

Arizona Administrative REGISTER

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~ Administrative Register Contents ~

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From the Publisher

ABOUT THIS PUBLICATION

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

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

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

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

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

ABOUT RULES

Rules can be: made (all new text); amended (rules on file, changing text); repealed (removing text); or renumbered (moving rules to a different Section number).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

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 New rules in this publication (whether proposed or made) are denoted with underlining; repealed text is stricken.

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

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

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

LEGAL CITATIONS AND FILING NUMBERS

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

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

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

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

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Participate in the Process

Look for the Agency Notice

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

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

Attend a public hearing/meeting

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

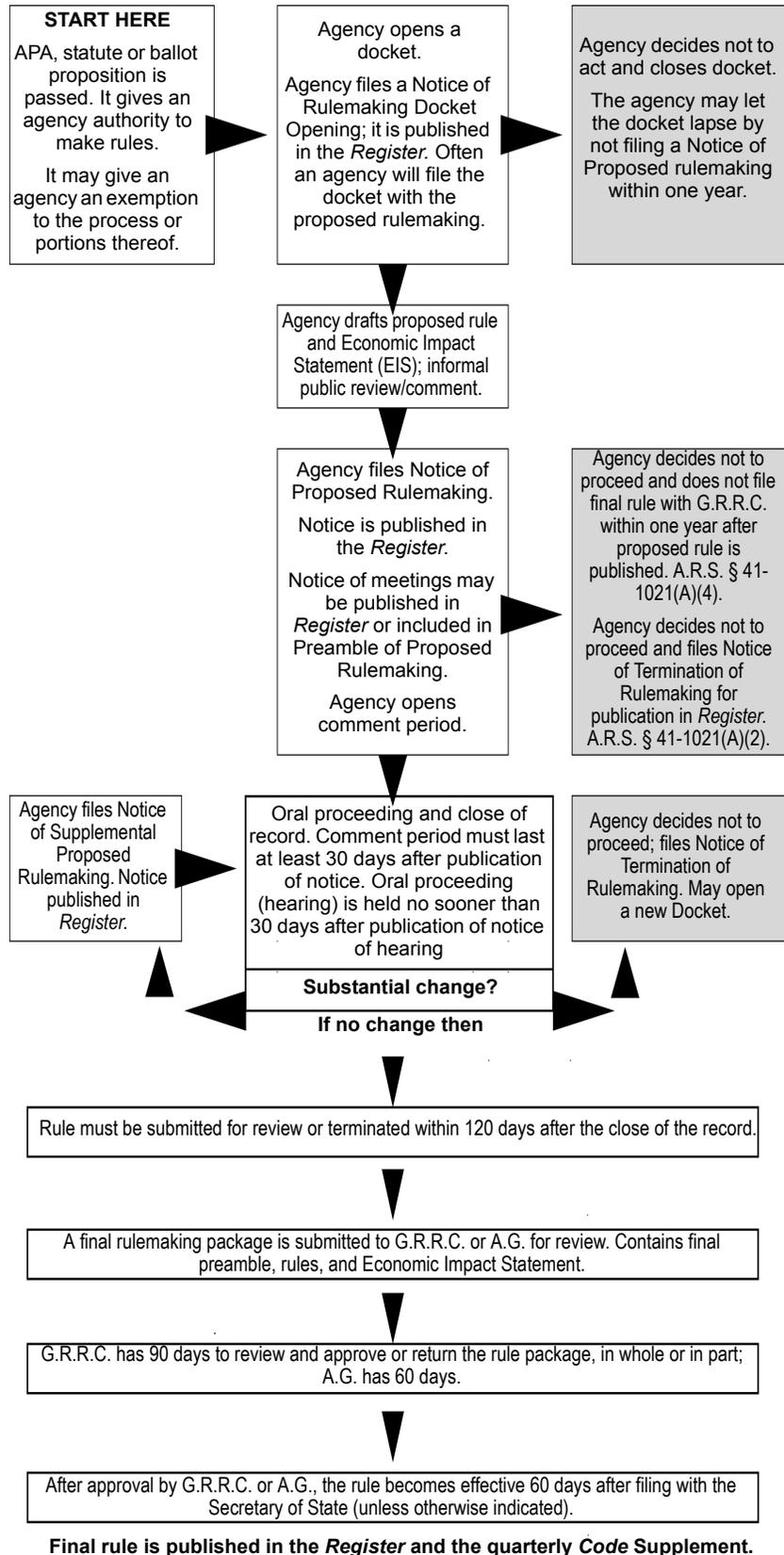
An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request that the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

Write the agency

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

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

Arizona Regular Rulemaking Process



Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Acronyms

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

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

APA – *Administrative Procedure Act*

A.R.S. – *Arizona Revised Statutes*

CFR – *Code of Federal Regulations*

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

FR – *Federal Register*

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

U.S.C. – *United States Code*

About Preambles

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

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

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



NOTICES OF SUPPLEMENTAL PROPOSED RULEMAKINGS

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

After an agency has filed a Notice of Proposed Rulemaking and it is published in the *Register*, an agency may decide to make substantial changes to the rule after it is proposed. The agency prepares a Notice of Supplemental Proposed Rulemaking with these proposed changes. When filed, the notice is published under the deadline schedule in the back of the *Register*.

The Notice of Supplemental Proposed Rulemaking shall be published in the *Register* before holding any oral proceedings (A.R.S. § 41-1022).

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the interpretation of the proposed rules should be addressed to the agency that promulgated the rules. Refer to item #4 below to contact the person charged with the rulemaking and item #11 for the close of record and information related to public hearings and oral comments.

NOTICE OF SUPPLEMENTAL PROPOSED RULEMAKING TITLE 4. PROFESSIONS AND OCCUPATIONS CHAPTER 23. BOARD OF PHARMACY

[R17-27]

PREAMBLE

1. Citations to the agency's Notice of Rulemaking Docket Opening, Notice of Proposed Rulemaking, and any other Notices of Supplemental Proposed Rulemaking (if applicable) as published in the Register as specified in R1-1-409(A). A list of any other related notices published in the Register as specified in R1-1-409(A):

Notice of Rulemaking Docket Opening: 22 A.A.R. 3415, December 9, 2016

Notice of Proposed Rulemaking: 22 A.A.R. 3693, December 30, 2016

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

R4-23-703

Rulemaking Action

Amend

3. Citations to the agency's statutory authority to include the authorizing statute (general) and the implementing statute (specific):

Authorizing statute: A.R.S. § 32-1904(A)(1)

Implementing statute: A.R.S. §§ 32-1901(77)(b) and 32-1968(A)(5)

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

Name: Kamlesh Gandhi
Address: Board of Pharmacy
1616 W. Adams Street, Suite 120
Phoenix, AZ 85007
Telephone: (602) 771-2740
Fax: (602) 771-2749
E-mail: kgandhi@azpharmacy.gov
Web site: www.azpharmacy.gov

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

The Board is making its rules consistent with standard practice of assisted living facilities (ALF), rules of the Department of Health Services (See R9-10-816(A)(2)), which licenses ALFs, and an advisory opinion of the Board of Nursing (<https://www.azbn.gov/media/1067/ao-orders-accepting-transcribing-reviewing-orders.pdf>). As a convenience to residents, personnel of ALFs, after obtaining verbal direction from a resident's physician, call the prescription order into the resident's pharmacy of choice. A confirming written prescription order is then generated by the physician's office and sent to the pharmacy and ALF for their records.

A.R.S. § 32-1968(A)(5) allows a pharmacist to dispense a drug on an oral prescription order that is promptly reduced to writing and filed by the pharmacist. A.R.S. § 32-1901(77)(b) indicates a prescription order is one transmitted to a pharmacist through word of mouth, telephone, or other means of communication directed by a medical practitioner.

The Board has determined that as currently written, R4-23-703, which provides that a pharmacy shall dispense, sell, or deliver a prescription or nonprescription drug to an ALF resident only after receiving a prescription order from the resident's medical practitioner, is inconsistent with the standard practice of ALFs, rules of the Department of Health Services, and the advisory opinion of the Board of Nursing. This rulemaking will make the Board's rules consistent with the practices of other agencies.

An exemption from EO2016-03 was provided by Christina Corieri, Policy Advisor for Health and Human Services in the Governor's Office, by e-mail dated July 14, 2016.



6. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to 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 Board does not intend to review or rely on a study in its evaluation of or justification for the rule.

7. An explanation of the substantial change that resulted in this supplemental notice:

The Board made two significant changes. Both were designed to reduce the regulatory burden on pharmacy permit holders while continuing to protect public health and safety. The changes were:

- Subsection (A) was amended to allow a pharmacy permit holder to use existing electronic procedures to determine whether an ALF is licensed by ADHS rather than require the pharmacy permit holder to obtain a copy of the ALF’s ADHS license.
- Subsection (C) was added to make it easier for an ALF to assist a resident to fill a prescription order for a Schedule III, IV, or V controlled substance.

Additional minor changes include changing the word “narcotic” to “controlled substance” to be consistent with the definition at A.R.S. § 32-1900; deleting recordkeeping subsections that were duplicative of statutory and rule requirements; and clarifying an individual licensed by the Arizona Board of Nursing is required to act within the scope of practice of the individual’s license.

8. 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:

Not applicable

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

The Board believes making its rules consistent with standard practice of other agencies, as authorized by the Board’s statutes, will benefit residents of ALFs and the personnel who provide their care by enabling a pharmacist to fill many prescription orders on verbal direction from ALF personnel. The rulemaking will eliminate a regulatory burden caused by the Board’s rules being inconsistent with the practices of other agencies.

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

Name: Kamlesh Gandhi
 Address: Board of Pharmacy
 1616 W. Adams Street, Suite 120
 Phoenix, AZ 85007
 Telephone: (602) 771-2740
 Fax: (602) 771-2749
 E-mail: kgandhi@azpharmacy.gov
 Web site: www.azpharmacy.gov

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

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

Date: Monday, April 17, 2017
 Time: 9:00 a.m.
 Location: Board of Pharmacy
 1616 W. Adams St.
 Pharmacy Board Room
 Phoenix, AZ 85007

12. 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:

The rule requires no 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 federal laws relating to selling and dispensing of drugs. However, none is specifically applicable to this rulemaking. No rule in the rulemaking is more stringent than federal 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:

No analysis was submitted.

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

None

14. The full text of the rules follows:



**TITLE 4. PROFESSIONS AND OCCUPATIONS
CHAPTER 23. BOARD OF PHARMACY**

ARTICLE 7. NON-PHARMACY LICENSED OUTLETS - GENERAL PROVISIONS

Section
R4-23-703. Assisted Living Facilities

ARTICLE 7. NON-PHARMACY LICENSED OUTLETS - GENERAL PROVISIONS

R4-23-703. Assisted Living Facilities

- A.** ~~Assisted living facilities are licensed by the state Department of Health Services. Before dispensing, selling, or delivering a prescription or nonprescription drug to an assisted living facility resident, a pharmacy permittee shall verify the assisted living facility has a current and active license issued by the Arizona Department of Health Services.~~
- B.** A pharmacy permittee shall ensure that, except as provided under subsection (C):
1. ~~Only dispense, sell, or deliver a prescription or nonprescription drug to an assisted living~~ A controlled substance prescription drug is dispensed, sold, or delivered to an assisted living facility resident only after receiving a valid prescription order for the controlled substance prescription drug from the resident's medical practitioner; and
 2. ~~Label; The controlled substance prescription drug is labeled~~ in accordance with A.R.S. §§ 32-1963.01, 32-1968, and 36-2525, all drugs dispensed, sold, or delivered to an assisted living facility resident; and includes the beyond-use date on the label.
 3. ~~Obtain a copy of the current Arizona Department of Health Services license issued to an assisted living facility before dispensing drugs to that facility's resident; and~~
 4. ~~Maintain, for inspection by a Board compliance officer, a file containing the license copy required in subsection (B)(3).~~
- C.** ~~A pharmacy permittee may dispense, sell, or deliver to an assisted living facility resident a Schedule III, IV, or V controlled substance prescription if the pharmacy permittee:~~
1. ~~Receives a written or oral prescription order for the Schedule III, IV, or V controlled substance from:~~
 - a. ~~The resident's medical practitioner.~~
 - b. ~~An individual licensed by the Arizona Board of Nursing who is acting within the scope of practice of the individual's license, or~~
 - c. ~~The manager or a caregiver of the assisted living facility if the resident's medical practitioner has a written agreement with the assisted living facility designating a representative of the assisted living facility as an agent of the medical practitioner.~~
 2. ~~Complies with subsection (D)(2); and~~
 3. ~~Labels the Schedule III, IV, or V controlled substance as specified under subsection (B)(2).~~
- D.** ~~A pharmacy permittee may dispense, sell, or deliver to an assisted living facility resident a non-controlled substance prescription or non-prescription drug if the pharmacy permittee:~~
1. ~~Receives a written or oral prescription order for the non-controlled substance prescription or non-prescription drug from:~~
 - a. ~~The resident's medical practitioner.~~
 - b. ~~An individual licensed by the Arizona Board of Nursing who is acting within the scope of practice of the individual's license, or~~
 - c. ~~An assisted living facility manager or caregiver acting under the authority of R9-10-816(A)(2);~~
 2. ~~Determines the written or oral prescription order:~~
 - a. ~~Meets the requirements of R4-23-407, and~~
 - b. ~~Includes the name and title of the individual transmitting the prescription order; and~~
 3. ~~Labels the non-narcotic prescription or non-prescription drug in accordance with A.R.S. §§ 32-1963.01 and 32-1968 and includes the beyond-use date on the label.~~
- E.** ~~In addition to the labeling requirements of A.R.S. §§ 32-1963.01, 32-1968, and 36-2525, the label on a prescription medication for an assisted living facility resident shall include the name, strength, and quantity of the drug and a beyond-use date.~~
- F.** ~~If the label on an assisted living facility resident's drug container becomes damaged or soiled, a pharmacist employed by the pharmacy permittee that dispensed the drug container, through the exercise of professional judgment, may relabel the drug container. Only a pharmacist is permitted to label a drug container or alter the label of a drug container.~~
- G.** ~~A pharmacist may help assisted living facility personnel to develop written policies and procedures for the procurement, administration, storage, control, recordkeeping, and disposal of regarding procuring, administering, storing, controlling, keeping records, and disposing of drugs in the facility and provide other information concerning drugs that assisted living facilities should have for safe and effective supervision of drug self-administration.~~
- H.** ~~A pharmacy permittee shall not place an emergency drug supply unit as defined described in R4-23-701.02 or an automated dispensing system as defined described in R4-23-701.04 in an assisted living facility.~~
- I.** ~~Drugs A pharmacist shall not repackage a drug previously dispensed to a resident of the an assisted living facility resident by another pharmacy, and drugs previously dispensed by the provider pharmacy, shall not be repackaged.~~



NOTICES OF PROPOSED EXEMPT RULEMAKING

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

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

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

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

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

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

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

NOTICE OF PROPOSED EXEMPT RULEMAKING
TITLE 2. ADMINISTRATION
CHAPTER 20. CITIZENS CLEAN ELECTIONS COMMISSION

[R17-30]

PREAMBLE

- 1. Article, Part or Section Affected (as applicable) Rulemaking Action
2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):
3. The effective date of the rules:
4. A list of all previous notices appearing in the Register addressing the exempt rule:
5. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:
6. An explanation of the rule, including the agency's reasons for initiating the rule, including the statutory citation to the exemption from regular rulemaking procedures:



- 7. **A reference to any study relevant to the rule that the agency reviewed and either relied on in its evaluation of or justification for the rule or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**
Not applicable
- 8. **A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**
Not applicable
- 9. **The summary of the economic, small business, and consumer impact:**
Not applicable
- 10. **A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):**
Not applicable
- 11. **A summary of the comments made regarding the rule and the agency response to them:**
On February 23, 2017, the Commission approved for publication on the Commission’s website and in the Administrative Register the proposed amendments and new rule. The Commission is soliciting public comment until May 12, 2017. No action has been taken on the proposed amendments or the proposed new rule.
- 12. **Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**
Not applicable
- 13. **Incorporations by reference and their location in the rules:**
Not applicable
- 14. **Was this rule previously made as an emergency rule? If so, please indicate the Register citation:**
Not applicable
- 15. **The full text of the rules follows:**

TITLE 2. ADMINISTRATION
CHAPTER 20. CITIZENS CLEAN ELECTIONS COMMISSION

ARTICLE 7. USE OF FUNDS AND REPAYMENT

Section
R2-20-702. Use of Campaign Funds
R2-20-703.01. Campaign Consultants

ARTICLE 7. USE OF FUNDS AND REPAYMENT

R2-20-702. Use of Campaign Funds

- A. No change
- B. A participating candidate’s payment from a campaign bank account to a political committee or civic organization including a person with tax exempt status under section 501(a) of the internal revenue code or an unincorporated association is not a contribution if the payment is reasonable in relation to the value received. Payment of customary charges for services rendered, such as for printing and obtaining voter or telephone lists, and payment of not more than \$200 per person to attend a political event open to the public or to party members shall be considered reasonable in relation to the value received. Clean elections funding shall not be used for an expenditure to any political party and such an expenditure shall be deemed an illegal contribution.
- C. No change
 - 1. No change
 - 2. No change
 - 3. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - i. No change
 - ii. No change
 - e. No change
 - f. No change
 - g. No change
 - h. No change
 - 4. No change
- D. No change
- E. No change
 - 1. No change
 - 2. No change
- F. No change



- 1. No change
- 2. No change
- G. No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - 3. No change
 - a. No change
 - b. No change
 - 4. No change

R2-20-703.01. Campaign Consultants

- A. For purposes of this rule “Campaign Consultant” means any person paid by a participating candidate’s campaign or who provides services that are ordinarily charged to a person, except services provided for in A.R.S. § 16-911(6)(b).
- B. A participating candidate may engage campaign consultants.
- C. A participating candidate may:
 - 1. Not advance a campaign consultant for services such as consulting, communications, field employees, canvassers, mailers, auto-dialers, telephone town halls, electronic communications and other advertising purchases and other campaign services.
 - 2. Only provide payment for such services as described in subsection (C)(1) of this rule upon receipt of an itemized, timely, invoice identifying the value of the services provided directly to that particular candidate. The invoice shall also identify the consultant’s mark up, percentage or other additional charge above the actual cost of the service provided.
 - 3. Providing payment for such services as described in subsection (C)(1) of this rule in the absence of an itemized invoice or advance payment for such services shall be deemed not to be a direct campaign expenditure.
 - 4. A participating candidate may advance payment for postage upon the receipt of a written estimate and so long as any balance is returned to the candidate if the advance exceeds the actual cost of postage.
 - 5. A participating candidate may advance payment for advertising that customarily requires pre-payment upon the receipt of a written estimate and so long as any balance is returned to the candidate if the advance exceeds the actual cost of the advertisement.
- D. The Commission shall be included in the mail batch for all mailers and invitations. The Commission shall also be provided with documentation from the mail house, printer or other original source showing the number of mailers printed and the number of households to which a mailer was sent. Failure to provide this information within 7 days after the mailer has been mailed may be considered as evidence the mailer was not for direct campaign purposes.
- E. Any consultant engaged by a participating candidate shall provide the participating candidate and the Commission with a sworn affidavit identifying all other clients who are: candidates for any office in the state of Arizona, political committees, a person with tax exempt status under section 501(a) of the internal revenue code, or an unincorporated association, or corporations engaged independent expenditures in the state of Arizona. This affidavit shall be updated monthly beginning the first of the month of every month of the remaining election cycle. In the event the relationship is terminated a sworn affidavit so stating shall be provided to the participating candidate and the commission within 5 days.



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

**DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR POLLUTION CONTROL**

[R17-31]

- 1. **Agency name:** Department of Environmental Quality
- 2. **Title and its heading:** 18, Environmental Quality
- 3. **Chapter and its heading:** 2, Department of Environmental Quality - Air Pollution Control
- 4. **Articles and their headings:** 3, Permits and Permit Revisions
- 5. **As required by A.R.S. § 41-1056(J), the Council provides notice that the following rule has expired as of February 14, 2017:**

R18-2-326.01. Emissions-Based Fee Increase Related to Individual Permits for Fiscal Year 2011

- 6. **Signature is of Nicole A. Ong** **Date of Signing**
/s/ March 3, 2017
Nicole A. Ong
Chairwoman



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
DEPARTMENT OF HEALTH SERVICES
MEDICAL MARIJUANA PROGRAM

[R17-25]

- 1. Title and its heading: 9, Health Services
Chapter and its heading: 17, Department of Health Services - Medical Marijuana Program
Articles and their headings: 1, General; 2, Qualifying Patients and Designated Caregivers; 3, Dispensaries and Dispensary Agents
Section numbers: R9-17-101 through R9-17-107, Table 1.1, R9-17-108, R9-17-109, R9-17-201 through R9-17-205, and R9-17-301 through R9-17-323
2. The subject matter of the proposed rules: On July 29, 2013, the Arizona Superior Court issued an order (CV 2013-005901) directing the Department to establish by rule a process by which the Department may consider the reasons why a dispensary had not obtained an approval to operate within a year after being allocated a dispensary registration certificate and criteria by which to decide whether a dispensary registration certificate should be renewed despite the dispensary not receiving an approval to operate.
3. A citation to all published notices relating to the proceeding: Notice of Rulemaking Docket Opening: 22 A.A.R. 423, March 4, 2016; Notice of Rulemaking Docket Opening: 20 A.A.R. 286, February 7, 2014
4. The name and address of agency personnel with whom persons may communicate regarding the rules: Name: Colby Bower, Assistant Director; Address: Department of Health Services, Public Health Licensing Services, 150 N. 18th Ave., Suite 510, Phoenix, AZ 85007; Telephone: (602) 542-6383; Fax: (602) 364-4808; E-mail: Colby.Bower@azdhs.gov; or Name: Robert Lane, 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



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

Written comments will be accepted at the addresses listed in item #4 until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.

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

To be announced in the Notice of Proposed Rulemaking

**NOTICE OF RULEMAKING DOCKET OPENING
WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA**

[R17-26]

1. Title and its heading:

18, Environmental Quality

Chapter and its heading:

15, Water Infrastructure Finance Authority of Arizona

Article and its heading:

- 1, General Provisions
- 2, Clean Water Revolving Fund
- 3, Drinking Water Revolving Fund
- 4, Water Supply Development Revolving Fund
- 5, Technical Assistance
- 6, Hardship Grant Fund Program
- 7, Interest Rate Setting and Forgivable Principal

Section Numbers:

R18-15-101 through R18-15-107; R18-15-201 through R18-15-208;
R18-15-301 through R18-15-308; R18-15-401 through R18-15-408;
R18-15-501 through R18-15-505; R18-15-601 through R18-15-603,
R18-15-701 (*Sections may be added, deleted, or modified as necessary.*)

2. The subject matter of the proposed rules:

The Authority proposes to modify the existing rule so the rule supports and complements recent state statutory changes to A.R.S. Title 49, Chapter 8 and the addition of A.R.S. Title 41, Chapter 53.

On August 6, 2016, Arizona House Bill 2666 (Fifty-second Legislature, Second Regular Session, 2016) became effective, transferring the Water Infrastructure Finance Authority (WIFA) to the newly established Arizona Finance Authority (AFA) which is governed by a newly created AFA Board of Directors.

Major changes to be addressed in the rule making include:

1. The WIFA Board of Directors was dissolved by HB 2666. Governance of the Authority is now under the Arizona Finance Authority Board of Directors. The statute established a WIFA Advisory Board which provides recommendations to the AFA Board. References to the now-defunct WIFA Board are found throughout WIFA’s current rules. The rules must be updated to reflect the new governance of the Clean Water and Drinking Water Revolving Fund programs.
2. The Water Supply Development Fund (WSDF) Committee was struck from statute by HB 2666. References to the now-defunct Water Supply Development Fund Committee are found throughout WIFA’s current rules, particularly in Article 4 Water Supply Development Revolving Fund. The rules must be updated to reflect the new governance of the Water Supply Development Fund.
3. Rules for the WSDF were promulgated as part of WIFA’s 2010 rulemaking, paralleling the rules for the Clean Water and Drinking Water Revolving Fund programs. These programs are federally funded, and their rules are based on federal requirements which do not apply to the WSDF, a state program. Since the WSDF has been unfunded and inactive to date, WIFA has not yet initiated a rule making for this Article. As part of this rule making, WIFA will seek direction from the new AFA Board on how to improve the rule by reducing the regulatory burden associated with the non-applicable federal requirements currently applied to a state program.
4. Recent changes to the Clean Water Act (Water Resources Reform and Development Act of 2014) have affected the Clean Water Revolving Fund Program. WIFA will evaluate these changes to determine if any rule changes are necessary to comply with a federal statutory or regulatory requirement. Such compliance would be a condition for the receipt of federal funds.
5. Other minor clarifying edits will made throughout A.A.C. Title 18, Chapter 15 to improve the comprehension and legal certainty of the rules.

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

None

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

Name: Trish Incognito, Executive Director
Address: Water Infrastructure Finance Authority
100 N. 15th Ave., Suite 103
Phoenix, AZ 85007
Telephone: (602) 364-1310
Fax: (602) 364-1327
E-mail: pincognito@azwifa.gov



- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
To be published in the Notice of Proposed Rulemaking
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
Unknown



NOTICES OF PROPOSED DELEGATION AGREEMENTS

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

The Administrative Procedure Act requires the publication of notices of proposed delegation agreements in the Register. A delegation agreement is an agreement between an agency and a political subdivision that authorizes the political subdivision to exercise functions, powers, or duties conferred on the delegating agency by a provision of law.

Delegation agreements are not intergovernmental agreements pursuant to A.R.S. Title 11, Chapter 7, Article 3. For at least 30 days after publication of the Notice of Proposed Delegation Agreement in the Register, the agency shall provide persons the opportunity to submit in writing statements, arguments, data, and views on the proposed delegation agreement and shall provide an opportunity for a public hearing if there is sufficient interest. The delegating agency shall follow the procedures for delegation agreements specified in A.R.S. Title 41, Chapter 6, Article 8.

NOTICE OF PROPOSED DELEGATION AGREEMENT DEPARTMENT OF ENVIRONMENTAL QUALITY

[M17-61]

1. Name of the agency proposing the delegation agreement:

Arizona Department of Environmental Quality

2. The name of the political subdivision to which functions, powers and duties of the agency are proposed to be delegated:

Coconino County

3. The name, address, and telephone number of agency personnel to whom persons may direct questions or comments:

Drinking Water

Name: Daniel L. Czecholinski
 Title: Manager, Drinking Water Section
 Address: Arizona Department of Environmental Quality
 1110 W. Washington St.
 Phoenix, AZ 85007
 Phone: (602) 771-4617
 E-mail: dc5@azdeq.gov

Wastewater

Name: David Lelsz
 Title: Supervisor, Water Quality Ground Water Monitoring & Engineering
 Address: Arizona Department of Environmental Quality
 1110 W. Washington St.
 Phoenix, AZ 85007
 E-mail: dl2@azdeq.gov

Compliance and Enforcement

Name: Jennifer Peterson
 Title: Manager, Water Quality Drinking Water Inspections & Compliance Section
 Address: Arizona Department of Environmental Quality
 1110 W. Washington St.
 Phoenix, AZ 85007
 E-mail: jc17@azdeq.gov

Solid Waste

Name: Robert Barnett
 Title: Manager, Solid Waste/Hazardous Waste Section
 Waste Programs Division
 Address: Arizona Department of Environmental Quality
 1110 W. Washington St.
 Phoenix, AZ 85007
 Phone: (602) 771-2336
 E-mail: rb13@azdeq.gov

4. A summary of the delegation agreement and the subjects and issues involved:

Under A.R.S. § 49-107, the Arizona Department of Environmental Quality proposes to amend the delegation agreement with Coconino County, the Local Agency (LA), to change the delegation to the Community Development; to conform to an updated 2016 template that replaces the reference to A.R.S. § 11-952 with § 49-107; prohibit public disclosure of confidential information



related to critical infrastructure and drinking water system vulnerability assessments consistent with A.R.S. §§ 41-1803(G) and 49-205 at new B.5; eliminate licensing timeframe fee-related reporting requirements in Paragraph C.1 after repeal of A.R.S. § 41-1078; clarify in Paragraph D.3. that delegated agency employees have final sign-off on licensing decisions and perform any actual enforcement work; include e-verify requirements pursuant to A.R.S. §§ 41-4401(A) and 23-214(A) in Paragraph E and Non-Discrimination language in Paragraph F; add standard state contract language to paragraph G concerning record keeping and reporting; replace the word “intent” with “request” in Paragraph I.6; clarify in Paragraph J.2 that ADEQ will pay for the Office of Administrative Hearing’s costs on behalf of the County, not County costs; reduce reporting frequency from quarterly to annual in Paragraph K.1 for compliance with state licensing timeframes applicable to delegated Functions and Duties; add language concerning governing law and venue in Paragraph M; separate Amendment Procedures from Termination Procedures and require termination notice to specify effective date; add severability clause as Paragraph R; add to the signature page language to memorialize the date of approval by the County Board of Supervisors; and update program contacts.

The proposed delegation agreement makes the following changes to Appendix A, Water Quality Management:

- Paragraph C - Update Personnel Qualifications per A.A.C. R9-16-402
- Paragraph E.1 – Reduce reporting frequency from quarterly to annual.

The proposed delegation agreement makes the following change to Appendix B, Solid Waste Management:

- Paragraph C - Update Personnel Qualifications per A.A.C. R9-16-402
- Paragraph E.2. - Clarify that list of septic tank inspections includes inspection dates

All other delegated program elements remain the same as the current delegation agreement.

5. Copies of the proposed delegation agreement may be obtained from the agency as follows:

An electronic copy of the existing Agreement may be downloaded from the following web site address: <http://www.azdeq.gov/final-delegation-agreements/page/0/1>

Or contact: Sherri Zendri, Administrative Counsel
Arizona Department of Environmental Quality
Office of Administrative Counsel
1110 W. Washington St.
Phoenix, AZ 85007

Telephone: (602) 771-2242

E-mail: slz@azdeq.gov

6. The schedule of public hearings on the proposed delegation agreement:

Where there is sufficient public interest, ADEQ will hold a public hearing to receive public comments, in accordance with A.R.S. § 41-1081. The time, place, and location of the hearings will be provided in the corresponding Notice of Public Hearing pursuant to A.A.C. R18-1-401 and R18-1-402.

ADEQ accepts written statements, arguments, data, and views on the proposed delegation agreement that are received within 30 days after the date of the publication of this notice in the *Register* by 5:00 p.m. or postmarked not later than that date.

After the conclusion of the public comment period and hearing, if any, the agency shall prepare a written summary responding to the comments received, whether oral or written. The agency shall consider the comments received from the public in determining whether to enter into the proposed delegation agreement. The agency shall give written notice to those persons who submitted comments of the agency’s decision on whether to enter into the proposed delegation agreement.

ADEQ will take reasonable measures to provide access to department services to individuals with limited ability to speak, write, or understand English and/or to those with disabilities. Requests for language interpretation services or for disability accommodations must be made at least 48 hours in advance by contacting: 7-1-1 for TDD; (602) 771-2215 for Disability Accessibility; or Ian Bingham, Title VI Nondiscrimination Coordinator at (602) 771-4322 or idb@azdeq.gov.

ADEQ tomará medidas razonables para proveer acceso a los servicios del departamento para personas con capacidad limitada para hablar, escribir o entender Inglés y / o para las personas con discapacidad. Las solicitudes de servicios de interpretación del lenguaje o de alojamiento de discapacidad deben hacerse por lo menos 48 horas de antelación poniéndose en contacto con Ian Bingham, Title VI Nondiscrimination Coordinator al (602) 771-4322 o idb@azdeq.gov.



**NOTICE OF PROPOSED DELEGATION AGREEMENT
DEPARTMENT OF ENVIRONMENTAL QUALITY**

[M17-43]

1. Name of the agency proposing the delegation agreement:

Arizona Department of Environmental Quality

2. The name of the political subdivision to which functions, powers and duties of the agency are proposed to be delegated:

Huachuca City Fire Department, 502 Gonzales Blvd., Huachuca City AZ 85616

3. The name, address, and telephone number of agency personnel to whom persons may direct questions or comments:

Name: Balaji Vaidyanathan
Title: Manager, Air Quality Permits Section
Address: Arizona Department of Environmental Quality, Air Quality Division
1110 W. Washington St.
Phoenix, AZ 85007
Phone: (602) 771-4527
E-mail: bv1@azdeq.gov

4. A summary of the delegation agreement and the subjects and issues involved:

Pursuant to A.R.S. §§ 49-107 & 49-501(D), the Arizona Department of Environmental Quality proposes to delegate authority to Huachuca City Fire Department, the Local Agency ("LA"), the program elements listed below, subject to certain conditions and limitations described in the delegation agreement. The proposed delegated program elements include:

The Functions and Duties delegated to the LA by this Agreement are identified by A.R.S. § 49-501 and A.A.C. R18-2-602 pertaining to issuing permits for open burning.

5. Copies of the proposed delegation agreement may be obtained from the agency as follows:

A copy of the proposed Agreements may be obtained by request to the ADEQ Central Office for public records pertaining to the delegation of the issuance of open burn permits.

Or contact: Sherri Zendri, Administrative Counsel
Arizona Department of Environmental Quality
Office of Administrative Counsel
1110 W. Washington St.
Phoenix, AZ 85007

Telephone: (602) 771-2242

E-mail: slz@azdeq.gov

6. The schedule of public hearings on the proposed delegation agreement:

Where there is sufficient public interest, ADEQ will hold a public hearing to receive public comments, in accordance with A.R.S. § 41-1081. The time, place, and location of the hearings will be provided in the corresponding Notice of Public Hearing pursuant to A.A.C. R18-1-401 and R18-1-402.

ADEQ accepts written statements, arguments, data, and views on the proposed delegation agreement that are received within 30 days after the date of the publication of this notice in the *Register* by 5:00 p.m. or postmarked not later than that date.

After the conclusion of the public comment period and hearing, if any, the agency shall prepare a written summary responding to the comments received, whether oral or written. The agency shall consider the comments received from the public in determining whether to enter into the proposed delegation agreement. The agency shall give written notice to those persons who submitted comments of the agency's decision on whether to enter into the proposed delegation agreement.

ADEQ will take reasonable measures to provide access to department services to individuals with limited ability to speak, write, or understand English and/or to those with disabilities. Requests for language interpretation services or for disability accommodations must be made at least 48 hours in advance by contacting: 7-1-1 for TDD; (602) 771-2215 for Disability Accessibility; or Ian Bingham, Title VI Nondiscrimination Coordinator at (602) 771-4322 or idb@azdeq.gov.

ADEQ tomará medidas razonables para proveer acceso a los servicios del departamento para personas con capacidad limitada para hablar, escribir o entender Inglés y / o para las personas con discapacidad. Las solicitudes de servicios de interpretación del lenguaje o de alojamiento de discapacidad deben hacerse por lo menos 48 horas de antelación poniéndose en contacto con Ian Bingham, Title VI Nondiscrimination Coordinator al (602) 771-4322 o idb@azdeq.gov



NOTICE OF PROPOSED DELEGATION AGREEMENT
DEPARTMENT OF ENVIRONMENTAL QUALITY

[M17-62]

1. Name of the agency proposing the delegation agreement:

Arizona Department of Environmental Quality

2. The name of the political subdivision to which functions, powers and duties of the agency are proposed to be delegated:

La Paz County

3. The name, address, and telephone number of agency personnel to whom persons may direct questions or comments:

Drinking Water

Name: Daniel L. Czecholinski
Title: Manager, Drinking Water Section
Address: Arizona Department of Environmental Quality
1110 W. Washington St.
Phoenix, Arizona 85007
Phone: (602) 771-4617
E-mail: dc5@azdeq.gov

Wastewater

Name: David Lelsz
Title: Supervisor, Water Quality Ground Water Monitoring & Engineering
Address: Arizona Department of Environmental Quality
1110 W. Washington St.
Phoenix, AZ 85007
Email: dl2@azdeq.gov

Compliance and Enforcement

Name: Jennifer Peterson
Title: Manager, Water Quality Drinking Water Inspections & Compliance Section
Address: Arizona Department of Environmental Quality
1110 W. Washington St.
Phoenix, AZ 85007
Email: jc17@azdeq.gov

Solid Waste

Name: Robert Barnett
Title: Manager, Solid Waste/Hazardous Waste Section
Waste Programs Division
Address: Arizona Department of Environmental Quality
1110 W. Washington St.
Phoenix, AZ 85007
Phone: (602) 771-2336
E-mail: rb13@azdeq.gov

4. A summary of the delegation agreement and the subjects and issues involved:

Under A.R.S. § 49-107, the Arizona Department of Environmental Quality proposes to amend the delegation agreement with La Paz County, the Local Agency (LA), to change the delegation to the Community Development Department; to conform to an updated 2016 template that replaces the reference to A.R.S. § 11-952 with § 49-107; add a prohibition on disclosure of confidential information related to critical infrastructure and drinking water system security vulnerability assessments consistent with A.R.S. §§ 41-1803(G) and 49-205 at new B.5; eliminate licensing timeframe fee-related reporting requirements in Paragraph C.1 after repeal of A.R.S. § 41-1078; clarify in Paragraph D.3. that delegated agency employees have final sign-off on licensing decisions and perform any actual enforcement work; include e-verify requirements pursuant to A.R.S. §§ 41-4401(A) and 23-214(A) in Paragraph E and Non-Discrimination language in Paragraph F; add standard state contract language to paragraph G concerning record keeping and reporting; replace the word "intent" with "request" in Paragraph I.6; clarify in Paragraph J.2 that ADEQ will pay for the Office of Administrative Hearing's costs on behalf of the County, not County costs; reduce reporting frequency from quarterly to annual in Paragraph K.1 for compliance with state licensing timeframes applicable to delegated Functions and Duties; add language concerning governing law and venue in Paragraph M; separate Amendment Procedures from Termination Procedures and require termination notice to specify effective date; add severability clause as Paragraph R; add to the signature page language to memorialize the date of approval by the County Board of Supervisors; and update program contacts.

The proposed delegation agreement proposes the following changes to Appendix A, Water Quality Management:

- Paragraph C - Update Personnel Qualifications per A.A.C. R9-16-402
• Paragraph E.1 - Reduce reporting frequency from quarterly to annual.

The proposed delegation agreement makes the following change to Appendix B, Solid Waste Management:



- Paragraph C - Update Personnel Qualifications per A.A.C. R9-16-402
- Paragraph E.2. - Clarify that list of septic tank inspections includes inspection dates

All other delegated program elements remain the same as the current delegation agreement.

5. Copies of the proposed delegation agreement may be obtained from the agency as follows:

An electronic copy of the existing Agreement may be downloaded from the following web site address: <http://www.azdeq.gov/final-delegation-agreements/page/0/1>

Or contact: Sherri Zendri, Administrative Counsel
Arizona Department of Environmental Quality
Office of Administrative Counsel
1110 W. Washington St.
Phoenix, AZ 85007

Telephone: (602) 771-2242

E-mail: slz@azdeq.gov

6. The schedule of public hearings on the proposed delegation agreement:

Where there is sufficient public interest, ADEQ will hold a public hearing to receive public comments, in accordance with A.R.S. § 41-1081. The time, place, and location of the hearings will be provided in the corresponding Notice of Public Hearing pursuant to A.A.C. R18-1-401 and R18-1-402.

ADEQ accepts written statements, arguments, data, and views on the proposed delegation agreement that are received within 30 days after the date of the publication of this notice in the *Register* by 5:00 p.m. or postmarked not later than that date.

After the conclusion of the public comment period and hearing, if any, the agency shall prepare a written summary responding to the comments received, whether oral or written. The agency shall consider the comments received from the public in determining whether to enter into the proposed delegation agreement. The agency shall give written notice to those persons who submitted comments of the agency's decision on whether to enter into the proposed delegation agreement.

ADEQ will take reasonable measures to provide access to department services to individuals with limited ability to speak, write, or understand English and/or to those with disabilities. Requests for language interpretation services or for disability accommodations must be made at least 48 hours in advance by contacting: 7-1-1 for TDD; (602) 771-2215 for Disability Accessibility; or Ian Bingham, Title VI Nondiscrimination Coordinator at (602) 771-4322 or idb@azdeq.gov.

ADEQ tomará medidas razonables para proveer acceso a los servicios del departamento para personas con capacidad limitada para hablar, escribir o entender Inglés y / o para las personas con discapacidad. Las solicitudes de servicios de interpretación del lenguaje o de alojamiento de discapacidad deben hacerse por lo menos 48 horas de antelación poniéndose en contacto con Ian Bingham, Title VI Nondiscrimination Coordinator al (602) 771-4322 o idb@azdeq.gov.



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
DEPARTMENT OF ECONOMIC SECURITY**

[M17-27]

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

SP-05-60P-01: Program Instructions for Non-Certified Relative Providers

2. The public information relating to the guidance document:

The Department of Economic Security is rescinding the guidance document specified in paragraph 1, effective March 1, 2017, because the guidance document is no longer needed. The Department of Child Safety now exercises jurisdiction over the subject matter of this guidance document.

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

Name: Christopher Deere, DES Policy Chief
Address: Arizona Department of Economic Security
Division of Business and Finance
1789 W. Jefferson St.
Phoenix, AZ 85007
Telephone: (602) 542-0212
Fax: (602) 542-6000
E-mail: cdeere@azdes.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 2017-02

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

[M17-23]

Editor's Note: This Executive Order is being reproduced in each issue of the Administrative Register until its expiration on December 31, 2017, as a notice to the public regarding state agencies' rulemaking activities.

WHEREAS, burdensome regulations inhibit job growth and economic development;

WHEREAS, job creators and entrepreneurs are especially hurt by red tape and regulations;

WHEREAS, all government agencies 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 of 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 eliminate rules that are antiquated, redundant or otherwise no longer necessary for the operation of state government.
3. All directors of state agencies subject to this Order shall engage their respective regulated or stakeholder communities to solicit comment on which rules the regulated community believes to be overly burdensome and not necessary to protect consumers, public health, or public safety. Each agency shall submit a report regarding the aforementioned information to the Governor's Office no later than September 1, 2017.
4. 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.
5. 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.



6. This Executive Order expires on December 31, 2017.

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 Eleventh day of January in the Year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:

Michele Reagan
SECRETARY OF STATE



GOVERNOR PROCLAMATIONS

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

ARIZONA BEER WEEK

[M17-64]

WHEREAS, Arizona is home to nearly 100 fully licensed and bonded craft breweries throughout the state; and

WHEREAS, since 1987, Arizona craft beers have been produced by a diverse body of brewery owners drawn from many backgrounds to the beautiful State of Arizona; and

WHEREAS, Arizona craft breweries continue to earn National recognition at events such as the Great American Beer Festival, World Beer Cup and North American Beer Awards, drawing National attention to the rapidly growing industry in the State of Arizona; and

WHEREAS, Arizona craft brewers provide the state not only a great product but also a community gathering place for businesses, groups, friends and family; and

WHEREAS, Arizona Beer Week has over 200 events across the State that support the State's tourism; and

WHEREAS, Arizona craft brewers and Arizona Beer Week have come to symbolize and exemplify an industry where community, brotherhood and the spirit of hard work are core values in the great State of Arizona.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim February 9 – 18, 2017 as

ARIZONA BEER WEEK

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

Douglas A. Ducey
GOVERNOR

DONE at the Capitol in Phoenix on this twenty-ninth day of November in the year Two Thousand and Sixteen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:
Michele Reagan
SECRETARY OF STATE

ARIZONA STATEHOOD DAY

[M17-65]

WHEREAS, on February 14, 1912, after forty-nine years as a U.S. territory, President William Howard Taft signed the Arizona Statehood Act, making Arizona the forty-eighth and last of the contiguous states to enter the Union of the United States of America; and

WHEREAS, news of Arizona's statehood was telegraphed to the people of Arizona, Governor George W.P. Hunt was inaugurated and the Legislature was called into its first session; and

WHEREAS, for 105 years, people have come to make Arizona their home, drawn by its striking landscapes, rich history and proud heritage, unlimited opportunities, warm hospitality and the chance to be part of a prosperous and dynamic state; and

WHEREAS, Arizona Statehood Day affords Arizonans an opportunity to celebrate our pioneer spirit, immense diversity and cherished traditions; and

WHEREAS, Statehood Day 2017 encourages all citizens to take an active role in commemorating Arizona's strong foundations and great accomplishments, as well as to look toward new opportunities and the bright future ahead.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim February 14, 2017 as

ARIZONA STATEHOOD DAY

and, I further encourage citizens to participate in all activities in recognition thereof.

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 tenth day of February in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.



ATTEST:
Michele Reagan
SECRETARY OF STATE

BLACK HISTORY MONTH

[M17-66]

WHEREAS, Black History Month is an annual opportunity to recognize the central role of African Americans in our nation’s history; and

WHEREAS, during Black History Month, we celebrate the many achievements and contributions of African Americans to our economic, cultural, spiritual, social and political development; and

WHEREAS, the national commemoration of black history in the United States dates back to 1926, and was initially observed the second week in February to coincide with the birthdays of Abraham Lincoln and Frederick Douglass; and

WHEREAS, by the late 1960’s, the week had evolved into Black History Month, thanks in part to the Civil Rights movement and a growing awareness of the African-American experience in our country; and

WHEREAS, Black History month was officially established in 1976 by President Gerald R. Ford, who called on the public to, “seize the opportunity to honor the too-often neglected accomplishments of black Americans in every area of endeavor throughout our history,” and has since been recognized by every U.S. President; and

WHEREAS, the State of Arizona honors the significant contributions and advances made by African Americans in our state, across our nation and throughout the world, in such areas as education, medicine, art, culture, public service, economic development, politics and human rights. We see the greatness of America in those who have risen above injustice and enriched our society.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim February 2017 as

BLACK HISTORY MONTH

and urge all Arizonans to join in celebrating the contributions of African Americans to our state and nation.

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 thirty-first day of January in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:
Michele Reagan
SECRETARY OF STATE

CANADA WEEK

[M17-67]

WHEREAS, Canada and the United States have enjoyed a long and enduring relationship on a broad range of issues, which has led to strong military and economic partnerships, cultural ties and a strengthened relationship throughout the years; and

WHEREAS, the combined Canada and Arizona bilateral trade exceeds \$3.7 billion each year; and

WHEREAS, over 146,000 Arizona jobs depend on trade and investment with Canada; and

WHEREAS, over 895,000 Canadian visitors to Arizona annually contribute \$920 million to the Arizona economy; and

WHEREAS, in respect and recognition of the great and long standing relationship between Canada and the United states, both economically and culturally, this great State and Nation are encouraged to observe Arizona Canada Week with appropriate activities and ceremonies.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim February 5 - 11, 2017 as

CANADA WEEK

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

Douglas A. Ducey
GOVERNOR

DONE at the Capitol in Phoenix on this twenty-eighth day of November in the year Two Thousand and Sixteen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:
Michele Reagan
SECRETARY OF STATE

**CAREER AND TECHNICAL EDUCATION MONTH**

[M17-68]

WHEREAS, February has been designated as Career and Technical Education month by the Association for Career and Technical Education of Arizona and National Association for Career Technical Education; and

WHEREAS, profound economic and technological changes in our society are rapidly reflected in the structure and nature of work, thereby placing new and additional responsibilities on our educational system; and

WHEREAS, career and technical education provides Americans with a school-to-careers connection and is the backbone of a strong, well-educated workforce, which fosters productivity in business and industry and contributes to America's leadership in the international marketplace; and

WHEREAS, career and technical education gives high school students experience in practical, meaningful applications of basic skills such as reading, writing and mathematics, thus improving the quality of their education, motivating potential dropouts and giving all students leadership opportunities in their career fields and in their communities; and

WHEREAS, career and technical education offers individuals lifelong opportunities to learn new skills, which provide them with career choices and potential satisfaction; and

WHEREAS, the best education for all students is a rigorous education that blends the essential content of college prep studies with quality career technical education; and

WHEREAS, the ever-increasing cooperative efforts of career and technical educators, business and industry stimulate the growth and vitality of our local economy and that of the entire nation by preparing graduates for career fields forecast to experience the largest and fastest growth in the next decade; and

WHEREAS, DECA, Educators Rising AZ, FBLA, FCCLA, FFA, HOSA and VICA/Skills USA are non-profit educational, student leadership organizations whose purpose is to develop the leaders of the future work force.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim February 2017 as

CAREER AND TECHNICAL EDUCATION MONTH

and urge all citizens to become familiar with the services and benefits offered by the career and technical education programs in this community and to support and participate in these programs to enhance their individual work skills and productivity.

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 fifteenth day of December in the year Two Thousand and Sixteen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:

Michele Reagan
SECRETARY OF STATE

CONGENITAL HEART DEFECT AWARENESS WEEK

[M17-69]

WHEREAS, congenital heart defects are the most frequently occurring birth defects and a leading cause of birth defect related deaths worldwide; and

WHEREAS, over a million families across America are facing the challenges and hardships of raising children with congenital heart defects, and nearly one million adults in the United States are currently living with a congenital heart defect; and

WHEREAS, every year more than 500 babies in Arizona and nearly 40,000 babies in the United States are born with congenital heart defects; and

WHEREAS, some congenital heart defects are not diagnosed until months or years after birth, complicating diagnosis and treatment, and causing many cases of sudden cardiac death in young athletes who have not been diagnosed with congenital heart conditions; and

WHEREAS, despite these statistics, there is a disproportionately small amount of funding available for congenital heart defect research; and

WHEREAS, Congenital Heart Defect Awareness Week provides an opportunity for families whose lives have been affected by congenital heart defects to celebrate life and to remember loved ones lost, to honor dedicated health professionals, and to meet others and know they are not alone; and

WHEREAS, the establishment of Congenital Heart Defect Awareness Week will also provide the opportunity to share experience and information with the public and the media, in order to raise public awareness about congenital heart defects.



NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim February 7 - 14, 2017 as

CONGENITAL HEART DEFECT AWARENESS WEEK

and, I further encourage all citizens to increase awareness, education and services for congenital heart defects, which each year affect thousands of babies in Arizona.

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 fourth day of November in the year Two Thousand and Sixteen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:
Michele Reagan
SECRETARY OF STATE

DIGITAL LEARNING DAY

[M17-70]

WHEREAS, Digital Learning Day is an annual national and international celebration of great teaching and learning in K – 12 schools, celebrating its sixth year in 2017; and

WHEREAS, teachers, students, and schools across the nation are using innovation and technology to transform and improve education; and

WHEREAS, digital learning offers new and exciting ways for students to learn daily; and

WHEREAS, when used effectively, modern technology can make life more efficient, accessible, richer, and faster for all; and

WHEREAS, Digital Learning Day provides each teacher, student, parent, and school with the opportunity to learn how to use technology in combination with great teaching to modernize, personalize, and improve learning; and

WHEREAS, today’s world demands the nation have a highly trained workforce skilled in the use of technology and digital content in order to compete in the global economy; and

WHEREAS, Digital Learning Day provides an opportunity for the U.S. education system to embrace the effective use of technology in a positive and transformative manner and

WHEREAS, digital learning and the effective use of technology can assist every teacher by tracking individual student progress, creating improved and efficient learning processes, and eliminating bureaucratic administrative burdens that take time away from teaching; and

WHEREAS, the sixth national Digital Learning Day will take place on Thursday, February 23, 2017, to educate teachers, students, schools, parents, policymakers, and the public on ways to integrate high-quality digital learning and the effective use of technology to improve the learning of every student.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim February 23, 2017 as

DIGITAL LEARNING DAY

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

Douglas A. Ducey
GOVERNOR

DONE at the Capitol in Phoenix on this seventeenth day of February in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:
Michele Reagan
SECRETARY OF STATE

ENROLLED AGENTS WEEK

[M17-71]

WHEREAS, the enrolled agent has been an important asset to both the Arizona taxpayers and the Arizona Department of Revenue; and

WHEREAS, with over 1,000 enrolled agents across Arizona, they have assisted over 750,000 taxpayers every year; and

WHEREAS, enrolled agents assist Arizona taxpayers with issues from the annual compliance filing of their tax return to more complex issues of Audit, Liens, Levy, Appeals and Collections; and

WHEREAS, their knowledge, professionalism, and integrity make the enrolled agent “Arizona’s Tax Expert.”



NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim February 1 – 7, 2017 as

ENROLLED AGENTS WEEK

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

Douglas A. Ducey
GOVERNOR

DONE at the Capitol in Phoenix on this twenty-fourth day of January in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:

Michele Reagan
SECRETARY OF STATE

REGISTER INDEXES

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

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 RULEMAKING

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

CORRECTIONS

C = Corrections to Published Rules

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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 10 OF VOLUME 23.

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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.

Deadline Date (paper only) Friday, 5:00 p.m.	Register Publication Date	Oral Proceeding may be scheduled on or after
October 14, 2016	November 4, 2016	December 5, 2016
October 21, 2016	November 11, 2016	December 12, 2016
October 28, 2016	November 18, 2016	December 19, 2016
November 4, 2016	November 25, 2016	December 26, 2016
November 11, 2016	December 2, 2016	January 2, 2017
November 18, 2016	December 9, 2016	January 9, 2017
November 25, 2016	December 16, 2016	January 16, 2017
December 2, 2016	December 23, 2016	January 23, 2017
December 9, 2016	December 30, 2016	January 30, 2017
December 16, 2016	January 6, 2017	February 6, 2017
December 23, 2016	January 13, 2017	February 13, 2017
December 30, 2016	January 20, 2017	February 20, 2017
January 6, 2017	January 27, 2017	February 27, 2017
January 13, 2017	February 3, 2017	March 6, 2017
January 20, 2017	February 10, 2017	March 13, 2017
January 27, 2017	February 17, 2017	March 20, 2017
February 3, 2017	February 24, 2017	March 27, 2017
February 10, 2017	March 3, 2017	April 3, 2017
February 17, 2017	March 10, 2017	April 10, 2017
February 24, 2017	March 17, 2017	April 17, 2017
March 3, 2017	March 24, 2017	April 24, 2017
March 10, 2017	March 31, 2017	May 1, 2017
March 17, 2017	April 7, 2017	May 8, 2017
March 24, 2017	April 14, 2017	May 15, 2017
March 31, 2017	April 21, 2017	May 22, 2017
April 7, 2017	April 28, 2017	May 30, 2017
April 14, 2017	May 5, 2017	June 5, 2017
April 21, 2017	May 12, 2017	June 12, 2017



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 5 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.

GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES FOR 2017

[M16-300]

DEADLINE FOR PLACEMENT ON AGENDA	FINAL MATERIALS SUBMITTED TO COUNCIL	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
Tuesday November 22, 2016	Tuesday December 20, 2016	Wednesday December 28, 2016	Wednesday January 4, 2017
Tuesday December 27, 2016	Tuesday January 24, 2017	Tuesday January 31, 2017	Tuesday February 7, 2017
Tuesday January 24, 2017	Tuesday February 21, 2017	Tuesday February 28, 2017	Tuesday March 7, 2017
Tuesday February 21, 2017	Tuesday March 21, 2017	Tuesday March 28, 2017	Tuesday April 4, 2017
Tuesday March 21, 2017	Tuesday April 18, 2017	Tuesday April 25, 2017	Tuesday May 2, 2017
Tuesday April 25, 2017	Tuesday May 23, 2017	Wednesday May 31, 2017	Tuesday June 6, 2017
Tuesday May 23, 2017	Tuesday June 20, 2017	Tuesday June 27, 2017	Thursday July 6, 2017
Tuesday June 20, 2017	Tuesday July 18, 2017	Tuesday July 25, 2017	Tuesday August 1, 2017
Tuesday July 25, 2017	Tuesday August 22, 2017	Tuesday August 29, 2017	Wednesday September 6, 2017
Tuesday August 22, 2017	Tuesday September 19, 2017	Tuesday September 26, 2017	Tuesday October 3, 2017
Tuesday September 26, 2017	Tuesday October 24, 2017	Tuesday October 31, 2017	Tuesday November 7, 2017
Tuesday October 24, 2017	Tuesday November 21, 2017	Tuesday November 28, 2017	Tuesday December 5, 2017
Tuesday November 21, 2017	Tuesday December 19, 2017	Wednesday December 27, 2017	Wednesday January 3, 2018

*Materials must be submitted by **5 P.M.** on dates listed as a deadline for placement on a particular agenda. Placement on a particular agenda is not guaranteed.



GOVERNOR'S REGULATORY REVIEW COUNCIL
NOTICE OF ACTION TAKEN AT THE
MARCH 7, 2017 MEETING

[M17-63]

RULES:

BOARD OF OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY (R-17-0301)

Title 4, Chapter 22, Article 1, General Provisions; Article 2, Licensing

Amend: R4-22-104; Table 1; R4-22-207

COUNCIL ACTION: APPROVED

BOARD FOR CHARTER SCHOOLS (R-17-0302)

Title 7, Chapter 5, Article 1, General Provisions; Article 2, New Charters; Article 3, Charter Oversight; Article 4, Amendment to a Charter; Article 5, Audits and Audit Contracts

Amend: R7-5-101; Article 2; R7-5-201; R7-5-202; R7-5-203; R7-5-204; R7-5-205; R7-5-206; R7-5-207; R7-5-501; R7-5-502; R7-5-510; R7-5-601

New Article: Article 3; Article 4; Article 5; Article 6

New Section: R7-5-208; R7-5-301; R7-5-302; R7-5-303; R7-5-401; R7-5-402; R7-5-403; R7-5-404; R7-5-503; R7-5-504; R7-5-505; R7-5-506; R7-5-507; R7-5-508; R7-5-509; R7-5-602; R7-5-603; R7-5-604; R7-5-605; R7-5-606; R7-5-607

Renumber: Article 3; R7-5-301; R7-5-302; R7-5-303; R7-5-304; R7-5-401; R7-5-501; R7-5-502; R7-5-510; Article 6; R7-5-601

Repeal: Article 4; Article 5; R7-5-501; R7-5-502; R7-5-503; R7-5-504

COUNCIL ACTION: APPROVED

DEPARTMENT OF ENVIRONMENTAL QUALITY (R-17-0303)

Title 18, Chapter 2, Article 7, Existing Stationary Source Performance Standards

Amend: R18-2-715; R18-2-715.01; R18-2-715.02

New Article: Article 13

New Section: R18-2-B1301; R18-2-B1301.01; R18-2-B1302; R18-2-C1302; Appendix 14; Appendix 15

COUNCIL ACTION: APPROVED

FIVE-YEAR-REVIEW REPORTS:

DEPARTMENT OF ENVIRONMENTAL QUALITY (F-16-1004)

Title 18, Chapter 5, Article 1, Classification of Water and Wastewater Facilities and Certification of Operators; Article 2, Public and Semipublic Swimming Pools and Spas; Article 3, Water Quality Management Planning; Article 4, Subdivisions; Article 5, Minimum Design Criteria

COUNCIL ACTION: APPROVED

BOARD OF FUNERAL DIRECTORS AND EMBALMERS (F-17-0203)

Title 4, Chapter 12, Articles 1, General Provisions; Article 2 Licensing Provisions; Article 3, Regulatory Provisions; Article 4, Continuing Education; Article 5, Prearranged Funeral Agreements; Article 6, Crematory and Cremation Regulation

COUNCIL ACTION: APPROVED

GAME AND FISH COMMISSION (F-17-0204)

Title 12, Chapter 4, Article 11, Aquatic Invasive Species



COUNCIL ACTION: APPROVED

GAME AND FISH COMMISSION (F-17-0205)

Title 12, Chapter 4, Article 6, Rules of Practice Before the Commission

COUNCIL ACTION: APPROVED

BOARD OF EXAMINERS OF NURSING CARE INSTITUTION ADMINISTRATORS AND ASSISTED LIVING FACILITY MANAGERS

(F-17-0302)

Title 4, Chapter 33, Article 1, General; Article 2, Nursing Care Administrator Licensing; Article 3, Administrator-in-Training Program; Article 5, Continuing Education

COUNCIL ACTION: APPROVED

DEPARTMENT OF HEALTH SERVICES (F-17-0208)

Title 9, Chapter 8, Article 6, Camp Grounds

COUNCIL ACTION: REPORT RETURNED IN WHOLE

COUNCIL ACTION: REQUIRED THE DEPARTMENT TO AMEND THE RULES IN THE ARTICLE BY JANUARY 1, 2019

DEPARTMENT OF HEALTH SERVICES (F-17-0209)

Title 9, Chapter 8, Article 13, Hotels, and Tourist Courts

COUNCIL ACTION: REPORT RETURNED IN WHOLE

COUNCIL ACTION: REQUIRED THE DEPARTMENT TO AMEND THE RULES IN THE ARTICLE BY JANUARY 1, 2019

CONSIDERATION AND DISCUSSION OF MATTERS RELATED TO THE FIVE-YEAR-REVIEW REPORT OF THE CITIZENS CLEAN ELECTIONS COMMISSION:

COUNCIL ACTION: DEADLINE TO REPEAL R2-20-109(F)(2)-(12) AND (G) EXTENDED TO JUNE 7, 2017

CONSIDERATION AND DISCUSSION OF THE REVIEW OF RULES OUTSIDE OF THE FIVE-YEAR-REVIEW PROCESS:

DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS

Title 8, Chapter 3, Article 2, Ranges and Training Sites

Title 8, Chapter 5, Project Challenge

COUNCIL ACTION: REPORT REQUIRED BY MARCH 14, 2017

DEPARTMENT OF FINANCIAL INSTITUTIONS

Title 20, Chapter 4, Article 3, Savings and Loan Institutions

COUNCIL ACTION: REPORT REQUIRED BY MARCH 14, 2017