

# Arizona Administrative REGISTER

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~Administrative Register Contents~

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**Information** ..... 154

**Rulemaking Guide** ..... 155

**RULES AND RULEMAKING**

**Rule Expirations**

        6 A.A.C. 13 Department of Economic Security - State Assistance Programs ..... 157

**OTHER AGENCY NOTICES**

**Public Information, Notices of**

        Department of Emergency and Military Affairs - Division of Military Affairs ..... 159

        Department of Environmental Quality - Water Quality Standards ..... 160

        Office of the Secretary of State ..... 160

**Substantive Policy Statements, Notices of**

        Department of Environmental Quality ..... 162

**GOVERNOR'S OFFICE**

**Governor's Executive Orders**

        E.O. 2015-01: Internal Review of Administrative Rules; Moratorium to Promote Job Creation and Customer-Service-Oriented Agencies ..... 163

**INDEXES**

    Register Index Ledger ..... 165

    Rulemaking Activity, Cumulative Index for 2015 ..... 166

    Other Notices and Public Records, Cumulative Index for 2015 ..... 166

**CALENDAR/DEADLINES**

    Rule Effective Dates Calendar ..... 167

    Register Publishing Deadlines ..... 169

**GOVERNOR'S REGULATORY REVIEW COUNCIL**

    Governor's Regulatory Review Council Deadlines ..... 170

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Scott Cancelosi

**PUBLISHER**  
Secretary of State  
**MICHELE REAGAN**

**RULES MANAGING EDITOR**  
Arizona Administrative Register  
Rhonda Paschal

# 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 REGISTER

The printed version of the *Administrative Register* is the official publication of Arizona state agency rules.  
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New subscriptions, renewals and address changes contact customer service at  
(602) 364-3224.

This publication is available online for free at [www.azsos.gov](http://www.azsos.gov).

**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 customer service at  
(602) 364-3224.

**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.

**CONTACT US**  
The Honorable Michele Reagan  
Office of the Secretary of State  
1700 W. Washington Street, Fl. 7  
Phoenix, AZ 85007  
(602) 542-4285

*The Office of the Secretary of State is an equal opportunity employer.*



# 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.

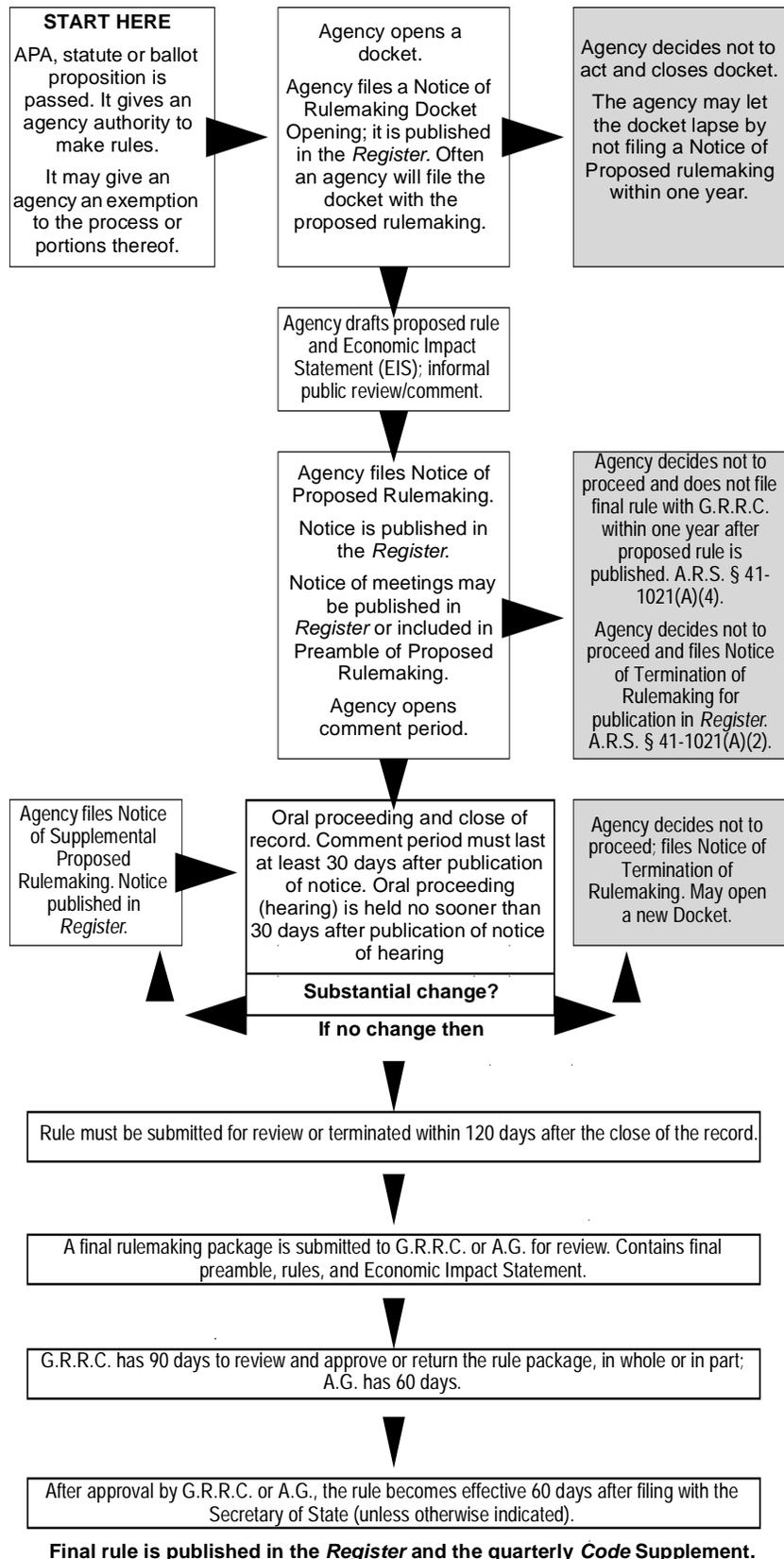
An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request that the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

## 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](http://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](http://www.azsos.gov).

**Administrative Procedure Act (APA):** A.R.S. Title 41, Chapter 6, Articles 1 through 10. Available online at [www.azleg.gov](http://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](http://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](http://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 EXPIRATION OF RULES  
UNDER A.R.S. § 41-1056(E)**

This section of the *Arizona Administrative Register* contains Notices of Expiration of Rules. Under A.R.S. § 41-1056(E), if an agency does not file a five-year rule review report with the Governor’s Regulatory Review Council (including a revised report); or if an agency does not file an extension before the due date of the report; or if an agency files an extension but does not submit a report

within the extension period; the rules scheduled for review expire.

The Council is required to notify the Secretary of State that the rules have expired and are no longer enforceable. The notice is published in the *Register*, and the rules are removed from the *Code*.

**GOVERNOR’S REGULATORY REVIEW COUNCIL  
NOTICE OF RULE EXPIRATION**

[R15-01]

- 1. **Agency name:** Department of Economic Security
- 2. **Title and its heading:** 6, Economic Security
- 3. **Chapter and its heading:** 13, Department of Economic Security - State Assistance Programs
- 4. **Articles and their headings:**
  - 2, Application and Continued Eligibility
  - 3, Methods of Eligibility Determination and Budget Procedures
  - 12, Other Procedures and Services
- 5. **As required by A.R.S. § 41-1056(J), the Council provides notice that the following Sections expired on August 28, 2014 and are no longer enforceable:**

- Article 2. Application and Continued Eligibility
- R6-13-201. Application
- R6-13-202. Worker Responsibility
- R6-13-203. Home Visits
- R6-13-204. Applicant and Recipient Responsibility
- R6-13-205. Authorizing Assistance
- R6-13-206. Disposition of Application
- R6-13-207. Stopping, Suspending, or Changing the Assistance Grant
- R6-13-208. Reserved
- R6-13-209. Redetermination
- R6-13-210. Reserved
- R6-13-211. Recipients Absent from the State
- R6-13-212. Effective Date of Payment
- R6-13-213. Reserved
- R6-13-214. Change in Case Status
- R6-13-215. Supplemental Payments
- R6-13-216. Case Record

- Article 3. Methods of Eligibility Determination and Budget Procedures
- R6-13-302. Verification of Eligibility
- R6-13-303. Verification of Age, Relationship, and Place and Date of Birth
- R6-13-304. Social Security Numbers
- R6-13-305. Residence
- R6-13-306. Citizenship
- R6-13-308. Reserved
- R6-13-309. Transfer of Sale of Homestead, Real, or Personal Property
- R6-13-310. Receipt of Other Public Assistance
- R6-13-311. Institutional Status
- R6-13-312. Reserved
- R6-13-313. Sources of Income, Their Treatment, and Disregards
- R6-13-314. Determining Monthly Income; Best Estimate



R6-13-314.01.	Methods to Determine a Best Estimate
R6-13-317.	Reserved
R6-13-318.	Budgeting
R6-13-319.	Consolidated Standards of Need
R6-13-320.	Policies Applicable to All Grants
R6-13-321.	Computing the Assistance Grant
Article 12.	Other Procedures and Services
R6-13-1201.	Confidentiality
R6-13-1202.	Transfer of Cases Between Cost Centers
R6-13-1203.	State Warrants
R6-13-1204.	Guardianship
R6-13-1206.	Overpayments
R6-13-1209.	Quality Control
R6-13-1210.	Interagency Inquiry
R6-13-1211.	Quality Assurance
R6-13-1212.	Assistance to Individuals on Conditional Discharge from the Arizona State Hospital

**6. Signature is of Bret H. Parke**

/s/  
Bret H. Parke  
G.R.R.C. Chair

**Date of Signing**

January 6, 2015



## NOTICES OF SUBSTANTIVE POLICY STATEMENT

The Administrative Procedure Act requires the publication of substantive policy statements issued by agencies (A.R.S. § 41-1013(B)(14)).

Substantive policy statements are written expressions which inform the general public of an agency's current approach to rule or regulation practice.

Substantive policy statements are advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal

procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act.

If you believe that a substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under A.R.S. § 41-1033 for a review of the statement.

### NOTICE OF SUBSTANTIVE POLICY STATEMENT

#### DEPARTMENT OF ENVIRONMENTAL QUALITY

[M15-01]

**1. Title of the substantive policy statement and the number by which the substantive policy statement is referenced:**

Document Title: Implementation of EPA Method 5035 - Soil Preparation for EPA Methods 8015B, 8021B and 8260B

Identification Number: 0170.000

**2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**

Issued and effective: April 20, 2000

**3. Summary of the contents of the substantive policy statement:**

This policy establishes the sampling options and the preservation holding time requirements for EPA Method 5035 for individual programs within the ADEQ's Waste Programs Division.

**4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**

A.R.S. § 49-104(A)

**5. A statement as to whether the substantive policy statement is a new statement or a revision:**

New

**6. The agency contact person who can answer questions about the substantive policy statement:**

Name: Wayne Pudney  
Address: ADEQ  
1110 W. Washington St.  
Phoenix, AZ 85007  
Telephone: (602) 771-4192  
Fax: (602) 771-4138  
E-mail: wdp@azdeq.gov

**7. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**

Copies of this guidance are available at no cost on the Department's website: [www.azdeq.gov](http://www.azdeq.gov). Hard copies may be obtained by contacting the ADEQ Records Center, Monday through Friday, between 8:30 a.m. and 4:30 p.m., 1110 W. Washington St., Phoenix, AZ 85007, (602) 771-4380. Cost is \$0.25 per page.



**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 or 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**

**DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS  
DIVISION OF MILITARY AFFAIRS**

[M15-12]

- 1. Agency name:** Arizona Military Affairs Commission
- Title and its heading:** 8, Emergency and Military Affairs
- Chapter and its heading:** 3, Department of Emergency and Military Affairs – Division of Military Affairs
- Articles and their headings:** 1, Military Installation Fund

- 2. The public information relating to the listed Section:**  
The *Arizona Administrative Code* (A.A.C.) Title 8, Chapter 3, Article 1, Section 102 requires the Department to provide notice in the *Arizona Administrative Register* of the application deadline for awards from the Military Installation Fund at least 60 days before the application deadline. The Arizona Military Affairs Commission has directed the Department to begin accepting applications for funding requests from the Military Installation Fund beginning February 6, 2015.

The Military Installation Fund was established to allocate monies as stipulated by A.R.S. § 26-262 in order to acquire private property, real estate, rights to real estate, property management, and infrastructure that is vital to the preservation of a military installation in this state. Eighty (80) percent of fund awards shall be distributed as listed above, and specifically for purchase of, and projects on, private property owners, with the remaining twenty (20) percent awarded to cities, towns, and counties for property enhancements, capital, and infrastructure improvement projects, renovations, and management of property that is considered critical to the continued success of military installations.

All applications must either be postmarked by April 8, 2015, or turned in to the Department in person or email by 3:00 p.m. on April 10, 2015, for consideration of funding from the Military Installation Fund.

- 3. The name, address, and telephone number of agency personnel to whom questions and comment on the public information may be addressed:**  
 Name: Military Installation Fund Program Manager  
 Address: Department of Emergency and Military Affairs  
 5636 E. McDowell Rd., Bldg. 5101  
 Phoenix, AZ 85008  
 Telephone: (602) 267-2732  
 E-mail: MIF@azdema.gov  
 Website: www.azgovernor.gov/MAC/
- 4. The website where persons may obtain information about the application:**  
<http://www.azdema.gov/mifapplication/mifapplication.html>



## NOTICE OF PUBLIC INFORMATION

### DEPARTMENT OF ENVIRONMENTAL QUALITY

[M15-13]

- 1. Name of the Agency:** Department of Environmental Quality
- 2. Title and its heading:** 18, Environmental Quality
- Chapter and its heading:** 11, Department of Environmental Quality - Water Quality Standards
- Article and its heading:** 1, Water Quality Standards for Surface Waters
- Section and its heading:** R18-11-106. Net Ecological Benefit  
R18-11-109. Numeric Water Quality Standards  
R18-11-110. Salinity Standards for the Colorado River  
R18-11-112. Outstanding Arizona Waters  
R18-11-115. Site-Specific Standards  
R18-11-121. Schedules of Compliance  
Appendix A. Numeric Water Quality Standards  
Appendix B. Surface Waters and Designated Uses  
Appendix C. Site-Specific Standards

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

This Notice of Public Information is to give notice that the Arizona Department of Environmental Quality is canceling the oral proceeding set on January 26, 2015 to receive comments on the Notice of Proposed Rulemaking for Water Quality Standards. The Arizona Department of Environmental Quality will file a Notice of Termination for the Notice of Proposed Rulemaking in response to Executive Order 2015-01 (Internal Review of Administrative Rules; Moratorium to Promote Jobs Creation and Customer-Service-Oriented Agencies) dated January 5, 2015.

The Notice of Proposed Rulemaking was filed and published in the *Arizona Administrative Register* on December 26, 2014 in Volume 20, Issue 52, page 3590. The Secretary of State file number for this notice is R14-207.

**4. The following public hearing has been canceled as specified in item 3:**

Date: January 26, 2015

Time: 1:00 p.m.

Location: Department of Environmental Quality  
1110 W. Washington, Room 3175 A and B  
Phoenix, AZ 85007

**5. The name, address, and telephone number of agency personnel to whom questions and comment on the Notice of Public Information may be addressed to:**

Name: Wendy LeStarge

Address: Department of Environmental Quality  
1110 W. Washington St.  
Phoenix, AZ 85007

Telephone: (602) 771-4836 (Toll-free number in Arizona: (800) 234-5677)

Fax: (602) 771-4834

E-mail: lestarge.wendy@azdeq.gov

## NOTICE OF PUBLIC INFORMATION

### OFFICE OF THE SECRETARY OF STATE

[M15-11]

#### MEMORANDUM

TO: State Agency Directors and Acting Directors

FROM: Michele Reagan, Secretary of State



**SUBJECT:** Governor Douglas A. Ducey Executive Order 2015-01, Internal Review of Administrative Rules; Moratorium to Promote Job Creation and Customer-Service-Oriented Agencies

**DATE:** January 13, 2015

On Monday, January 5, 2015, I attested to Governor Ducey’s first Executive Order relating to a Moratorium on Administrative Rulemaking in the state of Arizona.

Executive Order 2015-01 requires state agencies to seek approval from Gov. Ducey’s office prior to initiating any rulemaking.

My Public Services Division is charged with publishing the state’s administrative rules. Administrative rule filings will only be accepted if:

1. They follow the filing requirements to Secretary of State form and style, including signed agency certificates and receipts; and
2. An agency has received written permission from the Governor’s Office to proceed with a rulemaking as specified under Executive Order 2015-01. The permission shall be in the form of a paper copy of an approval letter from either Mike Liburdi or Kate Hackett King attached to the rulemaking; or
3. If an agency determines that it is exempt from Executive Order 2015-01, the agency shall provide evidence specified in paragraph 3, to promulgate the rules without receiving the Governor’s permission. An agency preparing an exempt rulemaking package shall document the reason(s) for the exemption in its preamble. As the publisher of administrative rules, filing an exempt rulemaking does not constitute the Secretary of State’s acceptance of the agency’s evidence; rather the agency has the burden of proof if the rule is challenged.

Questions about this memorandum can be directed to Public Services Director Scott Cancelosi, at (602) 542-0223.



**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 2015-01**

**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, 2015, as a notice to the public regarding state agencies’ rulemaking activities.*

[M15-02]

**WHEREAS**, Arizona has lost more jobs per capita than any other state and has yet to recover all of those jobs;

**WHEREAS**, burdensome regulations inhibit job growth and economic development;

**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 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.
  - g. 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.
  - h. 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.
3. Paragraphs 1 and 2 apply to all State agencies, except for: (a) any State agency that is headed by a single elected State official, (b) the Corporation Commission, or (c) any State agency whose agency head is not appointed by the Governor. Those State agencies to which Paragraphs 1 and 2 do not apply are strongly encouraged to voluntarily comply with this Order in the context of their own rulemaking processes.
4. Pursuant to Article 5, Section 4 of the Arizona Constitution and Arizona Revised Statutes Section 41-101(A)(1), the State agencies identified in Paragraph 3 must provide the Office of the Governor with a written report for each proposed rule 30 days prior to engaging in any rulemaking proceeding and must also provide the Office of the Governor with a written report within 15 days of any rulemaking. The reports required by this Paragraph shall explain, in detail, how the rulemaking advances the priorities and principles set forth in this Order.



5. No later than September 1, 2015, each State agency shall provide to the Office of the Governor an evaluation of their rules, with recommendations for which rules could be amended or repealed consistent with the priorities and principles set forth in this Order. The evaluation shall also include a summary of licensing time frames and describe how those time frames compare to real processing time, and whether or not they can be reduced. Additionally, each agency shall identify any existing licenses or permits in which a general permit could be used in lieu of an individual permit, pursuant to Arizona Revised Statutes Section 41-1037.
6. No later than July 1, 2015, each State agency shall provide to the Office of the Governor an update on divisions where electronic reporting and payment are not implemented and a suggested plan for how to implement this customer-service-oriented service.
7. 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.
8. This Executive Order expires on December 31, 2015.

**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**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix on this fifth day of January in the year Two Thousand and Fifteen and of the Independence of the United States of America the Two Hundred and Thirty-ninth.

**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

### RECODIFICATIONS 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

### CORRECTIONS

- C = Corrections to Published Rules



2015 Arizona Administrative Register ~ Volume 21 Page Guide

Issue 1, Jan. 2, 2015.....1-46

Issue 2, Jan. 9, 2015 ..... 47-112

Issue 3, Jan. 16, 2015..... 113-152

**RULEMAKING ACTIVITY INDEX**

Rulemakings are listed in the Index by Chapter, Section number, rulemaking activity abbreviation and by volume page number. Use the page guide above to determine the Register issue number to review the rule. Headings for the Subchapters, Articles, Parts, and Sections are not indexed.

**THIS INDEX INCLUDES RULEMAKING ACTIVITY THROUGH ISSUE 3 OF VOLUME 21.**

<b>Arizona Health Care Cost Containment System - Administration</b>	Appendix C.	FXM-54	R1-1-106.	FM-117
R9-22-730.	Appendix D.	FXM-54	R1-1-107.	FM-117
PXM-5	Appendix E.	FX#-54;	R1-1-109.	FM-117
<b>Insurance, Department of</b>		FXM-54;	R1-1-110.	FM-117
R20-6-1401.		FXN-54	R1-1-114.	FM-117
R20-6-1402.	Appendix F.	FXN-54	R1-1-202.	FM-117
R20-6-1403.	Appendix G.	FX#-54;	R1-1-205.	FM-117
R20-6-1404.		FXM-54;	R1-1-211.	FM-117
R20-6-1405.		FXN-54	R1-1-302.	FM-117
R20-6-1406.	<b>Physicians Medical Board, Naturo-</b>		R1-1-401.	FM-117
R20-6-1407.	<b>pathic</b>		R1-1-414.	FM-117
R20-6-1408.	R4-18-904.	EM-51	R1-1-502.	FM-117
FXR-54;	<b>Secretary of State, Office of</b>		R1-1-801.	FR-117; FN-117
FXN-54	R1-1-101.	FM-117	R1-1-802.	FN-117
R20-6-1409.	R1-1-103.	FM-117	R1-1-803.	FN-117
R20-6-1410.	R1-1-104.	FM-117	R1-1-1001.	FM-117
Appendix A.	R1-1-105.	FM-117		
Appendix B.				

**OTHER NOTICES AND PUBLIC RECORDS INDEX**

Other notices related to rulemakings are listed in the Index by notice type, agency/county and by volume page number. Agency policy statements and proposed delegation agreements are included in this section of the Index by volume page number.

Public records, such as Governor Office executive orders, proclamations, declarations and terminations of emergencies, summaries of Attorney General Opinions, and county notices are also listed in this section of the Index as published by volume page number.

**THIS INDEX INCLUDES OTHER NOTICE ACTIVITY THROUGH ISSUE 3 OF VOLUME 21.**

<b><u>Agency Guidance Documents, Notices of</u></b>	<b>Environmental Quality, Department of; pp. 11-20, 77-87</b>
Health Services, Department of; pp. 22-23	Health Services, Department of; p. 21
<b><u>Agency Ombudsman, Notices of</u></b>	Optometry, Board of; p. 11
Early Childhood Development and Health Board; p. 25	<b><u>Substantive Policy Statement, Notices of</u></b>
Game and Fish Commission; p. 142	Environmental Quality, Department of; pp. 88-101, 137-139
Psychologist Examiners, Board of; p. 25	Game and Fish Commission; p. 141
<b><u>Governor's Office</u></b>	Health Services, Department of; p. 140
Executive Order: pp. 26-27 (E.O. #2012-03), 102-103, 143-144	Nursing, Board of; p. 136
<b><u>Oral Proceeding on Proposed Rulemaking, Notices of</u></b>	Psychologist Examiners, Board of; p. 24
Optometry, Board of; p. 9	
<b><u>Public Information, Notices of</u></b>	



## RULE 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	3/2	2/1	4/2	3/1	4/30	4/1	5/31	5/1	6/30	6/1	7/31
1/2	3/3	2/2	4/3	3/2	5/1	4/2	6/1	5/2	7/1	6/2	8/1
1/3	3/4	2/3	4/4	3/3	5/2	4/3	6/2	5/3	7/2	6/3	8/2
1/4	3/5	2/4	4/5	3/4	5/3	4/4	6/3	5/4	7/3	6/4	8/3
1/5	3/6	2/5	4/6	3/5	5/4	4/5	6/4	5/5	7/4	6/5	8/4
1/6	3/7	2/6	4/7	3/6	5/5	4/6	6/5	5/6	7/5	6/6	8/5
1/7	3/8	2/7	4/8	3/7	5/6	4/7	6/6	5/7	7/6	6/7	8/6
1/8	3/9	2/8	4/9	3/8	5/7	4/8	6/7	5/8	7/7	6/8	8/7
1/9	3/10	2/9	4/10	3/9	5/8	4/9	6/8	5/9	7/8	6/9	8/8
1/10	3/11	2/10	4/11	3/10	5/9	4/10	6/9	5/10	7/9	6/10	8/9
1/11	3/12	2/11	4/12	3/11	5/10	4/11	6/10	5/11	7/10	6/11	8/10
1/12	3/13	2/12	4/13	3/12	5/11	4/12	6/11	5/12	7/11	6/12	8/11
1/13	3/14	2/13	4/14	3/13	5/12	4/13	6/12	5/13	7/12	6/13	8/12
1/14	3/15	2/14	4/15	3/14	5/13	4/14	6/13	5/14	7/13	6/14	8/13
1/15	3/16	2/15	4/16	3/15	5/14	4/15	6/14	5/15	7/14	6/15	8/14
1/16	3/17	2/16	4/17	3/16	5/15	4/16	6/15	5/16	7/15	6/16	8/15
1/17	3/18	2/17	4/18	3/17	5/16	4/17	6/16	5/17	7/16	6/17	8/16
1/18	3/19	2/18	4/19	3/18	5/17	4/18	6/17	5/18	7/17	6/18	8/17
1/19	3/20	2/19	4/20	3/19	5/18	4/19	6/18	5/19	7/18	6/19	8/18
1/20	3/21	2/20	4/21	3/20	5/19	4/20	6/19	5/20	7/19	6/20	8/19
1/21	3/22	2/21	4/22	3/21	5/20	4/21	6/20	5/21	7/20	6/21	8/20
1/22	3/23	2/22	4/23	3/22	5/21	4/22	6/21	5/22	7/21	6/22	8/21
1/23	3/24	2/23	4/24	3/23	5/22	4/23	6/22	5/23	7/22	6/23	8/22
1/24	3/25	2/24	4/25	3/24	5/23	4/24	6/23	5/24	7/23	6/24	8/23
1/25	3/26	2/25	4/26	3/25	5/24	4/25	6/24	5/25	7/24	6/25	8/24
1/26	3/27	2/26	4/27	3/26	5/25	4/26	6/25	5/26	7/25	6/26	8/25
1/27	3/28	2/27	4/28	3/27	5/26	4/27	6/26	5/27	7/26	6/27	8/26
1/28	3/29	2/28	4/29	3/28	5/27	4/28	6/27	5/28	7/27	6/28	8/27
1/29	3/30			3/29	5/28	4/29	6/28	5/29	7/28	6/29	8/28
1/30	3/31			3/30	5/29	4/30	6/29	5/30	7/29	6/30	8/29
1/31	4/1			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
7/2	8/31	8/2	10/1	9/2	11/1	10/2	12/1	11/2	1/1	12/2	1/31
7/3	9/1	8/3	10/2	9/3	11/2	10/3	12/2	11/3	1/2	12/3	2/1
7/4	9/2	8/4	10/3	9/4	11/3	10/4	12/3	11/4	1/3	12/4	2/2
7/5	9/3	8/5	10/4	9/5	11/4	10/5	12/4	11/5	1/4	12/5	2/3
7/6	9/4	8/6	10/5	9/6	11/5	10/6	12/5	11/6	1/5	12/6	2/4
7/7	9/5	8/7	10/6	9/7	11/6	10/7	12/6	11/7	1/6	12/7	2/5
7/8	9/6	8/8	10/7	9/8	11/7	10/8	12/7	11/8	1/7	12/8	2/6
7/9	9/7	8/9	10/8	9/9	11/8	10/9	12/8	11/9	1/8	12/9	2/7
7/10	9/8	8/10	10/9	9/10	11/9	10/10	12/9	11/10	1/9	12/10	2/8
7/11	9/9	8/11	10/10	9/11	11/10	10/11	12/10	11/11	1/10	12/11	2/9
7/12	9/10	8/12	10/11	9/12	11/11	10/12	12/11	11/12	1/11	12/12	2/10
7/13	9/11	8/13	10/12	9/13	11/12	10/13	12/12	11/13	1/12	12/13	2/11
7/14	9/12	8/14	10/13	9/14	11/13	10/14	12/13	11/14	1/13	12/14	2/12
7/15	9/13	8/15	10/14	9/15	11/14	10/15	12/14	11/15	1/14	12/15	2/13
7/16	9/14	8/16	10/15	9/16	11/15	10/16	12/15	11/16	1/15	12/16	2/14
7/17	9/15	8/17	10/16	9/17	11/16	10/17	12/16	11/17	1/16	12/17	2/15
7/18	9/16	8/18	10/17	9/18	11/17	10/18	12/17	11/18	1/17	12/18	2/16
7/19	9/17	8/19	10/18	9/19	11/18	10/19	12/18	11/19	1/18	12/19	2/17
7/20	9/18	8/20	10/19	9/20	11/19	10/20	12/19	11/20	1/19	12/20	2/18
7/21	9/19	8/21	10/20	9/21	11/20	10/21	12/20	11/21	1/20	12/21	2/19
7/22	9/20	8/22	10/21	9/22	11/21	10/22	12/21	11/22	1/21	12/22	2/20
7/23	9/21	8/23	10/22	9/23	11/22	10/23	12/22	11/23	1/22	12/23	2/21
7/24	9/22	8/24	10/23	9/24	11/23	10/24	12/23	11/24	1/23	12/24	2/22
7/25	9/23	8/25	10/24	9/25	11/24	10/25	12/24	11/25	1/24	12/25	2/23
7/26	9/24	8/26	10/25	9/26	11/25	10/26	12/25	11/26	1/25	12/26	2/24
7/27	9/25	8/27	10/26	9/27	11/26	10/27	12/26	11/27	1/26	12/27	2/25
7/28	9/26	8/28	10/27	9/28	11/27	10/28	12/27	11/28	1/27	12/28	2/26
7/29	9/27	8/29	10/28	9/29	11/28	10/29	12/28	11/29	1/28	12/29	2/27
7/30	9/28	8/30	10/29	9/30	11/29	10/30	12/29	11/30	1/29	12/30	2/28
7/31	9/29	8/31	10/30			10/31	12/30			12/31	3/1



## 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.*

<b>Deadline Date (paper only) Friday, 5:00 p.m.</b>	<b>Register Publication Date</b>	<b>Oral Proceeding may be scheduled on or after</b>
December 12, 2014	January 2, 2015	February 2, 2015
December 19, 2014	January 9, 2015	February 9, 2015
December 26, 2014	January 16, 2015	February 16, 2015
January 2, 2015	January 23, 2015	February 23, 2015
January 9, 2015	January 30, 2015	March 2, 2015
January 16, 2015	February 6, 2015	March 9, 2015
January 23, 2015	February 13, 2015	March 16, 2015
January 30, 2015	February 20, 2015	March 23, 2015
February 6, 2015	February 27, 2015	March 30, 2015
February 13, 2015	March 6, 2015	April 6, 2015
February 20, 2015	March 13, 2015	April 13, 2015
February 27, 2015	March 20, 2015	April 20, 2015
March 6, 2015	March 27, 2015	April 27, 2015
March 13, 2015	April 3, 2015	May 4, 2015
March 20, 2015	April 10, 2015	May 11, 2015
March 27, 2015	April 17, 2015	May 18, 2015
April 3, 2015	April 24, 2015	May 26, 2015 (Tuesday)
April 10, 2015	May 1, 2015	June 1, 2015
April 17, 2015	May 8, 2015	June 8, 2015
April 24, 2015	May 15, 2015	June 15, 2015
May 1, 2015	May 22, 2015	June 22, 2015
May 8, 2015	May 29, 2015	June 29, 2015
May 15, 2015	June 5, 2015	July 6, 2015
May 22, 2015	June 12, 2015	July 13, 2015
May 29, 2015	June 19, 2015	July 20, 2015
June 5, 2015	June 26, 2015	July 27, 2015
June 12, 2015	July 3, 2015	August 3, 2015
June 19, 2015	July 10, 2015	August 10, 2015



## 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 cour

All rules and Five-Year Review Reports are due in the Council office by 5:00 p.m. 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](http://www.grrc.state.az.us).

DEADLINE TO BE PLACED ON COUNCIL AGENDA	FINAL MATERIALS DUE FROM AGENCIES	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
November 17, 2014	December 17, 2014	December 30, 2014	January 6, 2015
December 15, 2014	January 14, 2015	January 27, 2015	February 3, 2015
January 20, 2015	February 11, 2015	February 24, 2015	March 3, 2015
February 17, 2015	March 18, 2015	March 31, 2015	April 7, 2015
March 16, 2015	April 15, 2015	April 28, 2015	May 5, 2015
April 20, 2015	May 13, 2015	May 28, 2015	June 2, 2015
May 18, 2015	June 17, 2015	June 30, 2015	July 7, 2015
June 15, 2015	July 15, 2015	July 28, 2015	August 4, 2015
July 20, 2015	August 12, 2015	August 25, 2015	September 1, 2015
August 17, 2015	September 16, 2015	September 29, 2015	October 6, 2015
September 21, 2015	October 14, 2015	October 27, 2015	November 3, 2015
October 19, 2015	November 12, 2015	November 24, 2015	December 1, 2015
November 16, 2015	December 16, 2015	December 29, 2015	January 5, 2016