections Commission
1616 W. Adams St., Suite 110
Phoenix, AZ 85007
Telephone: (602) 364-3477
Fax: (602) 364-3487
E-mail: thomas.collins@azcleelections.gov
- 6. An agency's justification and reason why a rule should be made, amended, repealed, or renumbered to include an explanation about the rulemaking:**
R2-20-114. Candidate Campaign Bank Accounts
This proposed change renumbers former R2-20-110 to R2-20-114.
- 7. A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**
Not applicable
- 8. A showing of good cause why the rule is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:**
Not applicable
- 9. The summary of the economic, small business, and consumer impact, if applicable:**
Not applicable
- 10. A description of any changes between the proposed rulemaking, including any supplemental proposed rulemaking, and final rulemaking package, (if applicable):**
This proposal renumbers R2-20-110.
- 11. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments, if applicable:**
The Commission solicits public comment throughout the rulemaking process.
- 12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules. When applicable, matters shall include, but not be limited to:**

 - a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**
Not applicable
 - b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than the federal law and if so, citation to the statutory authority to exceed the requirements of the federal law:**
Not applicable
 - c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:**
Not applicable
- 13. A list of any incorporated by reference material and its location in the rules:**
Not applicable
- 14. Whether this rule previously made, amended, repealed or renumbered as an emergency rule. If so, the agency shall state where the text changed between the emergency and the exempt rulemaking packages:**
The rule was not previously made, amended, repealed, or renumbered as an emergency rule.



7. **A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**
Not applicable
8. **A showing of good cause why the rule is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:**
Not applicable
9. **The summary of the economic, small business, and consumer impact, if applicable:**
Not applicable
10. **A description of any changes between the proposed rulemaking, including any supplemental proposed rulemaking, and final rulemaking package, (if applicable):**
This proposal renumbers R2-20-111.
11. **An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments, if applicable:**
The Commission solicits public comment throughout the rulemaking process.
12. **Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules. When applicable, matters shall include, but not be limited to:**
- a. **Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**
Not applicable
 - b. **Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than the federal law and if so, citation to the statutory authority to exceed the requirements of the federal law:**
Not applicable
 - c. **Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:**
Not applicable
13. **A list of any incorporated by reference material and its location in the rules:**
Not applicable
14. **Whether this rule previously made, amended, repealed or renumbered as an emergency rule. If so, the agency shall state where the text changed between the emergency and the exempt rulemaking packages:**
The rule was not previously made, amended, repealed, or renumbered as an emergency rule.
15. **The full text of the rules follows:**

TITLE 2. ADMINISTRATION

CHAPTER 20. CITIZENS CLEAN ELECTIONS COMMISSION

ARTICLE 1. GENERAL PROVISIONS

Section

R2-20-115. Books and Records Requirements

ARTICLE 1. GENERAL PROVISIONS

R2-20-115. Books and Records Requirements

- A. All candidates shall maintain, at a single location within the state, the books and records of financial transactions, and other information required by A.R.S. § 16-904.**
- B. All candidates shall ensure that the books and records of accounts and transactions of the candidate are recorded and preserved as follows:**
1. **The treasurer of a candidate's campaign committee is the custodian of the candidate's books and records of accounts and transactions, and shall keep a record of all of the following:**
 - a. **All contributions or other monies received by or on behalf of the candidate.**
 - b. **The identification of any individual or political committee that makes any contribution together with the date and amount of each contribution and the date of deposit into the candidate's campaign bank account.**
 - c. **Cumulative totals contributed by each individual or political committee.**
 - d. **The name and address of every person to whom any expenditure is made, and the date, amount and purpose or reason for the expenditure.**
 - e. **All periodic bank statements or other statements for the candidate's campaign bank account.**



- 5. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
 Name: Thomas M. Collins, Executive Director
 Address: Citizens Clean Elections Commission
 1616 W. Adams St., Suite 110
 Phoenix, AZ 85007
 Telephone: (602) 364-3477
 Fax: (602) 364-3487
 E-mail: thomas.collins@azcleanelections.gov
- 6. An explanation of the rule, including the agency's reasons for initiating the rule, including the statutory citation to the exemption from regular rulemaking procedures:**
 R2-20-702. Use of Campaign Funds
 Adds a new provision (moved from R2-20-109(D)) that addresses the use of Clean Funding for transportation expenses.
- 7. A reference to any study relevant to the rule that the agency reviewed and either relied on in its evaluation of or justification for the rule or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**
 Not applicable
- 8. 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
- 9. The summary of the economic, small business, and consumer impact:**
 Not applicable
- 10. A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):**
 Not applicable
- 11. A summary of the comments made regarding the rule and the agency response to them:**
 The Commissioners solicited public comment throughout the rulemaking process.
 The Commissioners considered the rule in open meetings and took actions they deemed appropriate.
- 12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**
 Not applicable
- 13. Incorporations by reference and their location in the rules:**
 Not applicable
- 14. Whether this rule previously made, amended, repealed or renumbered as an emergency rule. If so, the agency shall state where the text changed between the emergency and the exempt rulemaking packages:**
 Not applicable
- 15. The full text of the rules follows:**

TITLE 2. ADMINISTRATION

CHAPTER 20. CITIZENS CLEAN ELECTIONS COMMISSION

ARTICLE 7. USE OF FUNDS AND REPAYMENT

Section
 R2-20-702. Use of Campaign Funds

ARTICLE 7. USE OF FUNDS AND REPAYMENT

R2-20-702. Use of Campaign Funds

- A. No change
- B. No change
- C. No change
- D. No change
- E. No change
- F. No change
- G. Transportation expenses.**



1. Except as otherwise provided in this subsection (D), the costs of transportation relating to the election of a participating statewide or legislative office candidate shall not be considered a direct campaign expense and shall not be reported by the candidate as expenditures or as in-kind contributions.
2. If a participating candidate travels for campaign purposes in a privately owned automobile, the candidate may:
 - a. Use campaign funds to reimburse the owner of the automobile at a rate not to exceed the state mileage reimbursement rate in which event the reimbursement shall be considered a direct campaign expense and shall be reported as an expenditure and reported in the reporting period in which the expenditure was incurred. If a candidate chooses to use campaign funds to reimburse, the candidate shall keep an itinerary of the trip, including name and type of events(s) attended, miles traveled and the rate at which the reimbursement was made. This subsection applies to candidate owned automobiles in addition to any other automobile.
 - b. Use campaign funds to pay for direct fuel purchases for the candidate's automobile only and shall be reported. If a candidate chooses to use campaign funds for direct fuel purchases, the candidate shall keep an itinerary of the trip, including name and type of events(s) attended, miles traveled and the rate at which the reimbursement could have been made.
3. Use of airplanes.
 - a. If a participating candidate travels for campaign purposes in a privately owned airplane, within 7 days from the date of travel, the candidate shall use campaign funds to reimburse the owner of the airplane at a rate of \$150 per hour of flying time, in which event the reimbursement shall be considered a direct campaign expense and shall be reported as an expenditure. If the owner of the airplane is unwilling or unable to accept reimbursement, the participating candidate shall remit to the fund an amount equal to \$150 per hour of flying time.
 - b. If a participating candidate travels for campaign purposes in a state-owned airplane, within 7 days from the date of travel, the candidate shall use campaign funds to reimburse the state for the portion allocable to the campaign in accordance with subsection 3a, above. The portion of the trip attributable to state business shall not be reimbursed. If payment to the State is not possible, the payment shall be remitted to the Clean Elections Fund.
4. If a participating candidate rents a vehicle or purchases a ticket or fare on a commercial carrier for campaign purposes, the actual costs of such rental (including fuel costs), ticket or fare shall be considered a direct campaign expense and shall be reported as an expenditure.



NOTICES OF FINAL EXEMPT RULEMAKING

This section of the Arizona Administrative Register contains Notices of Final Exempt Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the

interpretation of the final exempt rule should be addressed to the agency promulgating the rules. Refer to item #5 to contact the person charged with the rulemaking.

NOTICE OF FINAL EXEMPT RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 19. BOARD OF NURSING

[R16-103]

PREAMBLE

1. Article, Part or Section Affected (as applicable)

- Article 8
R4-19-801
R4-19-802
R4-19-804
R4-19-806
R4-19-807
R4-19-808
R4-19-809
R4-19-810
R4-19-811
R4-19-812
R4-19-813
R4-19-814
R4-19-815

Rulemaking Action

- Amend

2. Citations to the agency's statutory rulemaking authority to include the authorizing statutes (general), the implementing statutes (specific) and session law authorizing the exemption:

Authorizing statutes: A.R.S. § 32-1606 (A)(1), (B)(1), (B)(2), (B)(23); 32-1650.01; 32-1650.02; 32-1650.04;
Implementing statutes: A.R.S. §§ 32-1601 (2), (9), (14), (21), (22); 32-1605.01 (B)(3), (B)(7); 32-1606 (B)(8), (B)(11), (B)(15), (B)(16), (B)(24), (B)(25), (B)(26); 32-1645; 32-1647; 32-1648; 32-1649; 32-1650; 32-1650.03; 32-1650.05; 32-1650.06; 32-1646; 32-1650.07; 32-1646 32-1663; 32-1664; 32-1666 (B); 32-1667 (3).
Statute or Session Law Authorizing the Exemption: Laws 2015, Chapter 262 § 22.

3. The effective date of the rules:

July 1, 2016

4. Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the proposed rules:

None

5. The agency's contact person who can answer questions about the rulemaking:

Name: Pamela K. Randolph RN, MS, FRE
Associate Director of Education and Evidence-based Regulation
Address: Board of Nursing
4747 N. 7th St., Suite 200
Phoenix, AZ 85014
Telephone: (602) 771-7803
Fax: (602) 771-7888
E-mail: prandolph@azbn.gov



6. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:

In 2015 the Arizona Legislature passed HB 2196 which authorized the Board of Nursing to issue a license to nursing assistant applicants who meet the Board's previous criminal background and practice requirements for issuing and renewing a nursing assistant certificate. The law authorizes the Board to charge licensure, renewal and late fees for the license and specifies those fees established by A.R.S § 32-1643. HB 2196 allows current and future applicants the choice of becoming a Licensed Nursing Assistant with licensing fees or being listed on a Certified Nursing Assistant (CNA) Registry for no charge as mandated by federal law (42 CFR 483.152). Nursing assistants electing to be listed on the CNA Registry will retain the title "Certified Nursing Assistant" and be able to use the designation CNA and will have to pay no fees. Individuals who choose to become an LNA and be able to use the designation, LNA. This exempt rulemaking replaces references to certified nursing assistants (CNA) with "licensed nursing assistant" (LNA). Specific changes are detailed below:

R4-19-801. Common Standards for ~~Certified~~ Nursing Assistant (~~CNA NA~~) and Certified Medication Assistant (CMA) Training Programs

In order to avoid confusion, programs that prepare individuals for nursing assistant licensure and/or certification will be titled, "nursing assistant programs" because the education and competency testing remains the same for both credentials. The rule includes an additional provision for nursing assistant programs to collect lawful presence documents from students to facilitate timely and efficient placement on the CNA Registry upon passing competency examinations.

R4-19-802. ~~CNA NA~~ Program Requirements

Nursing assistant programs responsibilities have been amended to require programs to include information on LNA licensure in the nursing assistant curriculum.

R4-19-807. Nursing Assistant Licensure and Medication Assistant Certification by Endorsement

In the past a combined CNA-CMA certificate was provided. With the LNA designation, the individual will receive a separate LNA license and CMA certificate. For convenience the certificate and license will expire at the same time and use the same renewal application.

R4-19-808. Fees Related to Certified Medication Assistant

CMA renewal fees and late fees were deleted because all CMAs will also be paying fees as LNAs. This will prevent the applicant from being charged twice for a late application and from paying two fees to renew the necessary credentials.

R4-19-810. ~~Certified Nursing Assistant~~ Register for Certified Nursing Assistants and Licensed Nursing Assistants

The Board's maintenance of separate registries for certified and licensed nursing assistants and the required information for each registry is described here. The renewal requirements for the CNA Registry are also detailed.

R4-19-813. Performance of Nursing Assistant Tasks; Performance of Medication Assistant Tasks

R4-19-814. Standards of Conduct for ~~Certified~~ Licensed Nursing Assistants and Certified Medication Assistants

The Board made no significant amendments to performance of tasks and conduct standards, however those task behaviors and standards which formerly applied to all CNAs were amended to apply only to LNAs.

7. A reference to any study relevant to the rules that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rules, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

The Board did not review or rely on any study relevant to the rules.

8. 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

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

Laws 2015, Ch. 262, § 22, authorizes the exemption from the rulemaking requirements of A.R.S. Title 41, Chapter 6. Therefore this rulemaking is exempt from the requirements of the Administrative Procedures Act and no economic, small business, and consumer impact statement is required. However it is expected that licensing fees will cover the costs of administering the nursing assistant program. Since 2007, the Board has increasingly relied upon appropriations from the legislature and fees collected by from RNs and LPNs to sustain certified nursing assistant operations.

10. A description of any changes between the proposed rulemaking to include supplemental notice and the final rulemaking (if applicable):

Not applicable



- 11. An agency’s summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments, if applicable:**
Not applicable
- 12. Any other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. When applicable, matters shall include, but not be limited to:**
There are no other matters prescribed by statute applicable to the Board of Nursing or to any specific rule or class of rules.
 - a. Whether the rules requires a permit, whether a general permit is used and if not the reasons why a general permit is not used:**
This rulemaking does not require a permit. However Article 8 relates to the issuance of program approval, nursing assistant licensure and medication assistant certification, all of which can be considered a general permit under A.R.S. § 41-1001(10).
 - b. Whether a federal law is applicable to the subject of the rule, whether the rules is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of the federal law:**
Federal laws (42 CFR 483.150, 42 CFR 483.151, 42 CFR 483.152, 42 CFR 483.154, 42 CFR 483.156, 42 CFR 483.158.) contain the federal minimum requirements for nursing assistant programs and inclusion on the nursing assistant register. Under federal law, individual states are permitted to establish standards more stringent than the minimum requirements. Under A.R.S. § 32-1606 (B)(1) and (2) the Board has authority to exceed the minimum requirements for program approval. Arizona law is more stringent regarding CNA programs in the following areas: increased number of program hours, CNA instructors are RNs, and clinical sessions are in a long-term care facility. Other requirements for Arizona programs are not specified in the federal law, such as program policies, evaluation plan, transparency of costs and supplies. Requirements for licensure exceed those for being on the registry due to statutory requirements for fingerprint background checks (A.R.S. § 32-1606 (B)(16)).
 - c. Whether a person submitted an analysis to the agency that compares the rule’s impact of the competitiveness of business in this state to the impact on business in other states:**
No analysis was submitted to the Board.
- 13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:**
There is no material incorporated by reference.
- 14. Whether the rules were previously made, amended or repealed as an emergency rule. If so, agency shall state where the text was changed between the emergency and the exempt rulemaking packages:**
None of the rules in this package were made, amended or repealed as an emergency rule.
- 15. The full text of the rules follows:**

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 19. BOARD OF NURSING

ARTICLE 8. ~~CERTIFIED~~ NURSING ASSISTANTS AND CERTIFIED MEDICATION ASSISTANTS

- Section
- R4-19-801. Common Standards for ~~Certified~~ Nursing Assistant (~~CNA NA~~) and Certified Medication Assistant (CMA) Training Programs
 - R4-19-802. ~~CNA NA~~ Program Requirements
 - R4-19-804. Initial Approval and Re-approval Training Programs
 - R4-19-806. Initial Nursing Assistant Licensure and Medication Assistant Certification by ~~Examination~~
 - R4-19-807. Nursing Assistant Licensure and Medication Assistant Certification by Endorsement
 - R4-19-808. Fees Related to Certified Medication Assistant
 - R4-19-809. Nursing Assistant Licensure and Medication Assistant Certificate Renewal
 - R4-19-810. ~~Certified Nursing Assistant~~ Register for Certified Nursing Assistants and Licensed Nursing Assistants
 - R4-19-811. Application for Duplicate License or Certificate
 - R4-19-812. Change of Name or Address
 - R4-19-813. Performance of Nursing Assistant Tasks; Performance of Medication Assistant Tasks
 - R4-19-814. Standards of Conduct for ~~Certified~~ Licensed Nursing Assistants and Certified Medication Assistants
 - R4-19-815. Reissuance or Subsequent Issuance of a Nursing Assistant License or Medication Assistant Certificate

ARTICLE 8. ~~CERTIFIED~~ NURSING ASSISTANTS AND CERTIFIED MEDICATION ASSISTANTS

- R4-19-801. Common Standards for ~~Certified~~ Nursing Assistant (~~CNA NA~~) and Certified Medication Assistant (CMA) Training Programs**
 - A. Program Administrative Responsibilities
 - 1. No change
 - 2. No change



3. No change
 4. No change
 - a. No change
 - b. No change
 5. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 6. No change
 7. No change
 8. No change
 9. No change
 10. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 11. A training program shall submit written documentation and information to the Board regarding the following program changes within 30 days of instituting the change:
 - a. For a change or addition of an instructor or coordinator, the name, RN license number, and documentation that the coordinator or instructor meets the applicable requirements of R4-19-802(B) and (C) for ~~CNA~~ NA programs and R4-19-803(B) for CMA programs;
 - b. No change
 - c. No change
 - d. No change
 - e. No change
- B.** No change
1. No change
 2. No change
 3. No change
 - a. No change
 - i. No change
 - ii. No change
 - b. No change
 - c. No change
 - i. No change
 - ii. No change
 - d. No change
 - e. No change
 - i. R4-19-802(C) and (D) for ~~CNA~~ NA programs, or
 - ii. No change
 - f. No change
 - g. No change
 - h. No change
 - i. No change
- C.** No change
1. No change
 2. No change
 3. No change
 4. No change
 5. No change
 - a. No change
 - b. No change
 - c. No change
 6. A training program shall utilize an electronic or paper textbook corresponding to the ~~certification level of the~~ curriculum that has been published within the previous five years. Unless granted specific permission by the publisher, a training program shall not utilize copies of published materials in lieu of an actual textbook.
 7. No change



- a. No change
- b. No change
- 8. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
- 9. No change
- 10. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
- D. No change
 - 1. A training program shall maintain the following program records either electronically or in paper form for a minimum of three years for ~~CNA~~ NA programs and five years for CMA programs:
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - 2. A training program shall maintain the following student records either electronically or in paper form for a minimum of three years for ~~CNA~~ NA programs and five years for CMA programs:
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. For NA programs only, a copy of a document providing proof of legal presence in the United States as specified in A.R.S. § 41-1080 to be remitted to the Board’s designated testing vendor in order to facilitate timely placement of program graduates on a nursing assistant registry.
- E. No change
- F. No change
 - 1. No change
 - 2. No change
- G. No change
- R4-19-802. ~~CNA~~ NA Program Requirements**
 - A. No change
 - 1. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - 2. No change
 - a. No change
 - i. No change
 - ii. No change
 - iii. No change
 - b. No change
 - 3. No change
 - 4. A Medicare or Medicaid certified long-term care facility-based ~~certified~~ nursing assistant program shall not require a student to pay a fee for any portion of the program including the initial attempt on the state competency exam.
 - 5. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - B. No change



1. No change
 - a. No change
 - b. No change
2. No change
3. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
4. No change
- C. No change
 1. No change
 - a. No change
 - b. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change
 2. No change
- D. No change
 1. No change
 - a. No change
 - b. No change
 - c. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change
 - d. To meet the 120 hour minimum program hour requirement, a ~~CNA~~ NA program shall designate an additional 20 hours to classroom, skill or clinical instruction based upon the educational needs of the program's students and program resources.
 2. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - g. No change
 - h. No change
 - i. No change
 - j. No change
 - k. No change
- E. No change
 1. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - g. No change
 - h. No change
 - i. No change
 - j. No change
 - k. No change
 2. No change
 3. No change
 4. No change
 5. No change



- 6. No change
- F. No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - g. No change
 - 6. No change
 - 7. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - g. No change
 - h. No change
 - i. No change
 - 8. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - 9. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - g. No change
 - 10. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - 11. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - g. No change
 - 12. No change
 - 13. No change
 - a. ~~Board prescribed requirements for certification and re-certification including: criminal background checks, testing, Board application, felony bar under A.R.S. § 32-1606 (B)(17), proof of legal presence, allotted time to certify and practice requirement for re-certification;~~
Requirements for licensure and registry placement and renewal.
 - b. No change



- c. No change
- d. No change
- e. No change
- 14. No change
- G. No change
- H. No change
 - 1. No change
 - 2. No change
- I. No change
- J. No change

R4-19-804. Initial Approval and Re-Approval Training Programs

- A. No change
- B. No change
- C. No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. Name, license number, telephone number, e-mail address and qualifications of each program instructor including clinical instructors as required in either R4-19-802 for ~~CNA~~ NA programs or R4-19-803 for CMA programs;
 - 5. No change
 - 6. No change
 - 7. No change
 - 8. No change
 - 9. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - g. No change
 - h. No change
 - i. No change
 - j. No change
 - k. No change
- D. No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - g. No change
 - h. No change
 - i. No change
 - j. No change
 - k. No change
 - l. No change
 - m. No change
- E. Upon determination of administrative completeness of either an initial or renewal application, the Board, through its authorized representative, shall schedule and conduct a site visit of a ~~CNA~~ NA program, unless one year only approval is granted on an initial application. The Board may conduct a site visit of a CMA program. Site visits are for the purpose of verifying compliance with this Article. Site visits may be conducted in person or through the use of distance technology.
- F. No change
- G. No change
- H. No change

R4-19-806. Initial Nursing Assistant Licensure and Medication Assistant Certification by Examination

- A. An applicant for ~~certification by examination~~ initial licensed nursing assistant (LNA) licensure or CMA certification



shall submit the following to the Board:

- 1. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - g. No change
 - h. A list of all states in which the applicant is or has been ~~registered as a nursing assistant~~ included on a nursing assistant registry or been licensed or certified as a nursing or medication assistant and the license or certificate number, if any;
 - i. For medication assistant, proof of ~~CNA LNA licensure certification~~ and 960 hours or 6 months full time employment as a CNA or LNA in the past year, as required in A.R.S. § 32-1650.02;
 - j. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change
 - v. No change
 - 2. No change
 - 3. No change
 - 4. For ~~CNA LNA~~ applicants, one or more fingerprint cards or fingerprints, ~~if required by A.R.S. § 32-1606 (B)(16-15);~~
 - 5. No change
 - 6. No change
 - B.** An applicant for ~~certification~~ licensure as a nursing assistant shall submit a passing score on a Board-approved nursing assistant examination and provide one of the following criteria:
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - a. No change
 - b. No change
 - 6. No change
 - C.** No change
 - 1. No change
 - 2. No change
 - D.** No change
 - 1. A ~~CNA LNA~~ applicant shall take and pass both portions of the certifying exam within 2 years:
 - a. No change
 - b. No change
 - 2. No change
 - a. No change
 - b. No change
 - 3. No change
 - E.** No change
 - F.** The Board may license a nursing assistant or certify a medication assistant an applicant who meets the applicable criteria in this Article and A.R.S. Title 32, Chapter 15 if licensure or certification is in the best interest of the public. ~~A CNA who qualifies for a CMA certificate shall be issued a combined CNA CMA certificate.~~
 - G.** An applicant who is denied licensure or certification may request a hearing by filing a written request with the Board within 30 days of service of the Board's order denying the application for certification. Hearings shall be conducted in accordance with A.R.S. Title 41, Chapter 6, Article 10 and 4 A.A.C. 19, Article 6.
 - H.** Medication assistant certification expires when nursing assistant certification licensure expires. ~~CMA applicants whose nursing assistant certification will expire within 12 months of initial issuance, shall pay a prorated fee for medication assistant certification.~~
- R4-19-807. Nursing Assistant Licensure and Medication Assistant Certification by Endorsement**
- A.** An applicant for LNA or CMA certification by endorsement shall submit all of the information, documentation, and fees required in R4-19-806.
 - B.** An applicant who has been employed for less than one year shall list all employers during the past two years.



- C. An applicant for nursing assistant ~~certification~~ licensure by endorsement shall meet the training program criteria in R4-19-806(B). An applicant for ~~combined nursing assistant and medication assistant endorsement~~ shall, in addition, provide evidence satisfactory completion of a training program that meets the requirements of A.R.S. § 32-1650.04 and pass a competency examination as prescribed in A.R.S. § 32-1650.03.
- D. In addition to the other requirements of this Section, an applicant for licensure or certification by endorsement shall provide evidence that the applicant:
1. No change
 2. No change
 - a. No change
 - b. No change
 3. In addition to the above requirements, for ~~combined nursing assistant and medication assistant certification~~, meets the practice requirements of A.R.S. § 32-1650.04 and pays applicable fees under R4-19-808.
- E. The Board may license a nursing assistant or certify a medication assistant an applicant who meets the applicable criteria in this Article if certification is in the best interest of the public.
- F. An applicant who is denied licensure or certification may request a hearing by filing a written request with the Board within 30 days of service of the Board's order denying the application for licensure or certification. Hearings shall be conducted in accordance with A.R.S. Title 41, Chapter 6, Article 10 and 4 A.A.C. 19, Article 6.

R4-19-808. Fees Related to Certified Medication Assistant

- A. The Board shall collect the following fees related medication assistant certification:
1. Initial application for certification by exam, \$50.00.
 2. Fingerprint processing, \$50.00.
 3. ~~Renewal CMA certificate, \$50.00-~~
 4. ~~Renewal fee after expiration CNA-CMA certificate, \$25.00 plus an additional \$25.00 for each month lapsed-~~
 - 5-3. Application for CMA certification by endorsement, \$50.00.
- B. No change

R4-19-809. Nursing Assistant Licensure and Medication Assistant Certificate Renewal

- A. An applicant for renewal of a ~~CNA certificate~~ LNA license or a ~~combined CNA and CMA certificate~~ shall:
1. No change
 - a. No change
 - b. No change
 - c. No change
 - d. If the applicant fails to meet the practice requirements in subsections (A)(2) for nursing assistant or (A)(3) for ~~combined nursing assistant and medication assistant renewal~~, documentation that the applicant has completed a Board-approved training program for the licensure or certification sought and passed both the written and manual skills portions of the competency examination within the past two years;
 - e. Responses to questions that address the applicant's background:
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change
 - v. No change
 2. For ~~CNA~~ LNA renewal, employment as a nursing assistant, performing nursing assistant tasks for an employer or the applicant's performance of nursing assistant activities as part of a nursing or allied health program for a minimum of 160 hours every two years since the last ~~certificate~~ license or certificate was issued, or
 3. For ~~combined CMA and CNA~~ renewal, employment as a medication assistant for a minimum of 160 hours within the last 2 years, and
 4. Applicable fees under A.R.S. § 32-1643 and R4-19-808.
- B. A nursing assistant ~~certificate~~ license and a ~~combined medication assistant-nursing assistant certificate~~ expire simultaneously every 2 years on the last day of the ~~certificate holder's~~ licensee's birth date month. If a ~~certificate holder~~ licensee fails to timely renew the license or certificate, the ~~certificate holder~~ licensee shall:
1. Not work or practice as a ~~CNA LNA or CMA~~ until the Board issues a renewal license and shall not practice as a CMA until the Board issues a renewal certificate; and
 2. No change
- C. If an applicant holds a license or held a license or certificate that has been or is currently revoked, surrendered, denied, suspended or placed on probation in another jurisdiction, the applicant is not eligible to renew or reactivate the applicant's Arizona license or certificate until a review or investigation has been completed and a decision made by the Board.
- D. The Board may renew ~~the an~~ an LNA license and CMA certificate of an applicant who meets the criteria established in statute and this Article. An applicant who is denied renewal of a license or certificate may request a hearing by filing a written request with the Board within 30 days of service of the Board's order denying renewal of the license or certificate. Hearings shall be conducted in accordance with A.R.S. Title 41, Chapter 6, Article 10 and 4 A.A.C. 19, Article 6.



R4-19-810. ~~Certified Nursing Assistant Register for Certified Nursing Assistants and Licensed Nursing Assistants~~

A. ~~The Board shall maintain a Certified Nursing Assistant (CNA) Registry and a Licensed Nursing Assistant (LNA) Registry. All individuals listed in either Registry shall provide proof to the Board, either directly or through the Board's test vendor, of legal presence in the United States as specified in A.R.S. § 41-1080. Both Registries meet the requirements of A.R.S. § 32-1601 (B)(11).~~

1. ~~To be placed on the CNA Registry, the applicant shall either:~~
 - a. ~~Have successfully completed an approved nursing assistant training program and passed the nursing assistant written and manual skills competency evaluation within the past two years; or~~
 - b. ~~For endorsement, be listed on another state's nursing assistant registry.~~
2. ~~To renew CNA Registry status under A.R.S. § 32-1642 (E), an applicant shall submit an application that includes verified statements of:~~
 - a. ~~Whether applicant has performed nursing assistant or nursing related services for compensation for at least eight hours within the past 24 months, and~~
 - b. ~~Whether the applicant's listing on any registry in any other state includes documented findings of abuse, neglect or misappropriation property.~~

A3. ~~The Executive Director shall include the following information in the CNA Register for each registered individual who receives Board certification:~~

- ~~1a. Full legal name and any other names used;~~
- ~~2b. Address of record;~~
- ~~3c. County of residence;~~
- ~~4d. The date of initial placement on the register;~~
- ~~5e. Dates and results of both the written and manual skills portions of the nursing assistant competency examination;~~
- ~~6. Date of expiration of current certificate registration, if applicable;~~
- ~~7. Existence of pending investigation, if applicable; Any substantiated complaints of abuse, neglect or misappropriation of funds; and~~
- ~~8. Registry Status status of certificate, such as active, denied, expired, or revoked, or expired, as applicable.~~

B. ~~An applicant who meets qualifications under subsection (A)(1) and the licensure requirements of this Article shall be placed on an LNA Registry.~~

1. ~~The Executive Director shall include the following information in the Licensed Nursing Assistant Register for each licensed individual:~~
 - a. ~~Information contained in subsection (A)(3);~~
 - b. ~~Existence of pending investigation, if applicable;~~
 - c. ~~Status of the license and any Board actions on the license, such as active, denied, expired, or revoked, as applicable.~~

B(C). ~~The Executive Director shall include the following information in the applicable Register for an individual if the Board, or the United States Department of Health and Human Services (HHS), or the Arizona Department of Health Services finds that the individual has violated relevant law:~~

1. ~~No change~~
 - a. ~~No change~~
 - b. ~~No change~~
2. ~~No change~~
 - a. ~~No change~~
 - b. ~~No change~~
 - i. ~~No change~~
 - ii. ~~No change~~
 - c. ~~No change~~
 - d. ~~No change~~
 - e. ~~No change~~
 - f. ~~No change~~

R4-19-811. Application for Duplicate License or Certificate

- A. ~~A licensee or CMA certificate holder shall report a lost or stolen license or certificate to the Board in writing or electronically through the Board's website, within 30 days of discovery of the loss.~~
- B. ~~An individual requesting a duplicate license or certificate shall file an application on a form provided by the Board for a duplicate certificate and pay the applicable fee under A.R.S. § 32-1643(A)(14).~~

R4-19-812. Change of Name or Address

- A. ~~An applicant, CNA, LNA, or a CMA certificate holder shall notify the Board, in writing or electronically through the Board's website of any legal name change within 30 days of the change, and submit a copy of the official document verifying the name change.~~
- B. ~~An applicant, CNA, LNA, or a CMA certificate holder shall notify the Board in writing or electronically through the Board's website of any change of address within 30 days of the address change.~~

**R4-19-813. Performance of Nursing Assistant Tasks; Performance of Medication Assistant Tasks**

- A. A ~~certified nursing assistant~~ CNA or LNA may perform the following tasks as delegated by a licensed nurse:
1. Tasks for which the nursing assistant has been trained through the curriculum identified in R4-19-802, and
 2. Tasks learned through inservice or educational training if the task meets the following criteria and the nursing assistant has demonstrated competence performing the task:
 - a. The task can be safely performed according to clear, exact, and unchanging directions;
 - b. The task poses minimal risk to the patient or resident and the consequences of performing the task improperly are not life-threatening or irreversible;
 - c. The results of the task are reasonably predictable; and
 - d. Assessment, interpretation, or decision-making is not required during the performance or at the completion of the task.
- B. A licensed nursing assistant who is also certified as a medication assistant under A.R.S. § 32-1650.02 may administer medications under the conditions imposed by A.R.S. § § 32-1650 through 32-1650.07.
- C. A ~~certificate holder~~ A licensed nursing assistant under this Article shall:
1. Recognize the limits of the ~~certificate holder's~~ licensee's personal knowledge, skills, and abilities;
 2. No change
 3. Inform the registered nurse, licensed practical nurse, or another person authorized to delegate the task about the ~~certificate holder's~~ licensee's ability to perform the task before accepting the assignment;
 4. No change
 5. No change
 6. No change
 7. No change
 8. No change
 9. No change

R4-19-814. Standards of Conduct for ~~Certified~~ Licensed Nursing Assistants and Certified Medication Assistants

For purposes of A.R.S. § 32-1601(22)(d), a practice or conduct that is or might be harmful or dangerous to the health of a patient or the public and constitutes a basis for disciplinary action on a LNA license and a CMA certificate includes the following:

1. No change
2. Engaging in sexual conduct with a patient, resident, or any member of the patient's or resident's family who does not have a pre-existing relationship with the ~~certificate holder,~~ licensee or any conduct while on duty or in the presence of a patient or resident that a reasonable person would interpret as sexual;
3. No change
4. No change
5. No change
6. No change
7. No change
8. No change
9. No change
10. No change
11. No change
12. No change
13. No change
14. Soliciting or engaging in the sale of goods or services unrelated to the ~~certificate holder's~~ licensee's health care assignment with a patient or resident, or any member of the patient or resident's immediate family, or guardians;
15. No change
16. No change
17. Accepting or performing patient or resident care tasks that the ~~certificate holder~~ licensee lacks the education, competence or legal authority to perform;
18. No change
19. No change
20. Permitting or assisting another person to use the licensee's license or CMA certificate holder's certificate or identity for any purpose;
21. Making untruthful or misleading statements in advertisements of the individual's practice as a certified licensed nursing assistant or certified medication assistant;
22. Offering or providing certified licensed nursing assistant or certified medication assistant services for compensation without a designated registered nurse supervisor;
23. No change
24. No change
25. No change
 - a. No change



- b. No change
- c. No change
- d. No change
- 26. Cheating on the certification competency exam or providing false information on an initial or renewal application for licensure or certification;
- 27. No change
- 28. No change
- 29. If an applicant, licensee or CMA certificate holder is charged with a felony or a misdemeanor, involving conduct that may affect patient safety, failing to notify the Board, in writing, within 10 working days of being charged under A.R.S. § 32-3208. The applicant, licensee or CMA certificate holder shall include the following in the notification:
 - a. Name, current address, telephone number, Social Security number, and license and certificate number, if applicable;
 - b. No change
 - c. No change
- 30. Failing to notify the Board, in writing, of a conviction for a felony or an undesignated offense within 10 days of the conviction. The applicant, licensee or CMA certificate holder shall include the following in the notification:
 - a. Name, current address, telephone number, Social Security number, and license and CMA certificate number, if applicable;
 - b. No change
 - c. No change
- 31. No change
- 32. No change
- 33. No change

R4-19-815. Reissuance or Subsequent Issuance of a Nursing Assistant License or Medication Assistant Certificate
 An applicant whose application is denied or a licensee or CMA certificate holder whose certificate or license is revoked in accordance with A.R.S. § 32-1663, may reapply to the Board after a period of five years from the date the license, certificate or application is revoked or denied. A licensee or CMA certificate holder who voluntarily surrenders a certificate may reapply to the Board after no less than three years from the date the certificate is surrendered. The Board may issue or re-issue a nursing assistant license or medication assistant certificate under the following terms and conditions:

- 1. An applicant shall submit documentation showing that the basis for denial, revocation or voluntary surrender has been removed and that the issuance or re-issuance of licensure or CMA certification will no longer constitute a threat to the public health or safety. The Board may require an applicant to be tested for competency, or retake and successfully complete a Board approved training program and pass the required examination, all at the applicant’s expense.
- 2. No change
- 3. No change
 - a. No change
 - b. No change
- 4. An applicant who is denied issuance or reinstatement of licensure or CMA certification may request a hearing by filing a written request with the Board within 30 days of service of the Board’s order denying issuance or reinstatement of nursing assistant licensure or medication assistant certification. Hearings shall be conducted in accordance with A.R.S. Title 41, Chapter 6, Article 10 and 4 A.A.C. 19, Article 6.

NOTICE OF FINAL EXEMPT RULEMAKING

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

[R16-115]

PREAMBLE

- | | |
|---|---------------------------------|
| 1. <u>Article, Part, or Section Affected (as applicable)</u> | <u>Rulemaking Action</u> |
| R7-2-615 | Amend |
- 2. Citations to the agency’s statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific), and the statute or session law authorizing the exemption:**
 Authorizing statute: A.R.S. §§ 15-203(A)(1) and 15-203(A)(14)
 Implementing statute: Not applicable



3. **The effective date of the rules and the agency's reason it selected the effective date:**
October 1, 2011
4. **A list of all notices published in the Register as specified in R1-1-409(A) that pertains to the record of the exempt rulemaking:**
Not applicable
5. **The agency's contact person who can answer questions about the rulemaking:**
Name: Dr. Karol Schmidt, Executive Director
Address: State Board of Education
1700 W. Washington, Suite 300
Phoenix, AZ 85007
Telephone: (602) 542-5057
Fax: (602) 542-3046
E-mail: inbox@azsbe.az.gov
6. **An agency's justification and reason why a rule should be made, amended, repealed, or renumbered to include an explanation about the rulemaking:**
A.R.S. §15-203(A)(14) Authorizes the State Board to supervise and control the certification of educators. Board rule R7-2-615(Q) outlines the Driver's Education Endorsements. The Driver's Education Endorsement allows a teacher to teach driver's education classes. At its August 4th meeting of 2010, the Certification Advisory Committee discussed the issue of the R7-2-615(Q) Driver's Education Endorsement. The Board adopted the amendment to R7-2-615(Q) at its January 2011 regularly scheduled meeting with an effective date of October 1, 2011. This amendment will allow non-college courses to be offered that will fulfill the requirements in the Driver's Education Endorsement. Additionally, the new language clarifies that 15 clock hours of training is equivalent to one semester hour of college coursework. The reason for the change is that applicants for the endorsement were unable to find coursework in Arizona that will allow them to obtain the endorsement. No higher education institutions in Arizona were offering these courses. This change allows applicants to obtain the training necessary and opens the door for school districts to find certified instructors.
7. **A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**
Not applicable
8. **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
9. **The summary of the economic, small business and consumer impact, if applicable:**
The rules are not expected to have significant, if any, economic impact on small businesses.
10. **A description of the changes between the proposed rules, including supplemental notices and final rules (if applicable):**
Not applicable
11. **A summary of the comments made regarding the rule and the agency response to them:**
A public hearing was held regarding these proposed rules on January 5, 2011. No comment was received.
12. **Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**
Not applicable
13. **Incorporations by reference and their location in the rules:**
Not applicable
14. **Was this rule previously made as an emergency rule? If so, please indicate the Register citation:**
Not applicable
15. **The full text of the rule follows:**

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

ARTICLE 6. CERTIFICATION



Section
R7-2-615. Endorsements

ARTICLE 6. CERTIFICATION

R7-2-615. Endorsements

- A.** No change
- B.** No change
- C.** No change
- D.** No change
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 - ii. No change
 - iii. No change
 - d. No change
 - 3. For the purposes of this Section, a course is defined as a 3 hour semester course offered by an accredited institution of higher learning or 45 clock hours of educational classes approved by the Department. Each semester hour of courses shall be equivalent to 15 clock hours of training. If semester hours are used, the required documentation for the semester hours shall be an official transcript.
- R.** No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change

NOTICES OF RULEMAKING DOCKET OPENING

This section of the *Arizona Administrative Register* contains Notices of Rulemaking Docket Opening.

A docket opening is the first part of the administrative rulemaking process. It is an “announcement” that the agency intends to work on its rules.

When an agency opens a rulemaking docket to consider rulemaking, the Administrative Procedure Act (APA) requires the publication of the Notice of Rulemaking Docket Opening.

Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process. Many times an agency may file the Notice of Rulemaking Docket Opening with the Notice of Proposed Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these notices. Questions about the interpretation of this information should be directed to the agency contact person listed in item #4 of this notice.

NOTICE OF RULEMAKING DOCKET OPENING

STATE RETIREMENT SYSTEM BOARD

[R16-105]

- 1. Title and its heading:** 2, Administration

Chapter and its heading: 8, State Retirement System Board

Article and its heading: 6, Public Participation in Rulemaking

Section number: R2-8-602, R2-8-603, R2-8-604, R2-8-605, R2-8-606, R2-8-607
(Sections may be added, deleted, or further modified as necessary.)
- 2. The subject matter of the proposed rule:**
The ASRS needs to amend approximately six rules in Article 6. The rules need to reflect statutory language and time frames. For example, the term “individual” should be changed to “person” to be more consistent with A.R.S. § 1001 et seq; R2-8-605 needs to reflect that a person may object to a rule if they believe it is not the least burdensome and costly method. These amendments will ensure the public has notice of how they may participate in the ASRS rulemaking process, including what a person’s options may be if the person disputes a rule. Ultimately, this will establish a more certain and robust rulemaking process for the ASRS, lending itself to the equitable promulgation of more effective rules, which, in turn, will result in the more effective administration of the ASRS.
- 3. A citation to all published notices relating to the proceeding:**
Notice of Proposed Rulemaking: 22 A.A.R. 1879, July 22, 2016 (*in this issue*).
- 4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
Name: Jessica A. Ross, Rule Writer
Address: Arizona State Retirement System
3300 N. Central Ave., Suite 1400
Phoenix, AZ 85012-0250
Telephone: (602) 240-2039
E-Mail: JessicaR@azasrs.gov
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
The Board will accept comments during business hours at the address listed in item 4. Information regarding an oral proceeding will be included in the Notice of Proposed Rulemaking.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
See Notice of Proposed Rulemaking on page 1879 of this issue.



NOTICES OF PUBLIC INFORMATION

Notices of Public Information contain corrections that agencies wish to make to their notices of rulemaking; miscellaneous rulemaking information that does not fit into any other category of notice; and other types of information required by statute to be published in the Register.

Because of the variety of Notices of Public Information, the Office of the Secretary of State has not established a specific publishing format for these notices. We do however require agencies to use a numbered list of questions and answers and follow our filing requirements by presenting receipts with electronic and paper copies.

NOTICE OF PUBLIC INFORMATION

[M16-184]

- 1. **The agency name:** Game and Fish Commission
- 2. **The Title and its heading:** 12, Natural Resources
- The Chapter and its heading:** 4, Game and Fish Commission
- Article and its heading:** 1, Definitions and General Provisions
- Section numbers:** R12-4-102

3. **The public information relating to the listed Sections:**

In accordance with A.R.S. § 17-333(B), the Arizona Game and Fish Commission has authorized the following temporary fee reductions:

From June 24 through July 4, a person may purchase one Short-term Combination Hunting and Fishing License (valid for one-day) at 50% off. For this promotion, the reduced one-day license fee is \$7.50 for a resident and \$10 for a nonresident. See R12-4-210.

Purchases must be made online and within the time-frames listed above in order to receive the temporary fee reduction.

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

Name: Celeste Cook, Rules and Risk
 Address: Game and Fish Department
 5000 W. Carefree Highway
 Phoenix, AZ 85086
 Telephone: (623) 236-7390
 Fax: (623) 236-7677



GOVERNOR EXECUTIVE ORDERS

The Administrative Procedure Act (APA) requires the full-text publication of Governor Executive Orders.

With the exception of egregious errors, content (including spelling, grammar, and punctuation) of these orders has been reproduced as submitted.

In addition, the Register shall include each statement filed by the Governor in granting a commutation, pardon or reprieve, or stay or suspension of execution where a sentence of death is imposed.

EXECUTIVE ORDER 2016-03

Internal Review of Administrative Rules; Moratorium to Promote Job Creation and Customer-Service-Oriented Agencies

Editor's Note: This Executive Order is being reproduced in each issue of the Administrative Register until its expiration on December 31, 2016, as a notice to the public regarding state agencies' rulemaking activities.

[M16-29]

WHEREAS, Arizona is poised to lead the nation in job growth;

WHEREAS, burdensome regulations inhibit job growth and economic development;

WHEREAS, small businesses and startups are especially hurt by regulations;

WHEREAS, each agency of the State of Arizona should promote customer-service-oriented principles for the people that it serves;

WHEREAS, each State agency should undertake a critical and comprehensive review of its administrative rules and take action to reduce the regulatory burden, administrative delay, and legal uncertainty associated with government regulation;

WHEREAS, overly burdensome, antiquated, contradictory, redundant, and nonessential regulations should be repealed;

WHEREAS, Article 5, Section 4 of the Arizona Constitution and Title 41, Chapter 1, Article 1 of the Arizona Revised Statutes vests the executive power of the State of Arizona in the Governor;

NOW, THEREFORE, I, Douglas A. Ducey, by virtue of the authority vested in me by the Constitution and laws of the State of Arizona hereby declare the following:

- 1. A State agency subject to this Order, shall not conduct any rulemaking except as permitted by this Order.
2. A State agency subject to this Order, shall not conduct any rulemaking, whether informal or formal, without the prior written approval of the Office of the Governor. In seeking approval, a State agency shall address one or more of the following as justification for the rulemaking:
a. To fulfill an objective related to job creation, economic development, or economic expansion in this State.
b. To reduce or ameliorate a regulatory burden while achieving the same regulatory objective.
c. To prevent a significant threat to the public health, peace, or safety.
d. To avoid violating a court order or federal law that would result in sanctions by a court or the federal government against an agency for failure to conduct the rulemaking action.
e. To comply with a federal statutory or regulatory requirement if such compliance is related to a condition for the receipt of federal funds or participation in any federal program.
f. To comply with a state statutory requirement.
g. To fulfill an obligation related to fees or any other action necessary to implement the State budget that is certified by the Governor's Office of Strategic Planning and Budgeting.
h. To promulgate a rule or other item that is exempt from Title 41, Chapter 6, Arizona Revised Statutes, pursuant to section 41-1005, Arizona Revised Statutes.
i. To address matters pertaining to the control, mitigation, or eradication of waste, fraud, or abuse within an agency or wasteful, fraudulent, or abusive activities perpetrated against an agency.
j. To eliminates rules that are antiquated, redundant or otherwise no longer necessary for the operation of state government.
3. For the purposes of this Order, the term "State agencies," includes without limitation, all executive departments, agencies, offices, and all state boards and commissions, except for: (a) any State agency that is headed by a single elected State official, (b) the Corporation Commission and (c) any board or commission established by ballot measure during or after the November 1998 general election. Those State agencies, boards and commissions excluded



from this Order are strongly encouraged to voluntarily comply with this Order in the context of their own rulemaking processes.

4. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a State agency. For the purposes of this Order, “person,” “rule,” and “rulemaking” have the same meanings prescribed in Arizona Revised Statutes Section 41-1001.
5. This Executive Order expires on December 31, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Douglas A. Ducey
GOVERNOR

DONE at the Capitol in Phoenix on this Eighth day of February in the Year Two Thousand and Fifteen and of the Independence of the United States of America the Two Hundred and Thirty-Fourth.

ATTEST:

Michele Reagan
Secretary of State



GOVERNOR PROCLAMATIONS

The Administrative Procedure Act (APA) requires the publication of Governor proclamations of general applicability, and ceremonial dedications issued by the Governor.

DROWNING IMPACT AWARENESS MONTH

[M16-188]

WHEREAS, Arizona’s future prosperity depends upon the long-term health, safety, and well-being of the nearly two million children and teens in our state; and

WHEREAS, drowning is a top cause of injury and death for children and teens in Arizona, affecting not only the victims, but also families, emergency personnel, and our society as a whole; and

WHEREAS, awareness of the problem is just the first step; evidence-based programs to bring these strategies to families is the best way to save lives; and

WHEREAS, during the month of August, Phoenix Children’s Hospital, in collaboration with state and local governments, community organizations, and private citizens, will be engaging communities throughout Arizona in a coordinated and comprehensive response.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim August 2016 as

DROWNING IMPACT AWARENESS MONTH

and I further urge all communities and citizens of Arizona to participate in efforts to reduce drowning risk, strengthen families, and protect children and teens.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Douglas A. Ducey
GOVERNOR

DONE at the Capitol in Phoenix on this twenty-sixth day of May in the year Two Thousand and Sixteen and of the Independence of the United States of America the Two Hundred and Fortieth.

ATTEST:
Michele Reagan
SECRETARY OF STATE

FIRST RESPONDER APPRECIATION DAY

[M16-189]

WHEREAS, individuals, both career and volunteer, from 911 dispatchers, law enforcement, fire, emergency medical services, search and rescue, dive and other organizations in the public safety sector, come together as first responders to protect and aid the public in the event of an emergency; and

WHEREAS, every day first responders risk their own safety and personal property in the performance of their duties to protect our citizens; and

WHEREAS, first responders are our first and best defense against all emergencies that may threaten our communities, whatever their nature; and

WHEREAS, first responders are ready to aid the people 24 hours a day, seven days a week; and

WHEREAS, first responders are a vital part of every community who maintain safety and order in times of crisis, and volunteer in our cities and schools; and

WHEREAS, first responders are highly trained, specialized workers who contribute their excellent skills for the public good and often for no pay; and

WHEREAS, the members of the first responder organizations undergo significant education, training and personal sacrifice in order to achieve the expertise required to respond to every type of emergency situation.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim September 27, 2016 as

FIRST RESPONDER APPRECIATION DAY

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Douglas A. Ducey
GOVERNOR



DONE at the Capitol in Phoenix on this twentieth day of May in the year Two Thousand and Sixteen and of the Independence of the United States of America the Two Hundred and Fortieth.

ATTEST:

Michele Reagan
SECRETARY OF STATE

PARALEGAL DAY

[M16-190]

WHEREAS, it is estimated that 271,930 paralegals are employed nationwide, with 4,950 paralegals employed in the State of Arizona; and

WHEREAS, paralegals have contributed significantly to the legal profession in the State of Arizona; and

WHEREAS, law firms have successfully reduced the cost of legal services provided to clients by employing paralegals; and

WHEREAS, legal services organizations are better able to serve populations most in need through the use of paralegals; and

WHEREAS, government entities are able to reduce the cost of legal services for taxpayers through the effective use of paralegals; and

WHEREAS, excellence, dedication, and integrity are the unmistakable characteristics of paralegals and the services they provide to their attorney-employers; and

WHEREAS, in cooperation with the Maricopa County Bar Association’s Paralegal Division, dedicated to the advancement and continued education of paralegals throughout the State of Arizona, a day shall be set aside to honor those who practice this distinguished profession.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim October 14, 2016 as

PARALEGAL DAY

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Douglas A. Ducey
GOVERNOR

DONE at the Capitol in Phoenix on this twentieth day of May in the year Two Thousand and Sixteen and of the Independence of the United States of America the Two Hundred and Fortieth.

ATTEST:

Michele Reagan
SECRETARY OF STATE

REGISTER INDEXES

The *Register* is published by volume in a calendar year (See “Information” in the front of each issue for a more detailed explanation).

Abbreviations for rulemaking activity in this Index include:

PROPOSED RULEMAKING

PN = Proposed new Section
PM = Proposed amended Section
PR = Proposed repealed Section
P# = Proposed renumbered Section

SUPPLEMENTAL PROPOSED RULEMAKING

SPN = Supplemental proposed new Section
SPM = Supplemental proposed amended Section
SPR = Supplemental proposed repealed Section
SP# = Supplemental proposed renumbered Section

FINAL RULEMAKING

FN = Final new Section
FM = Final amended Section
FR = Final repealed Section
F# = Final renumbered Section

SUMMARY RULEMAKING**PROPOSED SUMMARY**

PSMN = Proposed Summary new Section
PSMM = Proposed Summary amended Section
PSMR = Proposed Summary repealed Section
PSM# = Proposed Summary renumbered Section

FINAL SUMMARY

FSMN = Final Summary new Section
FSMM = Final Summary amended Section
FSMR = Final Summary repealed Section
FSM# = Final Summary renumbered Section

EXPEDITED RULEMAKING**PROPOSED EXPEDITED**

PEN = Proposed Expedited new Section
PEM = Proposed Expedited amended Section
PER = Proposed Expedited repealed Section
PE# = Proposed Expedited renumbered Section

SUPPLEMENTAL EXPEDITED

SPEN = Supplemental Proposed Expedited new Section
SPEM = Supplemental Proposed Expedited amended Section
SPER = Supplemental Proposed Expedited repealed Section
SPE# = Supplemental Proposed Expedited renumbered Section

FINAL EXPEDITED

FEN = Final Expedited new Section
FEM = Final Expedited amended Section
FER = Final Expedited repealed Section
FE# = Final Expedited renumbered Section

EXEMPT RULEMAKING**EXEMPT PROPOSED**

PXN = Proposed Exempt new Section
PXM = Proposed Exempt amended Section
PXR = Proposed Exempt repealed Section
PX# = Proposed Exempt renumbered Section

EXEMPT SUPPLEMENTAL PROPOSED

SPXN = Supplemental Proposed Exempt new Section
SPXR = Supplemental Proposed Exempt repealed Section
SPXM = Supplemental Proposed Exempt amended Section
SPX# = Supplemental Proposed Exempt renumbered Section

FINAL EXEMPT RULMAKING

FXN = Final Exempt new Section
FXM = Final Exempt amended Section
FXR = Final Exempt repealed Section
FX# = Final Exempt renumbered Section

EMERGENCY RULEMAKING

EN = Emergency new Section
EM = Emergency amended Section
ER = Emergency repealed Section
E# = Emergency renumbered Section
EEXP = Emergency expired

RECODIFICATION OF RULES

RC = Recodified

REJECTION OF RULES

RJ = Rejected by the Attorney General

TERMINATION OF RULES

TN = Terminated proposed new Sections
TM = Terminated proposed amended Section
TR = Terminated proposed repealed Section
T# = Terminated proposed renumbered Section

RULE EXPIRATIONS

EXP = Rules have expired

See also “emergency expired” under emergency rulemaking

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C = Corrections to Published Rules

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2016 RULES EFFECTIVE DATES CALENDAR

A.R.S. § 41-1032(A), as amended by Laws 2002, Ch. 334, § 8 (effective August 22, 2002), states that a rule generally becomes effective 60 days after the day it is filed with the Secretary of State's Office. The following table lists filing dates and effective dates for rules that follow this provision. Please also check the rulemaking Preamble for effective dates.

January		February		March		April		May		June	
Date Filed	Effective Date										
1/1	3/1	2/1	4/1	3/1	4/30	4/1	5/31	5/1	6/30	6/1	7/31
1/2	3/2	2/2	4/2	3/2	5/1	4/2	6/1	5/2	7/1	6/2	8/1
1/3	3/3	2/3	4/3	3/3	5/2	4/3	6/2	5/3	7/2	6/3	8/2
1/4	3/4	2/4	4/4	3/4	5/3	4/4	6/3	5/4	7/3	6/4	8/3
1/5	3/5	2/5	4/5	3/5	5/4	4/5	6/4	5/5	7/4	6/5	8/4
1/6	3/6	2/6	4/6	3/6	5/5	4/6	6/5	5/6	7/5	6/6	8/5
1/7	3/7	2/7	4/7	3/7	5/6	4/7	6/6	5/7	7/6	6/7	8/6
1/8	3/8	2/8	4/8	3/8	5/7	4/8	6/7	5/8	7/7	6/8	8/7
1/9	3/9	2/9	4/9	3/9	5/8	4/9	6/8	5/9	7/8	6/9	8/8
1/10	3/10	2/10	4/10	3/10	5/9	4/10	6/9	5/10	7/9	6/10	8/9
1/11	3/11	2/11	4/11	3/11	5/10	4/11	6/10	5/11	7/10	6/11	8/10
1/12	3/12	2/12	4/12	3/12	5/11	4/12	6/11	5/12	7/11	6/12	8/11
1/13	3/13	2/13	4/13	3/13	5/12	4/13	6/12	5/13	7/12	6/13	8/12
1/14	3/14	2/14	4/14	3/14	5/13	4/14	6/13	5/14	7/13	6/14	8/13
1/15	3/15	2/15	4/15	3/15	5/14	4/15	6/14	5/15	7/14	6/15	8/14
1/16	3/16	2/16	4/16	3/16	5/15	4/16	6/15	5/16	7/15	6/16	8/15
1/17	3/17	2/17	4/17	3/17	5/16	4/17	6/16	5/17	7/16	6/17	8/16
1/18	3/18	2/18	4/18	3/18	5/17	4/18	6/17	5/18	7/17	6/18	8/17
1/19	3/19	2/19	4/19	3/19	5/18	4/19	6/18	5/19	7/18	6/19	8/18
1/20	3/20	2/20	4/20	3/20	5/19	4/20	6/19	5/20	7/19	6/20	8/19
1/21	3/21	2/21	4/21	3/21	5/20	4/21	6/20	5/21	7/20	6/21	8/20
1/22	3/22	2/22	4/22	3/22	5/21	4/22	6/21	5/22	7/21	6/22	8/21
1/23	3/23	2/23	4/23	3/23	5/22	4/23	6/22	5/23	7/22	6/23	8/22
1/24	3/24	2/24	4/24	3/24	5/23	4/24	6/23	5/24	7/23	6/24	8/23
1/25	3/25	2/25	4/25	3/25	5/24	4/25	6/24	5/25	7/24	6/25	8/24
1/26	3/26	2/26	4/26	3/26	5/25	4/26	6/25	5/26	7/25	6/26	8/25
1/27	3/27	2/27	4/27	3/27	5/26	4/27	6/26	5/27	7/26	6/27	8/26
1/28	3/28	2/28	4/28	3/28	5/27	4/28	6/27	5/28	7/27	6/28	8/27
1/29	3/29	2/29	4/29	3/29	5/28	4/29	6/28	5/29	7/28	6/29	8/28
1/30	3/30			3/30	5/29	4/30	6/29	5/30	7/29	6/30	8/29
1/31	3/31			3/31	5/30			5/31	7/30		



July		August		September		October		November		December	
Date Filed	Effective Date										
7/1	8/30	8/1	9/30	9/1	10/31	10/1	11/30	11/1	12/31	12/1	1/30/13
7/2	8/31	8/2	10/1	9/2	11/1	10/2	12/1	11/2	1/1/13	12/2	1/31/13
7/3	9/1	8/3	10/2	9/3	11/2	10/3	12/2	11/3	1/2/13	12/3	2/1/13
7/4	9/2	8/4	10/3	9/4	11/3	10/4	12/3	11/4	1/3/13	12/4	2/2/13
7/5	9/3	8/5	10/4	9/5	11/4	10/5	12/4	11/5	1/4/13	12/5	2/3/13
7/6	9/4	8/6	10/5	9/6	11/5	10/6	12/5	11/6	1/5/13	12/6	2/4/13
7/7	9/5	8/7	10/6	9/7	11/6	10/7	12/6	11/7	1/6/13	12/7	2/5/13
7/8	9/6	8/8	10/7	9/8	11/7	10/8	12/7	11/8	1/7/13	12/8	2/6/13
7/9	9/7	8/9	10/8	9/9	11/8	10/9	12/8	11/9	1/8/13	12/9	2/7/13
7/10	9/8	8/10	10/9	9/10	11/9	10/10	12/9	11/10	1/9/13	12/10	2/8/13
7/11	9/9	8/11	10/10	9/11	11/10	10/11	12/10	11/11	1/10/13	12/11	2/9/13
7/12	9/10	8/12	10/11	9/12	11/11	10/12	12/11	11/12	1/11/13	12/12	2/10/13
7/13	9/11	8/13	10/12	9/13	11/12	10/13	12/12	11/13	1/12/13	12/13	2/11/13
7/14	9/12	8/14	10/13	9/14	11/13	10/14	12/13	11/14	1/13/13	12/14	2/12/13
7/15	9/13	8/15	10/14	9/15	11/14	10/15	12/14	11/15	1/14/13	12/15	2/13/13
7/16	9/14	8/16	10/15	9/16	11/15	10/16	12/15	11/16	1/15/13	12/16	2/14/13
7/17	9/15	8/17	10/16	9/17	11/16	10/17	12/16	11/17	1/16/13	12/17	2/15/13
7/18	9/16	8/18	10/17	9/18	11/17	10/18	12/17	11/18	1/17/13	12/18	2/16/13
7/19	9/17	8/19	10/18	9/19	11/18	10/19	12/18	11/19	1/18/13	12/19	2/17/13
7/20	9/18	8/20	10/19	9/20	11/19	10/20	12/19	11/20	1/19/13	12/20	2/18/13
7/21	9/19	8/21	10/20	9/21	11/20	10/21	12/20	11/21	1/20/13	12/21	2/19/13
7/22	9/20	8/22	10/21	9/22	11/21	10/22	12/21	11/22	1/21/13	12/22	2/20/13
7/23	9/21	8/23	10/22	9/23	11/22	10/23	12/22	11/23	1/22/13	12/23	2/21/13
7/24	9/22	8/24	10/23	9/24	11/23	10/24	12/23	11/24	1/23/13	12/24	2/22/13
7/25	9/23	8/25	10/24	9/25	11/24	10/25	12/24	11/25	1/24/13	12/25	2/23/13
7/26	9/24	8/26	10/25	9/26	11/25	10/26	12/25	11/26	1/25/13	12/26	2/24/13
7/27	9/25	8/27	10/26	9/27	11/26	10/27	12/26	11/27	1/26/13	12/27	2/25/13
7/28	9/26	8/28	10/27	9/28	11/27	10/28	12/27	11/28	1/27/13	12/28	2/26/13
7/29	9/27	8/29	10/28	9/29	11/28	10/29	12/28	11/29	1/28/13	12/29	2/27/13
7/30	9/28	8/30	10/29	9/30	11/29	10/30	12/29	11/30	1/29/13	12/30	2/28/13
7/31	9/29	8/31	10/30			10/31	12/30			12/31	3/1/13



REGISTER PUBLISHING DEADLINES

The Secretary of State's Office publishes the Register weekly. There is a three-week turnaround period between a deadline date and the publication date of the Register. The weekly deadline dates and issue dates are shown below. Council meetings and Register deadlines do not correlate. Also listed are the earliest dates on which an oral proceeding can be held on proposed rulemakings or proposed delegation agreements following publication of the notice in the Register.

Table with 3 columns: Deadline Date (paper only) Friday, 5:00 p.m., Register Publication Date, and Oral Proceeding may be scheduled on or after. Rows list dates from January 22, 2016 to August 5, 2016.



GOVERNOR'S REGULATORY REVIEW COUNCIL DEADLINES

The following deadlines apply to all Five-Year-Review Reports and any adopted rule submitted to the Governor's Regulatory Review Council. Council meetings and *Register* deadlines do not correlate. We publish these deadlines as a courtesy.

All rules and Five-Year Review Reports are due in the Council office by noon of the deadline date. The Council's office is located at 100 N. 15th Ave., Suite 402, Phoenix, AZ 85007. For more information, call (602) 542-2058 or visit www.grrc.state.az.us.

GOVERNOR'S REGULATORY REVIEW COUNCIL DEADLINES FOR 2016

DEADLINE TO BE PLACED ON COUNCIL AGENDA	FINAL MATERIALS DUE FROM AGENCIES	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
November 17, 2015	December 18, 2015	December 29, 2015	January 5, 2016
December 21, 2015	January 15, 2016	January 26, 2016	February 2, 2016
January 19, 2016 (Tuesday)	February 12, 2016	February 23, 2016	March 1, 2016
February 16, 2016 (Tuesday)	March 18, 2016	March 29, 2016	April 5, 2016
March 21, 2016	April 15, 2016	April 26, 2016	May 5, 2016
April 18, 2016	May 20, 2016	June 1, 2016 (Wednesday)	June 7, 2016
May 23, 2016	June 17, 2016	June 28, 2016	July 6, 2016 (Wednesday)
June 20, 2016	July 15, 2016	July 26, 2016	August 2, 2016
July 18, 2016	August 19, 2016	August 30, 2016	September 7, 2016 (Wednesday)
August 22, 2016	September 16, 2016	September 27, 2016	October 4, 2016
September 19, 2016	October 14, 2016	October 25, 2016	November 1, 2016
October 17, 2016	November 18, 2016	November 29, 2016	December 6, 2016
November 21, 2016	December 16, 2016	December 28, 2016 (Wednesday)	January 4, 2017 (Wednesday)

*Materials must be submitted by **noon** on dates listed as a deadline for placement on a particular agenda. Placement on a particular agenda is not guaranteed.