

NOTICES OF FINAL RULEMAKING

The Administrative Procedure Act requires the publication of the final rules of the state's agencies. Final rules are those which have appeared in the Register first as proposed rules and have been through the formal rulemaking process including approval by the Governor's Regulatory Review Council. The Secretary of State shall publish the notice along with the Preamble and the full text in the next available issue of the *Arizona Administrative Register* after the final rules have been submitted for filing and publication.

TITLE 18. ENVIRONMENTAL QUALITY

**CHAPTER 12. DEPARTMENT OF ENVIRONMENTAL QUALITY
UNDERGROUND STORAGE TANKS**

PREAMBLE

1. **Sections Affected** **Rulemaking Action**
R18-12-607 Amend
2. **The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
Authorizing statute: A.R.S. § 49-104(B)(4)
Implementing statutes: A.R.S. §§ 49-1051 through 49-1056
3. **The effective date of the rules:**
September 14, 1995
4. **A list of all previous notices appearing in the Register addressing the final rule:**

Notice of Rulemaking Docket Opening:

<u>1</u> A.A.R.	<u>95</u>	<u>February 17, 1995</u>
Vol. #	Page #	Issue date

Notice of Proposed Rulemaking:

<u>1</u> A.A.R.	<u>166</u>	<u>March 10, 1995</u>
Vol. #	Page #	Issue date

Notice of Rulemaking Docket Opening:

<u>1</u> A.A.R.	<u>173</u>	<u>March 10, 1995</u>
Vol. #	Page #	Issue date

5. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Martha L. Seaman
Address: Department of Environmental Quality
3033 North Central Avenue
Phoenix, Arizona 85012
Telephone: (602) 207-2222
Fax: (602) 207-2251

6. **An explanation of the rule, including the agency's reasons for initiating the rule:**
The Department of Environmental Quality proposes to amend this rule, striking subsection (C) which currently requires that eligibility for preapproval for funds from the Underground Storage Tank Assurance Fund, which are used for corrective action, be need based. It requires that the applicant indicate that preapproval is sought and that the Department will determine eligibility for preapproval. This amendment would remove those requirements. The Department also proposes to amend the heading of this Section, striking the phrase "Priority of payment:", to reflect the amendment within the Section.

The state statutes governing underground storage tanks (USTs) require owners and operators of USTs to demonstrate that they are financially capable of remedying a release from a UST. The legislature also recognized the substantial burden placed upon owners and operators of USTs by this requirement. In response, the legislature mandated, in A.R.S. §§ 49-1051 and 49-1052, that a state assurance account be created to address the inability of some owners and operators, particularly small businesses, to obtain appropriate financial responsibility mechanisms. Article 6, R18-12-601 through R18-12-610, established the Fund to partially indemnify owners of regulated petroleum UST systems, their designees, or those taking voluntary action for certain corrective action expenditures made after September 15, 1989. Since that date, owners and operators have incurred several millions of dollars remedying releases from USTs.

The Fund is funded through a state-imposed excise tax of 1¢ per gallon of regulated substances stored in USTs. As of December 31, 1994, the unencumbered Fund balance was more than \$32 million. The amount of excise tax received in FY 94 was approximately \$24.8 million (excluding interest and the UST annual tank fee). Excise tax revenues for each of the fiscal years 1995 through 1997 are projected to be more than \$22.8 million.

The UST State Assurance Fund operates to a large extent on a reimbursement basis. Owners and operators with releases proceed with corrective actions as prescribed by the state statute and the federal regulations cited in the state statute. When all or part of a corrective action is completed, the owner or operator submits to the Department a claim describing what was done to remedy the release and how much expense was incurred. There are limits on how much can be reimbursed by the Fund, depending on the amount of deductible chosen by the owner or operator¹. As a precondition for reimbursing corrective action expenditures, the Department must determine that corrective action taken by the owner or operator was appropriate under the applicable law.

Arizona Administrative Register

Notices of Final Rulemaking

¹Limits on how much can be reimbursed by the fund are set forth in A.R.S. § 49-1054.

R18-12-607(C) establishes a mechanism for preapproval of claims on the Fund. The original intent of the preapproval process was to provide advance confirmation to the owners and operators experiencing difficulty securing the necessary cash or credit for remediation. Confirmation of the Fund's payout amount prior to beginning remediation facilitated the securing of contractor and consultant services for the cash-strapped applicant.

Under R18-8-607, in addition to demonstrating financial need, a preapproval applicant must submit a detailed estimate of the remediation to be performed, establish compliance with the UST regulatory program, and demonstrate that the Fund deductible has been met. This must be done prior to beginning corrective action. Such preapproval allows the Department to review a corrective action plan in advance, then advise the owner or operator as to the appropriateness of the plan. The owner or operator is thereby assured that the costs incurred under an approved corrective action plan will be reimbursed by the Fund.

The Department has administered the requirements of Article 6 since September 1992. Three years' experience in administering R18-8-607(C) has shown the Department that the preapproval process has served Fund applicants and the Department well in two important ways. First, it prevents the unwelcome surprise to an innocent owner or operator who, after the fact, may learn that some or all of the costs of the remediation performed are not reimbursable by the Department. This point is vital because, if an owner or operator exceeds the statutory cap, or if all funds are exhausted on only a partial remediation, subsequent cleanup must be conducted without benefit of further reimbursement. This presents a particular hardship for small business operations. Consequently, the corrective action may then be abandoned with the result that the state incurs the total cost of any further remediation. Such abandonment creates a delay in the cleanup of a site and increased overall cost to the public.

The second benefit of preapproval is that advance review of the remediation plan and work estimates helps ensure that the funds are spent on quality work which is appropriate for accomplishing the remediation sought. This means that funds are spent on more effective and technically appropriate work.

Currently, only a limited number of applicants are afforded the advantage of preapproval. The Department intended that R18-12-607(C) be a part of criteria ranking claims and ensuring that owners or operators with the greatest financial need, particularly small businesses which would otherwise have a difficult time obtaining appropriate financial assurance mechanisms, receive priority in payment of claims on the fund. However, experience in administering the Fund since September 1992 has shown that it would be most advantageous to all applicants and the Fund to open up the option of preapproval to all applicants.

This amendment eliminates financial need as a condition to preapproval. By eliminating this restriction, the Department seeks to broaden the class of persons who are eligible for preapproval of funds. Such access to preapproval of funds would allow owners or operators to get input from the Department on the most effective strategies for achieving cleanup. Armed with this information, owners and operators would be more likely to accomplish remediation within Fund limits, and the overall quality of such remediation would improve. Ultimately, this means that a greater number of UST sites will be cleaned up in a more efficient and effective manner, and that public health and the environment will be better protected.

Currently, R18-12-607(C) does not allow the most efficient use of the Fund and could, in fact, result in depletion of the Fund, without maximizing appropriate corrective action reimbursement from the Fund. The proposed amendment would allow for preapproval of funds for all applicants who choose that option, thereby assuring, in advance, that the corrective action is appropriate for reimbursement and not wasteful of the Fund or the owner's or operator's funds. This change will ultimately mean that more UST sites will be cleaned up more quickly and more efficiently, and the public health, safety, and the environment will be better protected.

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

Not applicable.

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

A. Identification of the rulemaking

This proposed amendment eliminates financial need as a condition to preapproval of claims on the Underground Storage Tank Assurance Fund. By eliminating this restriction, the Department seeks to broaden the class of persons who are eligible for preapproval of funds. Such access to preapproval of funds would allow owners and operators to get input from the Department on the most effective strategies for achieving cleanup of spills from the underground storage tanks. Armed with this information, owners and operators would be more likely to accomplish remediation within Fund limits, and the overall quality of such remediation would improve. Ultimately, this means that a greater number of UST sites will be cleaned up in a more efficient and effective manner and that public health and the environment will be better protected.

B. Identification of those impacted by this rule

1. **Businesses impacted:** Businesses impacted by this rule include owners or operators of USTs, consultants, and contractors who perform corrective action activities for cleanup of UST releases. The expectation is that these businesses will benefit from an option for preapproval because it will allow more expedient and efficient cleanup of releases and greater predictability of payment coverage. It will also mean reduced expenditures for inappropriate and ineffective cleanup activities.
2. **Governmental agencies impacted:** Local governments that own or operate USTs will benefit from an option for preapproval because it will allow more expedient and efficient cleanup of releases and greater predictability of payment coverage. It will also mean reduced expenditures for inappropriate and ineffective cleanup activities.
3. **Small businesses impacted:** Some of the owners or operators of USTs and some of the consultants and contractors impacted may be classified as small businesses; however, at this time, the number is unknown. Small businesses will benefit from the ability to get financial assurance for cleanup which might otherwise be unobtainable.
4. **Consumers and general public impacted:** This rule will have indirect impacts on consumers. Those who purchase gasoline might benefit from competition between owners of USTs which are not forced to close because of the inability to obtain financial assurance. Consumers who wish to purchase real estate affected by a UST might benefit from a faster and more thorough cleanup of a release. The general public will benefit from more efficient and effective use of tax dollars and reduced possibility of negative impacts of exposure from a UST release.

Arizona Administrative Register

Notices of Final Rulemaking

5. Impact on the Department and the Fund: The Department expects that the economic impact of this rule to the Department will be minimal. It will not affect the net amount of work which the Department must do or the net amount which will be disbursed by the Fund but affects when the work and assurance of funds or disbursement take place, which will be at the beginning, rather than at the end, of the process. The Department expects that increased front-end workload will be managed by reprioritizing the workload of existing staff and contractors. The Fund will benefit by more efficient use of funds and by not having funds used up for payments for inappropriate and insufficient cleanups.

C. Overall economic impact of the rule:

The benefits will outweigh the costs. There is no increase in the burden of compliance for the regulated community as a result of this rule. The rule simply provides an option which shifts the timing of the review performed by the Department. A regulated entity is not required to take advantage of this option and will do so only if it is economically advantageous.

9. A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):

There were no changes between the proposed rules and the final rules.

10. A summary of the principal comments and the agency response to them:

The Department received no comments on these rules.

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

April 14, 1995.

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

Not applicable.

13. Was this rule previously adopted as an emergency rule?:

No.

14. The full text of the rule follows:

TITLE 18. ENVIRONMENTAL QUALITY

CHAPTER 12. DEPARTMENT OF ENVIRONMENTAL QUALITY UNDERGROUND STORAGE TANKS

ARTICLE 6. UNDERGROUND STORAGE TANK ASSURANCE FUND

Section

R18-12-607. Priority of payment: direct Direct Pay and Preapproval of Funds

ARTICLE 6. UNDERGROUND STORAGE TANK ASSURANCE FUND

R18-12-607. Priority of payment: direct Direct Pay and Preapproval of Funds

A. No change.

B. No change.

C. Eligibility for preapproval of funds is need based. Applicants seeking preapproval shall so indicate on the initial application for partial coverage. The Department shall determine eligibility for preapproval of funds from financial information submitted with the initial application.

NOTICE OF FINAL RULEMAKING

TITLE 19. ALCOHOL, HORSE AND DOG RACING, LOTTERY, AND GAMING

CHAPTER 2. ARIZONA RACING COMMISSION

PREAMBLE

1. Sections Affected

R19-2-121

Rulemaking Action

Amend

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

Authorizing statutes: A.R.S. §§ 5-104(A)(2) and 5-105(T)

Implementing statute: A.R.S. § 5-107.01(C), (D), and (E)

3. The effective date of the rules:

September 14, 1995

4. A list of all previous notices appearing in the Register addressing the final rule:

Notice of Rulemaking Docket Opening:

1 A.A.R. 141 March 3, 1995
Vol. # Page # Issue date

Arizona Administrative Register

Notices of Final Rulemaking

Notice of Proposed Rulemaking:

1 A.A.R. 143 March 3, 1995
Vol. # Page # Issue date

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

Name: Aikaterine Vervilos
Address: Department of Racing
15 South 15th Avenue, Suite 100
Phoenix, Arizona 85007
Telephone: (602) 542-5151
Fax: (602) 542-5177

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

Amends R19-2-121(J)(5), which requires the clerk of scales to advise the stewards that the weights are within the limits specified before the race is declared official. The amendment would allow the horse racetracks to proceed faster with the next race and to allow their patrons ample time to wager on it. Turf Paradise requested the Department to make the rule change.

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

Not applicable.

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

The amendment does not impose upon the small businesses any hardship, increase the regulatory burden on the small businesses, negatively impact private individuals, nor increase any state revenues.

9. A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):

Not applicable.

10. A summary of the principal comments and the agency response to them:

The only comments made were those from representatives of Turf Paradise. They welcomed the amendment.

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

Not applicable.

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

Not applicable.

13. Was this rule previously adopted as an emergency rule?:

No.

14. The full text of the rule follows:

TITLE 19. ALCOHOL, HORSE AND DOG RACING, LOTTERY, AND GAMING

CHAPTER 2. ARIZONA RACING COMMISSION

ARTICLE 1. HORSE RACING

Section

R19-2-121. Officials

ARTICLE 1. HORSE RACING

R19-2-121. Officials

- A. 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. No change.
7. No change.
B. No change.
1. No change.
2. No change.
3. No change.
4. No change.
5. No change.
C. No change.
D. No change.
1. No change.
2. No change.
3. No change.

- E. No change.
1. No change.
a. No change.
b. No change.
c. No change.
2. No change.
3. 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.
4. No change.
5. No change.
6. No change.
7. No change.
F. No change.
1. No change.
a. No change.
b. No change.
2. No change.
3. No change.
a. No change.
b. No change.
4. No change.

Notices of Final Rulemaking

- a. No change.
- b. No change.
- 5. No change.
 - a. No change.
 - b. No change.
 - c. No change.
- 6. No change.
- 7. No change.
- 8. No change.
- G. No change.
- H. No change.
 - 1. No change.
 - a. No change.
 - b. No change.
 - c. No change.
 - 2. No change.
 - 3. No change.
- I. No change.
 - 1. No change.
 - 2. No change.
- J. No change.
 - 1. No change.
 - a. No change.
 - b. No change.
 - c. No change.
 - d. No change.
 - e. No change.
 - 2. No change.
 - 3. No change.
 - 4. No change.
 - 5. ~~No race shall be declared official until the clerk of the scales has advised the stewards that the final weights are within the limits specified.~~
- K. No change.
 - 1. No change.
 - a. No change.
 - b. No change.
 - c. No change.
 - d. No change.
 - 2. No change.
 - 3. No change.
- L. No change.
 - 1. No change.
 - a. No change.
- b. No change.
- 2. No change.
- 3. No change.
- M. No change.
 - 1. No change.
 - 2. No change.
 - 3. No change.
- N. No change.
 - 1. No change.
 - a. No change.
 - b. No change.
 - c. No change.
 - d. No change.
 - e. No change.
- O. No change.
 - 1. No change.
 - 2. No change.
 - 3. No change.
 - 4. No change.
 - 5. No change.
 - 6. No change.
- P. No change.
 - 1. No change.
 - 2. No change.
 - 3. No change.
 - 4. No change.
 - 5. No change.
 - 6. No change.
 - 7. No change.
 - a. No change.
 - i. No change.
 - ii. No change.
 - iii. No change.
 - iv. No change.
 - b. No change.
 - c. No change.
 - d. No change.
 - e. No change.
 - f. No change.
 - 8. No change.
- Q. No change.
 - 1. No change.
 - 2. No change.
 - 3. No change.

NOTICE OF FINAL RULEMAKING

TITLE 19. ALCOHOL, HORSE AND DOG RACING, LOTTERY, AND GAMING

CHAPTER 3. ARIZONA STATE LOTTERY COMMISSION

PREAMBLE

- | | |
|---|--|
| <p>1. <u>Sections Affected</u></p> <ul style="list-style-type: none"> R19-3-302 R19-3-303 R19-3-304 R19-3-397 R19-3-398 R19-3-399 | <p><u>Rulemaking Action</u></p> <ul style="list-style-type: none"> New Section New Section New Section New Section New Section New Section |
| <p>2. <u>The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):</u></p> | |

Arizona Administrative Register

Notices of Final Rulemaking

Authorizing statute: A.R.S. 5-504(B)

Implementing statute: None listed

3. The effective date of the rules:

September 13, 1995

4. A list of all previous notices appearing in the Register addressing the final rule:

Notice of Rulemaking Docket Opening:

<u>1</u> A.A.R.	<u>1277</u>	<u>August 4, 1995</u>
Vol. #	Page #	Issue date

Notice of Proposed Rulemaking:

<u>1</u> A.A.R.	<u>1271</u>	<u>August 4, 1995</u>
Vol. #	Page #	Issue date

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

Name: Ralph Decker, Executive Director
 Address: Arizona State Lottery Commission
 4740 East University
 Phoenix, Arizona 85034
 Telephone: (602) 921-4400

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

The rules set forth provisions unique to the conduct of the Arizona Lottery's instant games. The provisions of these rules are necessary to implement the requirements of A.R.S. 5-504(B) which have not been specified generically in R19-3-301. The unique provisions described in these rules are the nature and location of play symbols, the ticket number, the validation code, the prize denominations, and the method of selecting a winning ticket.

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

Not applicable.

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

These games will provide our players with a larger variety of instant games with a potential increase in sales. The only impact these rules have upon Lottery retailers is to specify how they determine if a ticket is a winning ticket and, if so, the prize amount.

9. A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):

Not applicable.

10. A summary of the principal comments and the agency response to them:

No comments were received by the agency.

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

Not applicable.

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

None.

13. Was this rule previously adopted as an emergency rule?

No.

14. The full text of the rules follow:

**TITLE 19. ALCOHOL, HORSE AND DOG RACING, LOTTERY, AND GAMING
 CHAPTER 3. ARIZONA STATE LOTTERY COMMISSION**

ARTICLE 3. INSTANT LOTTERY GAMES

Section

R19-3-302. "Jingle Bucks"

R19-3-303. "Cactus Cash"

R19-3-304. "Blackjack"

R19-3-397. "Football Fever"

R19-3-398. "BlackJack"

R19-3-399. "X's & O's"

\$2	TWODOL
\$5	FIVEDOL
\$10	TENDOL
\$25	TWFDOL
\$100	ONEHUND
\$500	FIVHUND

ARTICLE 3. INSTANT LOTTERY GAMES

R19-3-302. "Jingle Bucks"

A. Nine play symbols, which are contiguous to each other in 3 rows, appear under the latex in the play area located on the right side on the front of the ticket and are one of the following: "\$1", "\$2", "\$5", "\$10", "\$25", "\$100", or "\$500" with confirming captions. The play symbols captions correspond with and verify the play symbols as follows:

Play Symbols	Caption
\$1	ONEDOL

B. A pack-ticket number beginning with 000001 is located in the lower-left side on the back of the ticket.

C. The retailer-validation code verifies instant winners of \$1, \$2, \$5, \$10, \$25, \$100, or \$500 tickets. The retailer-validation code which corresponds with and verifies each of these winners is as follows:

ONE = \$1	TEN = \$10
TWO = \$2	TWE = \$25
FIV = \$5	ONH = \$100
	FHN = \$500

D. A prize winner in the "JINGLE BUCKS" instant game is determined by removing the latex from the play area on the front of the ticket to determine the 9 play symbols. Neither the retailer-validation code (or any portion thereof), the pack-

Arizona Administrative Register
Notices of Final Rulemaking

ticket number (or any portion thereof), nor the validation number (or any portion thereof) are play symbols and are not usable or playable as such. If the ticket owner matches 3 like play symbols, he or she wins that prize. The prizes are as follows:

Match 3	\$1	= \$1 (one dollar) or
Match 3	\$2	= \$2 (two dollars) or
Match 3	\$5	= \$5 (five dollars) or
Match 3	\$10	= \$10 (ten dollars) or
Match 3	\$25	= \$25 (twenty-five dollars) or
Match 3	\$100	= \$100 (one hundred dollars) or
Match 3	\$500	= \$500 (five hundred dollars)

R19-3-303. "Cactus Cash"

A. Nine play symbols, which are contiguous to each other in three rows, appear under the latex in the play area located on the right side of the front of the ticket and are one of the following: "Ψ", "\$1", "\$2", "\$5", "\$10", "\$20", "\$100", or "\$1,000" with confirming captions.

B. A pack-ticket number beginning with 100001 is located in the lower-center portion on the back of the ticket.

C. Play-symbol captions correspond with and verify each of the play symbols as follows:

Play Symbols	Caption
Ψ	DOUBLE
\$1	ONEDOL
\$2	TWODOL
\$5	FIVEDOL
\$10	TENDOL
\$20	TWENTY
\$100	ONEHUND
\$1,000	ONETHOU

D. The retailer-validation code verifies instant winners of \$1, \$2, \$4, \$5, \$10, \$20, or \$100. The retailer-validation code which corresponds with and verifies each of these winners is as follows:

ONE = \$1	TEN = \$10
TWO = \$2	TWY = \$20
FOR = \$4	ONH = \$100
FIV = \$5	

E. A prize winner in the "CACTUS CASH" instant game is determined by removing the latex from the play area on the front of the ticket to determine the 9 play symbols. Neither the retailer-validation code (or any portion thereof), the pack-ticket number (or any portion thereof), nor the validation number (or any portion thereof) are play symbols and are not usable or playable as such. If the ticket owner matches 3 like play symbols, he or she wins that prize. If the player matches 3 like play symbols plus a "Ψ", the prize amount is doubled. There may be only one prize per ticket. The prizes are as follows:

Match 3	\$1	= \$1 (one dollar) or
Match 3	\$1+Ψ	= \$2 (two dollars) or
Match 3	\$2	= \$2 (two dollars) or
Match 3	\$2+Ψ	= \$4 (four dollars) or
Match 3	\$5	= \$5 (five dollars) or
Match 3	\$5+Ψ	= \$10 (ten dollars) or
Match 3	\$10	= \$10 (ten dollars) or
Match 3	\$10+Ψ	= \$20 (twenty dollars) or
Match 3	\$20	= \$20 (twenty dollars) or
Match 3	\$100	= \$100 (one hundred dollars) or

Match 3 \$1,000 = \$1,000 (one thousand dollars)

R19-3-304. "Blackjack"

A. In the latex play area located on the right side of the ticket, 3 play symbols appear in a vertical row with "YOUR HAND" printed above and are one of the following: "13", "14", "15", "16", "17", "18", "19", "20", or "21" with confirming captions. Three play symbols appear in a vertical row with "DEALER'S HAND" printed above and are one of the following: "12", "13", "14", "15", "16", "17", "18", "19", or "20", with confirming captions. The play-symbol captions correspond with and verify the play symbols as follows:

Play Symbol	Caption
12	TLV
13	THN
14	ERN
15	FTN
16	SXT
17	SVT
18	EGN
19	NIT
20	TWY
21	TYN

B. Three prize symbols appear in a vertical row with "PRIZE" printed above and are one of the following: "\$1", "\$2", "\$5", "\$20", "\$40", "\$250", or "\$21,000" with confirming captions as follows:

Prize Symbol	Caption
\$1	ONEDOL
\$2	TWODOL
\$5	FIVEDOL
\$20	TWYDOL
\$40	FRYDOL
\$250	2HUND50
\$21,000	TYNTHOU

C. A pack-ticket number beginning with 700001 is located in the lower-left portion on the back of the ticket.

D. The retailer-validation code verifies instant winners of a \$1, \$2, \$3, \$5, \$10, \$15, \$40, or \$250 ticket. The retailer-validation code which corresponds with and verifies each of these winners is as follows:

\$1 = ONE	\$10 = TEN
\$2 = TWO	\$15 = FTN
\$3 = THR	\$40 = FTY
\$5 = FIV	\$250 = THF

E. A prize winner in the "BLACKJACK" instant game is determined by removing the latex from the play area on the front of the ticket to determine the 2 play symbols and prize symbol identified as the "1st Game", the 2 play symbols and prize symbol identified as the "2nd Game", and the 2 play symbols and prize symbol identified as the "3rd Game". Neither the retailer-validation code (or any portion thereof), the pack-ticket number (or any portion thereof), nor the validation number (or any portion thereof) are play symbols or prize symbols and are not usable or playable as such. If the player's "YOUR HAND" beats "DEALER'S HAND" in either the "1st Game", "2nd Game", or "3rd Game", the player wins the prize shown for the game. There may be three winning games on a ticket. The prizes are as follows:

\$1	= \$1 (one dollar) or
\$1+\$1	= \$2 (two dollars) or
\$2	= \$2 (two dollars) or
\$1+\$1+\$1	= \$3 (three dollars) or

Arizona Administrative Register

Notices of Final Rulemaking

\$5	=	\$5 (five dollars) or
\$1+\$2+\$2	=	\$5 (five dollars) or
\$5+\$5	=	\$10 (ten dollars) or
\$5+\$5+\$5	=	\$15 (fifteen dollars) or
\$20+\$20	=	\$40 (forty dollars) or
\$40	=	\$40 (forty dollars) or
\$250	=	\$250 (two hundred fifty dollars) or
\$21,000	=	\$21,000 (twenty-one thousand dollars)

R19-3-397. "Football Fever"

A. In the latex play area located on the right side of the ticket, 3 play symbols appear in a vertical row with "YOUR SCORE" printed above and are one of the following: "3", "6", "7", "10", "13", "14", "17", "20", "21", "24", and "27", with confirming captions. Three play symbols appear in a vertical row with "THEIR SCORE" printed above and are one of the following: "0", "3", "6", "7", "10", "13", "14", "17", "20", "21", and "24", with confirming captions. The play symbols captions correspond with and verify the play symbols as follows:

Play Symbols	Caption
0	ZRO
3	THR
6	SIX
7	SVN
10	TEN
13	TRN
14	FRT
17	SVT
20	TWY
21	TTN
24	TTF
27	TWN

B. Three prize symbols appear in a vertical row with "PRIZE" printed above and are one of the following: "\$1", "\$2", "\$3", "\$5", "\$10", "\$15", "\$100", and "\$5,000" with confirming captions. The prize symbols and confirming captions are as follows:

Prize Symbol	Caption
\$1	ONEDOL
\$2	TWODOL
\$3	THRDOL
\$5	FIVEDOL
\$10	TENDOL
\$15	FTNDOL
\$100	ONEHUND
\$5000	FIVTHOU

C. A pack-ticket number is located on the lower-left side of the back of the ticket and begins with 700001.

D. The retailer-validation code verifies instant winners of \$1, \$2, \$5, \$10, \$25, and \$100. The retailer-validation code which corresponds with and verifies each of these winners is as follows:

ONE = \$1	TEN = \$10
TWO = \$2	TWE = \$25
FIV = \$5	ONH = \$100

E. A prize winner in the "FOOTBALL FEVER" instant game is determined by removing the latex from the play area on the front of the ticket to determine the 2 play symbols and prize symbol identified as "Game 1", the 2 play symbols and prize symbol identified as "Game 2", and the 2 play symbols and prize symbol identified as "Game 3". Neither the retailer-validation code (or any portion thereof), the pack-ticket number (or any portion thereof), nor the validation number (or any portion thereof) are play symbols

or prize symbols and are not usable or playable as such. If the ticket holder's "YOUR SCORE" beats "THEIR SCORE" in either "Game 1", "Game 2", or "Game 3", the player wins the prize shown for that game. There may be three winning games on a ticket. The prizes are as follows:

\$1	=	\$1 (one dollar) or
\$1+\$1	=	\$2 (two dollars) or
\$2	=	\$2 (two dollars) or
\$5	=	\$5 (five dollars) or
\$1+\$2+\$2	=	\$5 (five dollars) or
\$10	=	\$10 (ten dollars) or
\$5+\$5	=	\$10 (ten dollars) or
\$5+\$3+\$2	=	\$10 (ten dollars) or
\$15+\$10	=	\$25 (twenty-five dollars) or
\$10+\$10+\$5	=	\$25 (twenty-five dollars) or
\$100	=	\$100 (one hundred dollars) or
\$5,000	=	\$5,000 (five thousand dollars)

R19-3-398. "Blackjack"

A. In the latex play area located on the right side of the ticket, 3 play symbols appear in a vertical row with "YOUR HAND" printed above and are one of the following: "13", "14", "15", "16", "17", "18", "19", "20", or "21", with confirming captions. Three play symbols appear in a vertical row with "DEALER'S HAND" printed above and are one of the following: "12", "13", "14", "15", "16", "17", "18", "19", or "20", with confirming captions. The play-symbol captions correspond with and verify the play symbols as follows:

Play Symbols	Caption
12	TLV
13	THN
14	FRN
15	FTN
16	SXT
17	SVT
18	EGN
19	NIT
20	TWY
21	TYN

B. Three prize symbols appear in a vertical row with "PRIZE" printed above and are one of the following: "\$1", "\$2", "\$5", "\$20", "\$40", "\$250", or "\$21,000" with confirming captions as follows:

Prize Symbol	Caption
\$1	ONEDOL
\$2	TWODOL
\$5	FIVEDOL
\$20	TWYDOL
\$40	FRYDOL
\$250	2HUND50
\$21,000	TYNTHOU

C. A pack-ticket number beginning with 800001 is located in the lower-left portion on the back of the ticket.

D. The retailer-validation code verifies instant winners of a \$1, \$2, \$3, \$5, \$10, \$15, \$40, or \$250 ticket. The retailer-validation code which corresponds with and verifies each of these winners is as follows:

\$1 = ONE	\$10 = TEN
\$2 = TWO	\$15 = FTN
\$3 = THR	\$40 = FTY
\$5 = FIV	\$250 = THE

E. A prize winner in the "BLACKJACK" instant game is determined by removing the latex from the play area on the front of the ticket to determine the 2 play symbols and prize symbol identified as the "1st Game", the 2 play symbols and prize symbol identified as the "2nd Game", and the 2 play

Arizona Administrative Register

Notices of Final Rulemaking

symbols and prize symbol identified as the "3rd Game". Neither the retailer-validation code (or any portion thereof), the pack-ticket number (or any portion thereof), nor the validation number (or any portion thereof) are play symbols or prize symbols and are not usable or playable as such. If the player's "YOUR HAND" beats "DEALER'S HAND" in either the "1st Game", "2nd Game", or "3rd Game", the player wins the prize shown for that game. There may be three winning games on a ticket. The prizes are as follows:

\$1	=	\$1 (one dollar) or
\$1+\$1	=	\$2 (two dollars) or
\$2	=	\$2 (two dollars) or
\$1+\$1+\$1	=	\$3 (three dollars) or
\$5	=	\$5 (five dollars) or
\$1+\$2+\$2	=	\$5 (five dollars) or
\$5+\$5	=	\$10 (ten dollars) or
\$5+\$5+\$5	=	\$15 (fifteen dollars) or
\$40	=	\$40 (forty dollars) or
\$20+\$20	=	\$40 (forty dollars) or
\$250	=	\$250 (two-hundred fifty dollars) or
\$21,000	=	\$21,000 (twenty-one thousand dollars)

R19-3-399. "X's and O's"

A. Nine play symbols, which are contiguous to each other in 3 rows, appear under the latex in the play area located on the right side on the front of the ticket and are one of the following: "X" and "O" with confirming captions. The play-symbol captions correspond with and verify the play symbols as follows:

Play Symbol	Caption
X	1XX0
O	1000

B. A pack-ticket number beginning with 900001 and is located in the lower-left portion on the back of the ticket.

C. The retailer-validation code verifies instant winners of \$1, \$2, \$5, \$10, \$20, or \$100. The retailer-validation code which corresponds with and verifies each of these winners is as follows:

\$1	=	ONE	\$10	=	TEN
\$2	=	TWO	\$20	=	TWY
\$5	=	FIV	\$100	=	ONH

D. A prize winner in the "X's & O's" instant game is determined by removing the latex from the play area on the front of the ticket to determine the 9 play symbols. Neither the retailer-validation code (or any portion thereof), the pack-ticket number (or any portion thereof), nor the validation number (or any portion thereof) are play symbols and are not usable or playable as such. If the player has either 3 "X" or three "O" play symbols in any one row, column, or the upper-left to lower-right diagonal, he or she wins the prize indicated. A player may win only one time on a ticket. The prizes are as follows:

Right Column	=	\$1 (one dollar) or
Center Column	=	\$2 (two dollars) or
Left Column	=	\$5 (five dollars) or
Top Row	=	\$10 (ten dollars) or
Center Row	=	\$20 (twenty dollars) or
Bottom Row	=	\$100 (one-hundred dollars) or
Upper-left to lower-right diagonal	=	\$1,000 (one thousand dollars)