

Arizona Administrative REGISTER

Published by the Department of State ~ Office of the Secretary of State

Vol. 22, Issue 38

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DIRECTOR
Public Services Division
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Rules can be: made (all new text); amended (rules on file, changing text); repealed (removing text); or renumbered (moving rules to a different Section number).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 New rules in this publication (whether proposed or made) are denoted with underlining; repealed text is stricken.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.

Arizona Administrative REGISTER

Vol. 22

Issue 38

PUBLISHER
SECRETARY OF STATE
Michele Reagan

PUBLIC SERVICES STAFF
DIRECTOR
Scott Cancelosi

RULES MANAGING EDITOR
Rhonda Paschal

SUBSCRIPTIONS
ADMINISTRATIVE REGISTER
The printed version of the *Administrative Register* is the official publication of Arizona state agency rules.
Rates: \$276 yearly
New subscriptions, renewals and address changes contact us at (602) 364-3223.

This publication is available online for free at 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 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.

CONTACT US
The Honorable Michele Reagan
Office of the Secretary of State
1700 W. Washington Street, Fl. 7
Phoenix, AZ 85007
(602) 364-3223

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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.

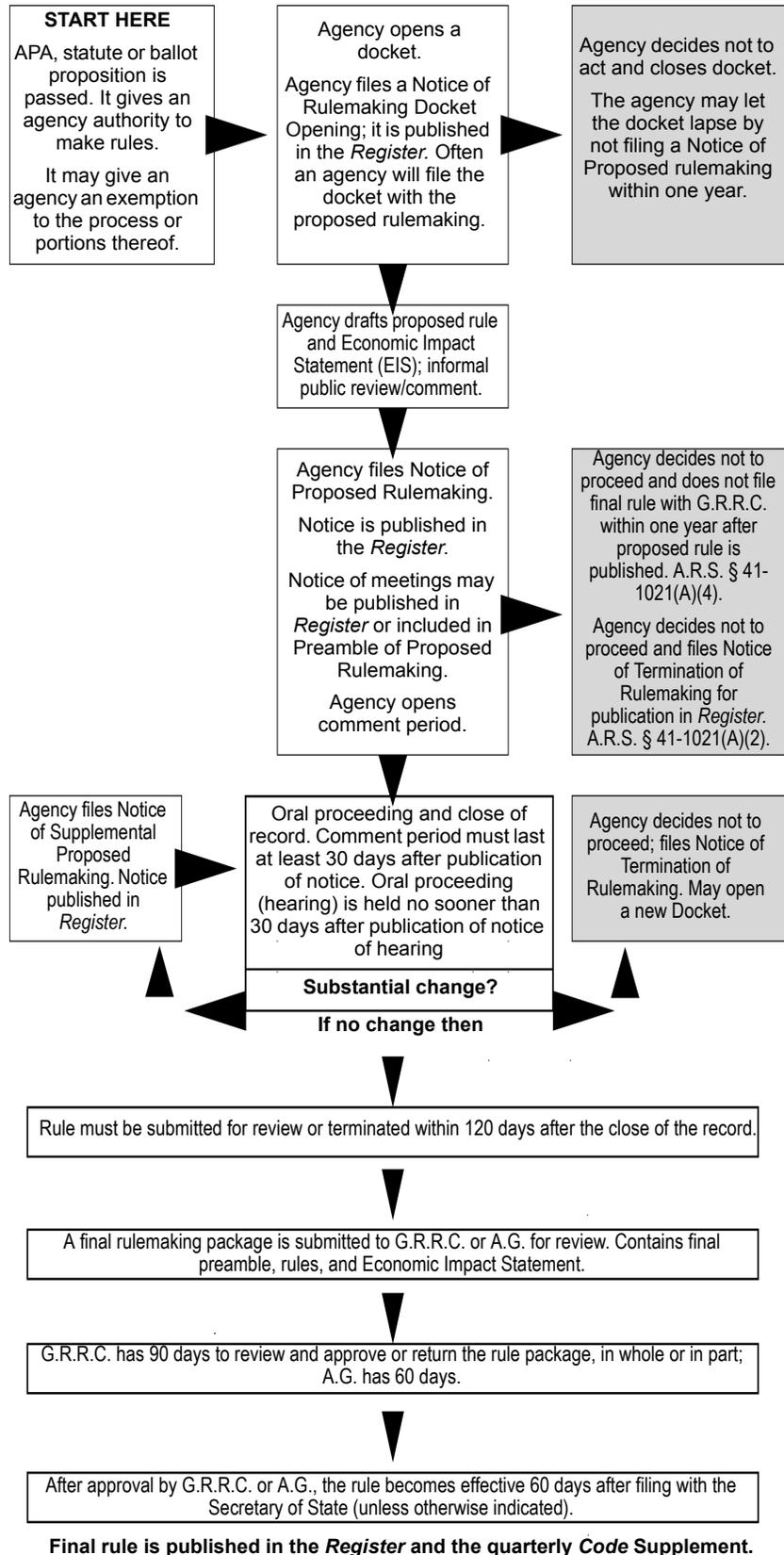
An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request that the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

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.



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:

The ASRS promulgates rules that allow the agency to provide for the proper administration of the state retirement trust fund. ASRS rules affect ASRS members and ASRS employers regarding how they contribute to, and receive benefits from, the ASRS. The ASRS effectively administers how public-sector employers and employees participate in the ASRS. As such, the ASRS does not issue permits or licenses, or charge fees, and its rules have little to no economic impact on private-sector businesses, with the exception of some employer partner charter schools, which have voluntarily contracted to join the ASRS. Thus, 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 rule will have minimal economic impact, if any, because it merely clarifies the appeals process. Clarifying the appeals process will increase understandability of how a person may submit an appeal and will ensure members of the public understand how an appeal will be handled with the ASRS, which will increase the effectiveness and efficiency of the appeals process; thus, reducing the regulatory burden and the economic impact.

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

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

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

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

Date: October 17, 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:

There are no federal laws applicable to these rules.

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 4. PRACTICE AND PROCEDURE BEFORE THE BOARD

Section	
R2-8-401.	Definitions
R2-8-403.	Request for a Hearing of an Appealable Agency Action
R2-8-405.	Rehearing; Review of a Final Decision

ARTICLE 4. PRACTICE AND PROCEDURE BEFORE THE BOARD

R2-8-401. Definitions

The following definitions apply to this Article, unless otherwise specified:

1. "Appealable agency action" has the same meaning as in A.R.S. § 41-1092.
2. "Board" means a Committee designated by the Board to take action on appeals as described in A.R.S. § 38-714(E)(1).
3. "Final administrative action" has the same meaning as in A.R.S. § 41-1092 and is rendered by the Board.

R2-8-403. Letters of Appeal; Request for a Hearing of an Appealable Agency Action

A. After receipt of an agency decision, a person who is not satisfied with the agency decision, may submit a letter of appeal:

1. To the ASRS's vendor for long-term disability benefits, if the appeal relates to a long-term disability decision; or
2. To the ASRS Member Services Division Assistant Director, or his designee, if the appeal relates to an agency decision other than a long-term disability decision.

B. Upon receipt of a letter of appeal, the long-term disability vendor, or the Member Services Division Assistant Director, or his designee, shall send a response letter to the person requesting the appeal notifying the person of:

1. The decision the agency is making in response to the letter of appeal; and
2. The person's right to appeal the agency response by submitting a letter of appeal to the ASRS Director or his designee.

C. A person who is not satisfied with the agency response pursuant to subsection (B) may submit a letter of appeal to the ASRS Director or his designee within 60 days of the date on the agency response letter.

D. Upon receipt of a letter of appeal pursuant to subsection (C), the ASRS director or his designee shall send a response letter by certified mail to the person requesting the appeal that includes:

1. The agency action the ASRS is taking in response to the letter of appeal; and
2. Notice of Appealable Agency Action, as required pursuant to A.R.S. § 41-1092.03 informing the person requesting the appeal, that the person has a right to appeal the agency action by submitting a Request for Hearing pursuant to subsections (E) and (F).

~~**A-E.**~~ For an appealable agency action, a person who is not satisfied with a decision by the Director an agency action pursuant to subsection (D) that is an appealable agency action may file a Request for a Hearing, in writing, with the Director ASRS. The date the Request is filed is established by the ASRS date stamp on the face of the first page of the Request. The request Request shall include the following:

1. The name and mailing address of the member, employer, or other person filing the request;
2. The name and mailing address of the attorney for the person filing the request, if applicable;
3. A concise statement of the reasons for the appeal.

~~**B-F.**~~ The person requesting a hearing shall file the Request for a Hearing with the ASRS Office of the Director within 30 days after receiving a response letter decision of the Director and including a Notice of an Appealable Agency Action, pursuant to subsection (E). The date the request Request is filed is established by the Director's date stamp on the face of the first page of the request.

~~**C-G.**~~ Upon receipt of the Request for a Hearing, the ASRS shall notify the Office of Administrative Hearings as required in A.R.S. § 41-1092.03(B).

R2-8-405. Motion for Rehearing Before the Board; Motion for Review of a Final Decision

A. Except as provided in subsection (H), within 30 days after service of the final administrative decision, any aggrieved party in an appealable agency action aggrieved by a final decision may file with the Board a written motion-Motion for rehearing-Rehearing Before the Board, in writing, or review of the final decision-specifying the particular grounds for rehearing before the Board not later than 30 days after service of the decision.

B. Except as provided in subsection (H), within 30 days after service of the final administrative decision, any aggrieved party of an appealable agency action may file with the Board a Motion for Review of a Final Decision, in writing, specifying the particular grounds for reviewing the Board's final administrative decision.

~~**B-C.**~~ A party may amend a motion-Motion for rehearing-Rehearing Before the Board or a Motion for review-Review of a Final Decision at any time before the Board rules on the motion. A party may file a response within 15 days after the motion or the amended motion is filed. The Board may require the filing of written briefs upon the issues raised in the motion or the amended motion, and may provide for oral argument.

~~**C-D.**~~ The Board may grant a Motion for rehearing-Rehearing Before the Board or a Motion for review-Review of a Final decision-Decision for any of the following causes that materially affecting-affects the moving party's rights:

1. Irregularity in the administrative proceedings of the agency or the hearing officer, or any order or abuse of discretion that deprives the moving party of a fair hearing;
2. Misconduct of the Board, the hearing officer, or the prevailing party;



- 3. Accident or surprise that could not have been prevented by ordinary prudence;
- 4. Newly discovered material evidence that could not with reasonable diligence have been discovered and produced at the original hearing;
- 5. Excessive or insufficient penalties;
- 6. Error in the admission or rejection of evidence or other errors of law occurring at the administrative hearing or during the process of the action; or
- 7. That the decision, or findings of fact, is not justified by the evidence or is contrary to law.

D.E. The Board may affirm or modify the final administrative decision or grant a rehearing before the Board or review of final administrative decision to all or any of the parties on all or part of the issues for any of the reasons in subsection (C). An order granting a rehearing or review shall specify with particularity the grounds for the order.

E.F. Not later than 10 days after the final administrative decision, the Board may, after giving each party notice and an opportunity to be heard, order a rehearing or review of its final administrative decision for any reason for which it might have granted a rehearing or review on motion of a party. After giving the parties or their counsel notice and an opportunity to be heard on the matter, the Board may grant a motion for rehearing or review for a reason not stated in the motion. In either case, the order granting a rehearing or review shall specify the grounds on which it is granted.

F.G. When a motion for rehearing or review is based upon an affidavit, the affidavit shall be filed with the motion. An opposing party may, within 15 days after filing, file an opposing affidavit. The Board may extend the period for filing an opposing affidavit for not more than 20 days for good cause shown or by written stipulation of the parties. The Board may permit a reply affidavit.

G.H. The Board shall rule on the motion within 15 days after the response to the motion is filed or if a response is not filed, within five days of the expiration of the response period.

H.I. If the Board makes a specific finding that the immediate effectiveness of a particular decision is necessary for the preservation of the public peace, health, and safety and that a rehearing or review of the decision is impracticable, unnecessary, or contrary to the public interest, the decision may be issued as a final decision without an opportunity for a rehearing or review. If a decision is issued as a final decision without an opportunity for rehearing or review, an application for judicial review of the decision may be made within the time limits permitted for applications for judicial review of the Board's final decisions.

NOTICE OF PROPOSED RULEMAKING

TITLE 12. NATURAL RESOURCES

CHAPTER 4. GAME AND FISH COMMISSION

[R16-169]

PREAMBLE

1. **Article, Part, or Section Affected (as applicable)** **Rulemaking Action**
 R12-4-402 Amend
2. **Citations to the agency's statutory authority to include the authorizing statute (general) and the implementing statute (specific):**
 Authorizing statute: A.R.S. § 17-231(A)(1)
 Implementing statute: A.R.S. §§ 17-102, 17-231(A)(3), 17-231(B)(8), 17-240, 17-250(A), 17-250(B), and 17-306
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 rule:**
 Notice of Rulemaking Docket Opening: 22 A.A.R. 2569, September 16, 2016 (*in this issue*).
4. **The agency's contact person who can answer questions about the rulemaking:**
 Name: Celeste Cook, Rules and Policy Manager
 Address: Arizona Game and Fish Department
 5000 W. Carefree Highway
 Phoenix, AZ 85086
 Telephone: (623) 236-7390
 Fax: (623) 236-7110
 E-mail: CCook@azgfd.gov
 Please visit the AZGFD web site to track progress of this rule and any other agency rulemaking matters at <https://www.azgfd.com/agency/rulemaking/>.
5. **An agency's justification and reason why the rule should be made, amended, repealed, or renumbered, to include an explanation about the rulemaking:**
 An exemption from Executive Order 2015-01 was provided for this rulemaking by Hunter Moore, Natural Resource Policy Advisor, Governor's Office, in an email dated August 15, 2016.



The Game and Fish Commission (Commission) proposes to amend its rules that authorize the release of wildlife in Arizona without a state permit, provided the release is accompanied by a federal permit. The Commission is concerned the current rule language could be construed as authorizing a federal agency to release or reintroduce threatened or endangered species in Arizona without first obtaining a state permit. The Commission intends to clarify this rule to make it inapplicable to federal agencies.

Federal regulations require agencies within the Department of the Interior to comply with state permit requirements in connection with the release or reintroduction of wildlife, except when the Secretary of Interior determines compliance will prevent an agency from carrying out its statutory responsibilities; see 43 C.F.R. Part 24. The federal regulation requiring state permits recognizes that the effective conservation of wildlife resources requires cooperation among the states and the federal government, and that states have broad trustee responsibilities for fish and wildlife with primary authority for wildlife management on federal lands.

The issue of state permits has become more significant in response to a recent lawsuit in New Mexico where the New Mexico Game and Fish Department obtained a preliminary injunction prohibiting the Service from releasing Mexican wolves in New Mexico without first obtaining state permits. Previously, the Service obtained permits in New Mexico and Arizona to release wolves. The situation in New Mexico, however, may indicate a shift in the federal position on state permits, and Arizona Game and Fish has also found agencies other than the Service refusing to cooperate with the State prior to the reintroducing or removing wildlife.

The Commission expects federal agencies to obtain state permits to release wildlife, and wants to eliminate any ambiguity in its regulations that a federal agency may bypass state permit requirements if federal law authorizes release of wildlife. Due to concerns that federal agencies may become more resistant to cooperating with the states, the Commission proposes to strengthen its rules to avoid any unintended outcome that a federal agency can avoid state permits before releasing or removing wildlife.

The rule is amended to clearly state that a permit or license issued by the Department or the Department of Agriculture is required when conducting any activity listed under R12-4-402(A) with live wildlife to ensure the Department maintains sovereignty over Arizona's wildlife and wildlife habitat.

6. A reference to any study relevant to the rule that the agency reviewed and proposes to either 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:

The agency did not rely on any study in its evaluation of or justification for the rules.

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:

The Commission's rule protects native wildlife in many ways, including preventing the spread of disease, reducing the risk of released animals competing with native wildlife, discouraging illegal trade of native wildlife, and preventing interactions between humans and wildlife that may threaten public health or safety.

The Commission anticipates the rulemaking will benefit the Department by ensuring the Commission maintains sovereignty over Arizona's wildlife.

The Commission anticipates the rulemaking will result in an overall benefit to the regulated community, members of the public, and the Department. The Commission anticipates the rulemaking will result in little or no impact to political subdivisions of this state; private and public employment in businesses, agencies or political subdivisions; or state revenues. The Commission has determined that there are no less intrusive or costly alternative methods of achieving the purpose of the rulemaking. Other than the regular cost of rulemaking, there are no costs associated with the rulemaking. Therefore, the Commission has determined that the benefits of the rulemaking outweigh any costs.

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

Name: Celeste Cook, Rules and Policy Manager
 Address: Arizona Game and Fish Department
 5000 W. Carefree Highway
 Phoenix, AZ 85086
 Telephone: (623) 236-7390
 Fax: (623) 236-7110
 E-mail: CCook@azgfd.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:

Date: December 2, 2016
 Time: 8:00 a.m. to 5:00 p.m.



Location: 5000 W. Carefree Highway
Phoenix, AZ 85086

Close of record: December 2, 2016

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:

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

The rule does not require a general 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 is not directly applicable to the subject of the rule. The rule is based on state law.

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:

The agency has not received an analysis that compares the rule’s impact of competitiveness of business in this state to the impact on business in other states.

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

Not applicable

13. The full text of the rules follows:

TITLE 12. NATURAL RESOURCES

CHAPTER 4. GAME AND FISH COMMISSION

ARTICLE 4. LIVE WILDLIFE

Section
R12-4-402. Live Wildlife; Unlawful Acts

ARTICLE 4. LIVE WILDLIFE

R12-4-402. Live Wildlife: Unlawful Acts

- A. A person shall not perform any of the following activities with live wildlife unless authorized by a federal license or permit, this Chapter, or A.R.S. Title 3, Chapter 16:
 - 1. Import any live wildlife into the state;
 - 2. Export any live wildlife from the state;
 - 3. Conduct any of the following activities with live wildlife within the state:
 - a. Display,
 - b. Exhibit,
 - c. Give away,
 - d. Lease,
 - e. Offer for sale,
 - f. Possess,
 - g. Propagate,
 - h. Purchase,
 - i. Release,
 - j. Rent,
 - k. Sell,
 - l. Sell as live bait,
 - m. Stock,
 - n. Trade,
 - o. Transport; or
 - 4. Kill any captive live wildlife.
- B. The Department may seize, quarantine, hold, or euthanize any lawfully possessed wildlife held in a manner that poses an actual or potential threat to the wildlife, other wildlife, or the safety, health, or welfare of the public. The Department shall make reasonable efforts to find suitable placement for any animal prior to euthanizing it.
- C. A person who does not lawfully possess wildlife in accordance with this Article shall be responsible for all costs associated with the care and keeping of the wildlife.
- D. Performing activities authorized under a federal license or permit does not exempt a federal agency or its employees from complying with state permit requirements.



solely as a result of the new rule and may continue to follow their current and usual practices for their eye and face protection. The Final Rule related to eye and face protection became effective on April 25, 2016.

Next, under 29 CFR 1910 and 1926, employers are subject to standards for occupational exposure to respirable crystalline silica. OSHA’s Final Rule titled “Occupational Exposure to Respirable Crystalline Silica” updates these silica standards. OSHA determined that employees exposed to respirable crystalline silica at the previous permissible exposure limits face a significant risk of material impairment to their health. The evidence in the record for OSHA’s rulemaking indicated that workers exposed to respirable crystalline silica are at increased risk of developing silicosis and other non-malignant respiratory diseases, lung cancer, and kidney disease. The Final Rule establishes a permissible exposure limit (PEL) for respirable crystalline silica of 50 µg/m3 as an 8-hour time-weighted average (TWA) in all industries covered by the rule. In addition to the PEL, the updated rule includes provisions to protect employees, such as requirements for exposure assessments, methods for controlling exposure, respiratory protection, medical surveillance, hazard communication, and recordkeeping. OSHA implemented two separate standards – one for general/maritime industries, and the other for construction industry – in order to tailor requirements to the circumstances found in these sectors. There are, however, numerous common elements in the two standards.

The Final Rule regarding respirable silica became effective June 23, 2016. However, for general industry and maritime, all obligations for compliance commence two years after the effective date, with two exceptions: (1) the obligation for engineering controls commences five years after the effective date for hydraulic fracturing operations in the oil and gas industry; and (2) the obligation for employers in general industry and maritime to offer medical surveillance commences two years after the effective date for employees exposed above the PEL, and four years after the effective date for employees exposed at or above the action level. For construction, all obligations for compliance commence one year after the effective date, with the exception that certain requirements for laboratory analysis commence two years after the effective date.

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:

The Industrial Commission did not review or rely on any study relevant to the proposed amended rules. However, in adopting the Final Rule titled “Occupational Exposure to Respirable Crystalline Silica,” OSHA relied on various studies. Information relating to the studies reviewed and relied upon by OSHA are electronically available at <https://www.federalregister.gov/articles/2016/03/25/2016-04800/occupational-exposure-to-respirable-crystalline-silica#h-18>.

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:

The Industrial Commission anticipates that the rule change related to OSHA’s Final Rule titled “Updating OSHA Standards Based on National Consensus Standards; Eye and Face Protection” will have little to no economic, small business, or consumer impact. OSHA reports that the Final Rule will allow employers to continue to follow the existing ANSI standards referenced or allow employers to follow the latest version of the same ANSI/ISEA standard. Employers are therefore not required to update or replace protection devices solely as a result of the rule updates and may continue to follow their current and usual practices for their eye and face protection. Therefore, OSHA concluded that the rule update has no associated compliance or economic burdens.

The Industrial Commission anticipates that the rule change related to OSHA’s Final Rule titled “Occupational Exposure to Respirable Crystalline Silica” will have an economic, small business, and consumer impact. Nationally, according to OSHA, the final rule is estimated to prevent 642 fatalities and 918 silica-related illnesses annually once it is fully effective, even though there has been a 93% decline since 1968 in silica deaths, and the estimated cost of the rule nationally is \$1.03 billion annually. The discounted monetized benefits of the final rule are estimated to be \$8.7 billion annually, and the final rule is estimated to generate net benefits of \$7.7 billion annually. OSHA estimates that the standard will have a total cost of \$1.02 billion per year in 2012 dollars. Of that total, OSHA states that \$370.8 million will be borne by the general industry and maritime sectors, and \$659.0 million will be borne by the construction industry. However, other studies place the cost as high as \$4.9 billion. For both construction and general industry/maritime, the estimated costs for the silica rule represent the additional costs necessary for employers to achieve full compliance with the new standard, assuming that all firms are compliant with the previous standard. Additional information related to the economic impact of the amended rule, including tables of annualized compliance costs for affected sectors of general and construction industry (Tables VII-10, VII-11) are electronically available at <https://www.federalregister.gov/articles/2016/03/25/2016-04800/occupational-exposure-to-respirable-crystalline-silica#h-18>.



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

Name: Larry Gast, Assistant Director
Address: Industrial Commission of Arizona
Division of Occupational Safety and Health
800 W. Washington St., Suite 203
Phoenix, AZ 85007
Telephone: (602) 542-1695
Fax: (602) 542-1614
E-mail: larry.gast@azdosh.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:

Written comments can be submitted to the address listed in item 9 by the close of the comment period, which is at 5:00 p.m. on October 26, 2016. An oral proceeding on the proposed amended rule is scheduled for October 26, 2016, at 2:00 p.m., at the Industrial Commission of Arizona, 800 W. Washington, Room 206, Phoenix, AZ 85007.

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:

A.R.S. § 23-405(3) requires the Industrial Commission to “[c]ooperate with the federal government to establish and maintain an occupational safety and health program as effective as the federal occupational safety and health program.”

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:

The proposed amended rules do not require issuance of a regulatory permit or license.

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:

Section 18(c) of the Federal Occupational Safety and Health Act of 1970 requires state-administered occupational safety and health programs to adopt standards that are at least as effective as those adopted by the United States Department of Labor, Occupational Safety and Health Administration (“OSHA”). See also 29 CFR 1953.5; A.R.S. § 23-405(3). The Industrial Commission of Arizona is proposing to amend R20-5-601 (“The Federal Occupational Safety and Health Standards for Construction, 29 CFR 1926”) and R20-5-602 (“The Federal Occupational Safety and Health Standards for General Industry, 29 CFR 1910”) to incorporate by reference recent OSHA rule updates to 29 CFR 1926 (“Safety and Health Regulations for Construction”) and 29 CFR 1910 (“Occupational Safety and Health Standards”) as published on March 25, 2016 in OSHA’s Final Rules titled “Updating OSHA Standards Based on National Consensus Standards; Eye and Face Protection” and “Occupational Exposure to Respirable Crystalline Silica.”

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.

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

The Industrial Commission of Arizona is proposing to amend R20-5-601 (“The Federal Occupational Safety and Health Standards for Construction, 29 CFR 1926”) and R20-5-602 (“The Federal Occupational Safety and Health Standards for General Industry, 29 CFR 1910”) to incorporate by reference recent OSHA rule updates to 29 CFR 1926 (“Safety and Health Regulations for Construction”) and 29 CFR 1910 (“Occupational Safety and Health Standards”) as published on March 25, 2016 in OSHA’s Final Rules titled “Updating OSHA Standards Based on National Consensus Standards; Eye and Face Protection” and “Occupational Exposure to Respirable Crystalline Silica.” A copy of OSHA’s Final Rules are available for inspection or reproduction at the Arizona Division of Occupational Safety and Health, 800 W. Washington St., Room 203, Phoenix, AZ 85007, or are electronically available at: (1) <https://www.federalregister.gov/articles/2016/03/25/2016-06359/updating-osha-standards-based-on-national-consensus-standards-eye-and-face-protection> and (2) <https://www.federalregister.gov/articles/2016/03/25/2016-04800/occupational-exposure-to-respirable-crystalline-silica>.

13. The full text of the rules follows:

TITLE 20. COMMERCE, FINANCIAL INSTITUTIONS, AND INSURANCE

CHAPTER 5. INDUSTRIAL COMMISSION OF ARIZONA

ARTICLE 6. OCCUPATIONAL SAFETY AND HEALTH STANDARDS



employees in most industries to keep records of occupational injuries and illnesses at their establishments. Employers covered by these rules must record each recordable employee injury and illness on an OSHA Form 300, which is the “Log of Work-Related Injuries and Illnesses,” or equivalent. Employers must also prepare a supplementary OSHA Form 301 “Injury and Illness Incident Report” or equivalent that provides additional details about each case recorded on the OSHA Form 300. Finally, at the end of each year, employers are required to prepare a summary report of all injuries and illnesses on the OSHA Form 300A, which is the “Summary of Work-Related Injuries and Illnesses,” and post the form in a visible location in the workplace.

OSHA’s Final Rule titled “Improve Tracking of Workplace Injuries and Illnesses” amended 29 CFR 1904 to add requirements for the electronic submission of injury and illness information employers are already required to keep under part 1904. First, the Final Rule requires establishments with 250 or more employees to electronically submit information from their part 1904 recordkeeping forms (Forms 300, 300A, and 301) to OSHA or OSHA’s designee on an annual basis. Second, the Final Rule requires establishments with 20 or more employees, but fewer than 250 employees, in certain designated industries, to electronically submit information from their part 1904 annual summary (Form 300A) to OSHA or OSHA’s designee on an annual basis. Third, the final rule requires, upon notification, employers to electronically submit information from part 1904 recordkeeping forms to OSHA or OSHA’s designee. The electronic submission requirements in the Final Rule do not add to or change any employer’s obligation to complete and retain injury and illness records under OSHA’s regulations for recording and reporting occupational injuries and illnesses. The Final Rule also does not add to or change the recording criteria or definitions for these records.

OSHA intends to post the establishment-specific injury and illness data it collects under the Final Rule on its public Web site at www.osha.gov. The publication of specific data fields will be in part restricted by applicable federal law, including the Freedom of Information Act (FOIA), as well as specific provisions within part 1904. OSHA does not intend to post any information on the Web site that could be used to identify individual employees.

Additionally, OSHA’s existing recordkeeping regulation requires employers to inform employees about how to report occupational injuries and illnesses (29 CFR 1904.35(a), (b)). The Final Rule amends OSHA’s recordkeeping regulations to require employers to inform employees of their right to report work-related injuries and illnesses; clarifies the existing implicit requirement that an employer’s procedure for reporting work-related injuries and illnesses must be reasonable and not deter or discourage employees from reporting; and incorporates the existing statutory prohibition on retaliating against employees for reporting work-related injuries or illnesses.

OSHA believes that the benefits of the Final Rule include better compliance with OSHA’s statutory directive “to assure so far as possible every working man and woman in the Nation safe and healthful working conditions and to preserve our human resources” (29 U.S.C. 651(b)). Benefits also include: (1) increased prevention of workplace injuries and illnesses as a result of expanded access to timely, establishment-specific, injury/illness information by OSHA, employers, employees, employee representatives, potential employees, customers, potential customers, and researchers, and (2) promotion of complete and accurate reporting of work-related injuries and illnesses.

A copy OSHA’s Final Rule titled “Improve Tracking of Workplace Injuries and Illnesses” is available for inspection or reproduction at the Arizona Division of Occupational Safety and Health, 800 West Washington Street, Room 203, Phoenix, AZ 85007, or is electronically available at <https://www.federalregister.gov/articles/2016/05/12/2016-10443/improve-tracking-of-workplace-injuries-and-illnesses>.

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:

The agency did not review or rely on any study relevant to the proposed amended rule.

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:

OSHA estimates that this final rule will have economic costs of \$15 million per year, including \$13.7 million per year to the private sector, with costs of \$7.2 million per year for electronic submission for affected establishments with 250 or more employees and \$4.6 million for electronic submission for affected establishments with 20 to 249 employees in designated industries. With respect to the anti-discrimination requirements of this final rule, OSHA estimates a first-year cost of \$8.0 million and annualized costs of \$0.9 million per year. When fully implemented, the first-year economic cost for all provisions of the final rule is estimated at \$28 million. The rule will be phased in, which moves the annual cost for reporting case characteristic data from OSHA Forms 300 and 301 by 33,000 establishments nationwide from 2017 to 2018. This phase-in removes about \$6.9 million from the first year costs, but those costs would reappear in years two through 10.

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

Name: Larry Gast, Assistant Director



Address: Industrial Commission of Arizona
Division of Occupational Safety and Health
800 W. Washington St., Suite 203
Phoenix, AZ 85007
Telephone: (602) 542-1695
Fax: (602) 542-1614
E-mail: larry.gast@azdosh.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:

Written comments can be submitted to the address listed in item 9 by the close of the comment period, which is at 5:00 p.m. on October 25, 2016. An oral proceeding on the proposed amended rule is scheduled for October 25, 2016, at 9:00 a.m., at the Industrial Commission of Arizona, 800 W. Washington, Room 206, Phoenix, AZ 85007.

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:

Not applicable

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:

The proposed amended rule does not require issuance of a regulatory permit or license.

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:

Section 18(c) of the Federal Occupational Safety and Health Act of 1970 requires state-administered occupational safety and health programs to adopt standards that are at least as effective as those adopted by the United States Department of Labor, Occupational Safety and Health Administration ("OSHA"). See also 29 CFR § 1904.37. The Industrial Commission of Arizona is proposing to amend R20-5-629 ("The Occupational Injury and Illness Recording and Reporting Requirements, 29 CFR 1904") to incorporate by reference recent federal rule updates to 29 CFR 1904 ("Recording and Reporting Occupational Injuries and Illnesses") as published in the Federal Register on May 12, 2016, in OSHA's Final Rule titled "Improve Tracking of Workplace Injuries and Illnesses."

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.

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

The Industrial Commission of Arizona is proposing to amend R20-5-629 ("The Occupational Injury and Illness Recording and Reporting Requirements, 29 CFR 1904") to incorporate by reference recent federal rule updates to 29 CFR 1904 ("Recording and Reporting Occupational Injuries and Illnesses") as published in the Federal Register on May 12, 2016, in OSHA's Final Rule titled "Improve Tracking of Workplace Injuries and Illnesses." A copy of OSHA's Final Rule is available for inspection or reproduction at the Arizona Division of Occupational Safety and Health, 800 W. Washington St., Room 203, Phoenix, AZ 85007, or is electronically available at https://www.federalregister.gov/articles/2016/05/12/2016-10443/improve-tracking-of-workplace-injuries-and-illnesses.

13. The full text of the rules follows:

TITLE 20. COMMERCE, FINANCIAL INSTITUTIONS, AND INSURANCE

CHAPTER 5. INDUSTRIAL COMMISSION OF ARIZONA

ARTICLE 6. OCCUPATIONAL SAFETY AND HEALTH STANDARDS

Section

R20-5-629. The Occupational Injury and Illness Recording and Reporting Requirements, 29 CFR 1904

ARTICLE 6. OCCUPATIONAL SAFETY AND HEALTH STANDARDS

R20-5-629. The Occupational Injury and Illness Recording and Reporting Requirements, 29 CFR 1904

Each employer shall comply with the standards in the Federal Occupational Safety and Health Standards for Recordkeeping, as published in 29 CFR 1904, with amendments published as of January 1, 2015 January 1, 2017, incorporated by reference. Copies of the incorporated materials are available for review at the Industrial Commission of Arizona and may be obtained from the United States Government Printing Office, Superintendent of Documents, Washington, D.C. 20402. These standards shall apply to all conditions and practices related to recordkeeping by all employers, both public and private, in the state of Arizona. This incorporation by reference does not include amendments or editions to 29 CFR 1904 published after January 1, 2015 January 1, 2017.



NOTICES OF EXPIRATION OF RULES UNDER A.R.S. § 41-1056(J)

This section of the Arizona Administrative Register contains Notices of Expiration of Rules. Under A.R.S. § 41-1056(J), 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

DEPARTMENT OF ECONOMIC SECURITY SOCIAL SERVICES

[R16-164]

- 1. Agency name: Department of Economic Security
2. Title and its heading: 6, Economic Security
3. Chapter and its heading: 5, Department of Economic Security - Social Services
4. Articles and their headings: 65, Department Adoption Functions and Procedures for Providing Adoption Services; 66, Adoption Services; 67, Adoption Subsidy; 70, Adoption Agency Licensing; 80, Interstate Compact on the Placement of Children

5. As required by A.R.S. § 41-1056(J), the Council provides notice that the agency intends to let the Rules in the following Articles expire as of March 31, 2016:

- ARTICLE 65. DEPARTMENT ADOPTION FUNCTIONS AND PROCEDURES FOR PROVIDING ADOPTION SERVICES
ARTICLE 66. ADOPTION SERVICES
ARTICLE 67. ADOPTION SUBSIDY
ARTICLE 70. ADOPTION AGENCY LICENSING
ARTICLE 80. INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN

6. Signature is of Nicole A. Ong Date of Signing
/s/ August 8, 2016
Nicole A. Ong
G.R.R.C. Chair



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

[R16-172]

- 1. Title and its heading: 2, Administration
Chapter and its heading: 8, State Retirement System Board
Article and its heading: 4, Practice and Procedure before the Board
Section number: R2-8-401, R2-8-403, R2-8-405 (Sections may be added, deleted, or further modified as necessary.)
2. The subject matter of the proposed rule:
R2-8-401 contains definitions that apply to the appeals process. Pursuant to Laws 2016, Ch. 304 § 1, this rule needs to be updated to include additional terms clarifying that the Board may now establish a Committee to process appeals.
R2-8-403 allows a person who is dissatisfied with a decision by the Director to file an appeal with the ASRS by submitting a Request for Hearing of an appealable agency action. The ASRS will amend the rule to distinguish between an appeal related to a long-term disability determination and an appeal related to a member benefits determination.
R2-8-405 allows a person who is dissatisfied with the final decision of the appeal to file a motion for rehearing or review. The ASRS will amend this rule to distinguish between a motion for reconsideration and a motion for rehearing.
The amended rules will better describe the ASRS appeals process and will make the appeal rules more consistent, clear, and understandable; this rulemaking will ensure members have notice about how the ASRS processes different types of appeals.
3. A citation to all published notices relating to the proceeding:
Notice of Proposed Rulemaking: 22 A.A.R. 2555, September 16, 2016 (in this issue).
4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:
Name: Jessica A.R. Thomas, Rule Writer
Address: Arizona State Retirement System
3300 N. Central Ave., Ste. 1400
Phoenix, AZ 85012-0250
Telephone: (602) 240-2039
E-mail: JessicaT@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:
To be determined.



NOTICE OF RULEMAKING DOCKET OPENING

CHAPTER 4. GAME AND FISH COMMISSION

[R16-173]

1. **Title and its heading:** 12, Natural Resources
Chapter and its heading: 4, Game and Fish Commission
Article and its heading: 4, Live Wildlife
Section numbers: R12-4-402 (*As part of this rulemaking, the Department may add, delete, or modify additional Sections as necessary*)
2. **The subject matter of the proposed rule:**
 An exemption from Executive Order 2015-01 was provided for this rulemaking by Hunter Moore, Natural Resource Policy Advisor, Governor's Office, in an email dated August 15, 2016. The Game and Fish Commission (Commission) proposes to amend its rules that authorize the release of wildlife in Arizona without a state permit, provided the release is accompanied by a federal permit. The Commission is concerned the current rule language could be construed as authorizing a federal agency to release or reintroduce threatened or endangered species in Arizona without first obtaining a state permit. The Commission intends to clarify this rule to make it inapplicable to federal agencies.
3. **A citation to all published notices relating to the proceeding:**
 Notice of Proposed Rulemaking: 22 A.A.R. 2558, September 16, 2016 (*in this issue*).
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
 Name: Celeste Cook, Rules and Policy Manager
 Address: Arizona Game and Fish Department
 5000 W. Carefree Highway
 Phoenix, AZ 85086
 Telephone: (623) 236-7390
 Fax: (623) 236-7110
 E-mail: CCook@azgfd.gov
 Please visit the AZGFD web site to track progress of this rule and any other agency rulemaking matters at <https://www.azgfd.com/agency/rulemaking/>.
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
 The Commission will accept comments Monday through Friday from 8:00 a.m. until 5:00 p.m. at the address listed under item #4. Information regarding an oral proceeding is included in the Notice of Proposed Rulemaking.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
 To be determined.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF TRANSPORTATION COMMERCIAL PROGRAMS

[R16-174]

1. **Title and its heading:** 17, Transportation
Chapter and its heading: 5, Department of Transportation – Commercial Programs
Article and its heading: 3, Professional Driver Services
Section numbers: R17-5-301, R17-5-303, R17-5-306 through R17-5-309, R17-5-311, R17-5-313, R17-5-315, R17-5-318, and R17-5-323 (*Sections may be added, deleted, or modified as necessary.*)
2. **The subject matter of the proposed rules:**
 The Department engages in this rulemaking to implement Laws 2016, Chapter 371, which eliminated the requirement for professional driver training school (PDTS) instructors to be licensed and requires the Department to adopt rules to establish requirements and minimum standards for commercial motor vehicle instructors. Amendments made include removing PDTS instructor license verbiage, temporary PDTS instructor license verbiage, and the PDTS instructor license application process; establishing PDTS instructor requirements; and making minor streamlining and technical changes.



3. A citation to all published notices relating to the proceeding:

None

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

Name: Candace Olson, Rules Analyst
Address: Government Relations and Policy Development Office
Department of Transportation
206 S. 17th Ave., Mail Drop 140A
Phoenix, AZ 85007
Telephone: (602) 712-4534
E-mail: COlson2@azdot.gov

Please visit the ADOT web site to track the progress of this rule and any other agency rulemaking matters at <http://www.azdot.gov/about/GovernmentRelations>

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Written comments may be submitted at any time. All comments should be directed to the person listed under item 4. The date, time, and location of any oral proceeding scheduled for this rulemaking will be included in the Notice of Proposed Rulemaking.

6. A timetable for agency decisions or other action on the proceeding, if known:

To be determined

NOTICE OF RULEMAKING DOCKET OPENING

INDUSTRIAL COMMISSION OF ARIZONA

[R16-175]

1. Title and its heading:

20, Commerce, Financial Institutions, and Insurance

Chapter and its heading:

5, Industrial Commission of Arizona

Article and its heading:

6, Occupational Safety and Health

Section numbers:

R20-5-601 and R20-5-602

2. The subject matter of the proposed rule:

Section 18(c) of the Federal Occupational Safety and Health Act of 1970 requires state-administered occupational safety and health programs to adopt standards that are at least as effective as those adopted by the United States Department of Labor, Occupational Safety and Health Administration (“OSHA”). See also 29 CFR 1953.5; A.R.S. § 23-405(3). The Industrial Commission of Arizona is proposing to amend R20-5-601 (“The Federal Occupational Safety and Health Standards for Construction, 29 CFR 1926”) and R20-5-602 (“The Federal Occupational Safety and Health Standards for General Industry, 29 CFR 1910”) to incorporate by reference recent OSHA rule updates to 29 CFR 1926 (“Safety and Health Regulations for Construction”) and 29 CFR 1910 (“Occupational Safety and Health Standards”) as published on March 25, 2016 in OSHA’s Final Rules titled “Updating OSHA Standards Based on National Consensus Standards; Eye and Face Protection” and “Occupational Exposure to Respirable Crystalline Silica.” The Final Rules were published in the *Federal Register* at 81 FR 16085 and 81 FR 16285, respectively.

3. A citation to all published notices relating to the proceeding:

Notice of Proposed Rulemaking: 22 A.A.R. 2561 September 16, 2016 (*in this issue*)

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

Name: Larry Gast, Assistant Director
Address: Division of Occupational Safety and Health
Industrial Commission of Arizona
800 W. Washington St., Suite 203
Phoenix, AZ 85007
Telephone: (602) 542-1695
Fax: (602) 542-1614
E-mail: larry.gast@azdosh.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

The Industrial Commission will accept written comments during a public comment period that will be noticed in the Notice of Proposed Rulemaking. 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:**
To be determined.

NOTICE OF RULEMAKING DOCKET OPENING

INDUSTRIAL COMMISSION OF ARIZONA

[R16-176]

- 1. **Title and its heading:** 20, Commerce, Financial Institutions, and Insurance
Chapter and its heading: 5, Industrial Commission of Arizona
Article and its heading: 6, Occupational Safety and Health
Section numbers: R20-5-629
- 2. **The subject matter of the proposed rule:**
 Section 18(c) of the Federal Occupational Safety and Health Act of 1970 requires state-administered occupational safety and health programs to adopt standards that are at least as effective as those adopted by the United States Department of Labor, Occupational Safety and Health Administration (“OSHA”). *See also* 29 CFR § 1904.37. The Industrial Commission of Arizona is proposing to amend R20-5-629 (“The Occupational Injury and Illness Recording and Reporting Requirements, 29 CFR 1904”) to incorporate by reference recent OSHA rule updates to 29 CFR 1904 (“Recording and Reporting Occupational Injuries and Illnesses”) as published in OSHA’s Final Rule titled “Improve Tracking of Workplace Injuries and Illnesses.” The Final Rule was published in the *Federal Register* at 81 FR 29623-29694 on May 12, 2016.
- 3. **A citation to all published notices relating to the proceeding:**
 Notice of Proposed Rulemaking: 22 A.A.R. 2564, September 16, 2016 (*in this issue*)
- 4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
 Name: Larry Gast, Assistant Director
 Address: Division of Occupational Safety and Health
 Industrial Commission of Arizona
 800 W. Washington St., Suite 203
 Phoenix, AZ 85007
 Telephone: (602) 542-1695
 Fax: (602) 542-1614
 E-mail: larry.gast@azdosoh.gov
- 5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
 The Industrial Commission will accept written comments during a public comment period that will be noticed in the Notice of Proposed Rulemaking. Information regarding an oral proceeding will also be included in the Notice of Proposed Rulemaking.
- 6. **A timetable for agency decisions or other action on the proceeding, if known:**
 To be determined.



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

ARIZONA DEPARTMENT OF HEALTH SERVICES

[M16-208]

1. Title of the guidance document and the guidance document number by which the guidance document is referenced:

- GD-067-PHS-EMS: Recommendations for Paramedic Performance of Rapid Sequence Intubation (RSI) in the Prehospital EMS Environment
- GD-081-PHS-EMS: Recommendations for EMT-B Use of an Esophageal Tracheal Double Lumen Airway Device (ETDLAD)
- GD-088-PHS-EMS: AEMT, EMT-I(99), and Paramedic Use of a Powered Intraosseous Drill Device
- GD-092-PHS-EMS: Curriculum for the Use of the Laryngeal Mask Airway (LMA)TM
- GD-094-PHS-EMS: Training Curriculum for Automatic Transport Ventilator (ATV)

2. The public information relating to the guidance documents:

The Arizona Department of Health Services (Department) is rescinding the guidance documents specified in paragraph 1, effective August 22, 2016, because these guidance documents are no longer needed. The subjects in these guidance documents are available at <http://azdhs.gov/documents/preparedness/emergency-medical-services-trauma-system/training/str-skills-final.pdf> as “Medication Assisted Intubation (paralytics)” for GD-067-PHS-EMS, “Airway – supraglottic” for GD-081-PHS-EMS and GD-092-PHS-EMS, “Intraosseous Medication Administration” for GD-088-PHS-EMS, and “Automated transport ventilator” for GD-094-PHS-EMS.

3. The name and address of agency personnel with whom persons may communicate regarding this notice of public information:

- Name: Terry Mullins, Bureau Chief
- Address: Arizona Department of Health Services
Division of Public Health Services
Bureau of Emergency Medical Services and Trauma System
150 N. 18th Ave., Suite 540
Phoenix, AZ 85007
- Telephone: (602) 364-3150
- Fax: (602) 364-3568
- E-mail: terry.mullins@azdhs.gov
- or
- Name: Robert Lane, Interim Manager
- Address: Arizona Department of Health Services
Office of Administrative Counsel and Rules
150 N. 18th Ave., Suite 200
Phoenix, AZ 85007
- Telephone: (602) 542-1020
- Fax: (602) 364-1150
- E-mail: Robert.Lane@azdhs.gov



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

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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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 June 10, 2016 to December 30, 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.