



Arizona Administrative REGISTER

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

Vol. 24, Issue 42

~ Administrative Register Contents ~

October 19, 2018

Information 2890
Rulemaking Guide 2891

RULES AND RULEMAKING

Proposed Rulemaking, Notices of

6 A.A.C. 14 Department of Economic Security - Food Stamps Program 2893
14 A.A.C. 5 Corporation Commission - Transportation 2907

Supplemental Proposed Rulemaking, Notices of

12 A.A.C. 4 Game and Fish Commission 2910

Final Exempt Rulemaking, Notices of

7 A.A.C. 2 State Board of Education 2947

Exempt Rulemaking, Notices of

9 A.A.C. 25 Department of Health Services - Emergency Medical Services 2955
19 A.A.C. 2 Arizona Racing Commission 2962

OTHER AGENCY NOTICES

Docket Opening, Notices of Rulemaking

6 A.A.C. 14 Department of Economic Security - Food Stamps Program 2971
9 A.A.C. 6 Department of Health Services - Communicable Diseases and Infestations 2972
9 A.A.C. 10 Department of Health Services - Health Care Institutions: Licensing 2973
14 A.A.C. 5 Corporation Commission - Transportation 2974

GOVERNOR'S OFFICE

Governor's Executive Order 2018-02

Internal Review of Administrative Rules; Moratorium to Promote Job Creation and
Customer-Service-Oriented Agencies 2975

INDEXES

Register Index Ledger 2977
Rulemaking Action, Cumulative Index for 2018 2978
Other Notices and Public Records, Cumulative Index for 2018 2989

CALENDAR/DEADLINES

Rules Effective Dates Calendar 2991
Register Publishing Deadlines 2993

GOVERNOR'S REGULATORY REVIEW COUNCIL

Governor's Regulatory Review Council Deadlines 2994

DIRECTOR
Administrative Rules Division
Scott Cancelosi

PUBLISHER
Secretary of State
MICHELE REAGAN

RULES MANAGING EDITOR
Arizona Administrative Register
Rhonda Paschal

From the Publisher

ABOUT THIS PUBLICATION

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

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

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

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

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

ABOUT RULES

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

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

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

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

The printed *Code* is the official publication of a rule in the A.A.C., and 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 page.

Arizona Administrative REGISTER

Vol. 24

Issue 42

PUBLISHER
SECRETARY OF STATE
Michele Reagan

ADMINISTRATIVE RULES STAFF
DIRECTOR
Scott Cancelosi

RULES MANAGING EDITOR
Rhonda Paschal

ADMINISTRATIVE REGISTER
This publication is available online for free at www.azsos.gov.

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

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

CONTACT US
Administrative Rules Division
Office of the Secretary of State
1700 W. Washington Street, Fl. 2
Phoenix, AZ 85007
(602) 364-3223

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



Participate in the Process

Look for the Agency Notice

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

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

Attend a public hearing/meeting

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

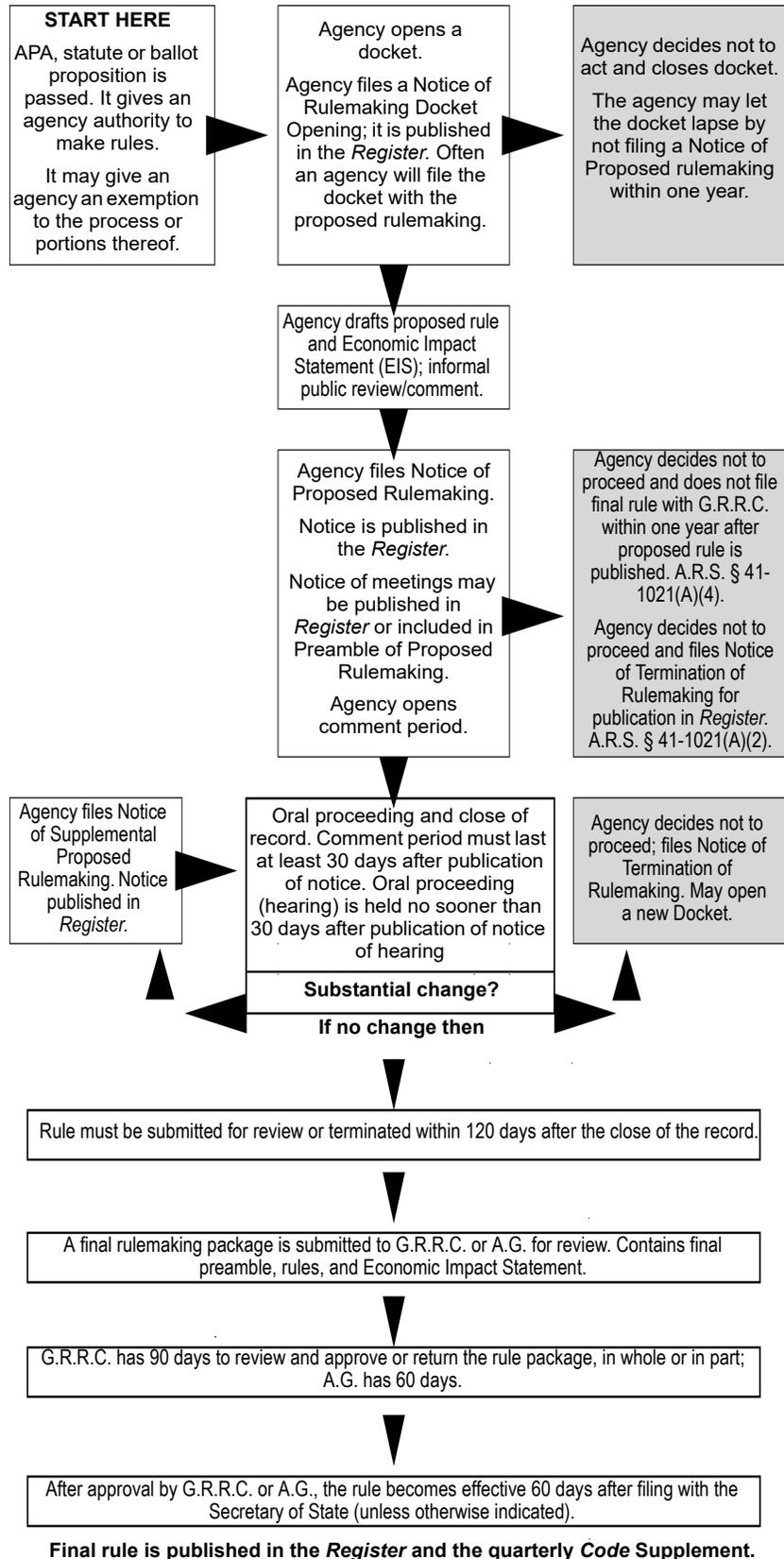
An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request that the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

Write the agency

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

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

Arizona Regular Rulemaking Process



Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Acronyms

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

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

APA – *Administrative Procedure Act*

A.R.S. – *Arizona Revised Statutes*

CFR – *Code of Federal Regulations*

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

FR – *Federal Register*

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

U.S.C. – *United States Code*

About Preambles

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

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

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



NOTICES OF PROPOSED RULEMAKING

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

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

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

Under the APA, an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any oral proceedings for making, amending, or repealing any rule (A.R.S. §§ 41-1013 and 41-1022).

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

NOTICE OF PROPOSED RULEMAKING

TITLE 6. ECONOMIC SECURITY

CHAPTER 14. DEPARTMENT OF ECONOMIC SECURITY

~~FOOD STAMPS PROGRAM~~ NUTRITION ASSISTANCE PROGRAM

[R18-214]

PREAMBLE

<u>1. Article, Part, or Section Affected (as applicable)</u>	<u>Rulemaking Action</u>
Article 3	New Article
R6-14-301	New Section
R6-14-302	New Section
R6-14-303	New Section
R6-14-304	New Section
R6-14-305	New Section
R6-14-306	New Section
R6-14-307	New Section
R6-14-308	New Section
R6-14-309	New Section
R6-14-310	New Section
R6-14-311	New Section
Article 4	New Article
R6-14-401	New Section
R6-14-402	New Section
R6-14-403	New Section
R6-14-404	New Section
R6-14-405	New Section
R6-14-406	New Section
R6-14-407	New Section
R6-14-408	New Section
R6-14-409	New Section
R6-14-410	New Section
R6-14-411	New Section
R6-14-412	New Section
R6-14-413	New Section
R6-14-414	New Section
R6-14-415	New Section
R6-14-416	New Section
R6-14-417	New Section
Article 5	New Article
R6-14-501	New Section
R6-14-502	New Section
R6-14-503	New Section
R6-14-504	New Section
R6-14-505	New Section
R6-14-506	New Section
R6-14-507	New Section



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

Authorizing statute: A.R.S. § 41-1954(A)(3), 4-134(1) and (10)

Implementing statute: A.R.S. §§ 41-1954(A)(1)(c) and (A)(8) and 46-136(B) and (C); 7 U.S.C. § 2013

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

Notice of Emergency Rulemaking: 24 A.A.R., 2081, July 27, 2018

Notice of Rulemaking Docket Opening: 24 A.A.R. 2971, October 19, 2018 (in this issue)

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

Name: Rodney K. Huenemann
Address: Department of Economic Security
P.O. Box 6123, Mail Drop 1292
Phoenix, AZ 85005
or
Department of Economic Security
1789 W. Jefferson St., Mail Drop 1292
Phoenix, AZ 85007
Telephone: (602) 542-6159
Fax: (602) 542-6000
E-mail: rhuenemann@azdes.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 Department administers the Nutrition Assistance Program (Program), formerly called Food Stamps. The Program is authorized by the federal Supplemental Nutrition Assistance Program (SNAP) under the Food Stamp Act of 1977 (7 U.S.C. § 2011 et seq.) and the Code of Federal Regulations (7 CFR 271 through 7 CFR 283). This rulemaking is being conducted under the regular rulemaking process to replace rules that were implemented as an emergency measure under A.R.S. 42-1026(A)(3). The rulemaking will amend Chapter 14, Food Stamps Program, of the Arizona Administrative Code and provide rules that are consistent with federal law and regulation. Further, this rulemaking will add rules to conform to current practice and terminology, and to make rules that are clear, concise and understandable.

Article Three establishes procedures for the Department to identify and collect overpayments from households. The rules establish categories of claims and criteria for identifying a claim's date of discovery. The Department may determine the cost effectiveness of pursuing or terminating the collection of an overpayment and provide the household a compromise agreement to settle a claim. The rules provide for acceptable payment and collection methods.

Article Four provides for an appeal and fair hearing to any household wishing to contest an adverse Department action. The household must file an appeal request within 90 days of receiving a notice of the adverse action. The Department shall stay any adverse action pending an appeal decision. The fair hearing procedure outlines the hearing schedule, duties of the hearing officer, and parties' rights. The hearing officer must issue a decision within 60 days after the appeal request is filed. The household can appeal the hearing officer's decision.

Article Five defines an Intentional Program Violation and establishes a procedure for disqualifying a household from further Program benefits. A household may waive the right to an administrative disqualification hearing. The administrative disqualification procedures outline the hearing schedule, hearing officer's responsibilities, and the parties' rights. Various sanctions may be imposed for any program violation found. A household may appeal the determination of a program violation. The Department will honor out-of-state sanctions and impose Program penalties in this state.

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

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

Not applicable

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

The Department anticipates that this rulemaking will have a minimal (under \$1,000) economic impact on the implementing agency, small businesses, and consumers. These rules codify current Department policy and practice in order to conform to federal law. There is no additional cost to the Department or other state agencies anticipated by this rulemaking.

The persons directly impacted by this rulemaking are individuals or households who are applicants for, recipients of, or former recipients of the Nutrition Assistance program. These individuals and households will benefit from clear, concise, and understandable information regarding the overpayment and claims processes, and the rights and responsibilities afforded to individuals and households in the Fair Hearings, Appeals, and Intentional Program Violation processes.



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

Name: Rodney K. Huenemann
Address: Department of Economic Security
P.O. Box 6123, Mail Drop 1292
Phoenix, AZ 85005
or
Department of Economic Security
1789 W. Jefferson St., Mail Drop 1292
Phoenix, AZ 85007
Telephone: (602) 542-6159
Fax: (602) 542-6000
E-mail: rhuenemann@azdes.gov
Web site: des.az.gov

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

The Department has scheduled oral proceedings for the following dates, times, and locations:

Date: Monday, November 19, 2018
Time: 1:00 p.m.
Location: 1701 N. 4th St., Pine Conference Room, Suite 31
Flagstaff, AZ 86004
Details: Visitor parking is available on the south side of the parking lot.
Persons may participate by audio conference using the following call in information:
Phone: 1-888-808-5828 (toll-free)
Access Code: 803 713 080

Date: Tuesday, November 20, 2018
Time: 9:30 a.m.
Location: 515 N. 51st Ave., Suite 140
Phoenix, AZ 85043
Details: Visitor parking is available on the northeast corner of the building by entrance to Suite 140.

Date: Tuesday, November 20, 2018
Time: 2:30 p.m.
Location: 400 W. Congress St., Suite 158
Tucson, AZ 85701
Details: Visitor parking is available on the west side of the parking lot.

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

No other matters are prescribed.

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 rules do not require a permit.

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

Article Three - Claims Against Households. Federal law at 7 U.S.C. § 2022 is applicable to this rule. This federal law is implemented in the SNAP program at 7 CFR 273.18. This rule is not more stringent than federal law or regulation.

Article Four – Appeals and Fair Hearings. Federal law at 7 U.S.C. § 2020 is applicable to this rule. This federal law is implemented in the SNAP program at 7 CFR 273.15. This rule is not more stringent than federal law or regulation.

Article Five – Intentional Program Violation. Federal law at 7 U.S.C. § 2015 is applicable to this rule. This federal law is implemented in the SNAP at 7 CFR 273.16. This rule is not more stringent than federal law or regulation.

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

No analysis was submitted.

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

None

13. The full text of the rules follows:



TITLE 6. ECONOMIC SECURITY
CHAPTER 14. DEPARTMENT OF ECONOMIC SECURITY
FOOD STAMPS PROGRAM NUTRITION ASSISTANCE PROGRAM

ARTICLE 3. EXPIRED CLAIMS AGAINST HOUSEHOLDS

Section

- R6-14-301. Expired Purpose and Definitions
R6-14-302. Expired Claim Calculation: Date of Discovery: Overpayment Period
R6-14-303. Expired Determining a Claim Amount
R6-14-304. Expired Pre-establishment Cost Effectiveness Determination
R6-14-305. Expired Notice of Claim
R6-14-306. Expired Acceptable Forms of Payment
R6-14-307. Expired Collection Methods
R6-14-308. Expired Claim Compromise
R6-14-309. Expired Reinstatement of a Compromised Claim
R6-14-310. Expired Terminating and Writing Off a Claim
R6-14-311. Expired Claims Established in Another State

ARTICLE 4. EXPIRED APPEALS AND FAIR HEARINGS

Section

- R6-14-401. Expired Entitlement to a Fair Hearing; Appealable Action
R6-14-402. Expired Computation of Time
R6-14-403. Request for Hearing: Form; Time Limits; Presumptions
R6-14-404. Stay of Action Pending Appeal
R6-14-405. Hearings: Location; Notice; Time
R6-14-406. Postponing the Hearing
R6-14-407. Hearing Officer: Duties and Qualifications
R6-14-408. Change of Hearing Officer; Challenges for Cause
R6-14-409. Subpoenas
R6-14-410. Parties' Rights
R6-14-411. Withdrawal of an Appeal
R6-14-412. Failure to Appear; Default; Reopening
R6-14-413. Hearing Proceedings
R6-14-414. Hearing Decision
R6-14-415. Effect of the Decision
R6-14-416. Further Administrative Appeal
R6-14-417. Appeals Board

ARTICLE 5. EXPIRED INTENTIONAL PROGRAM VIOLATION

Section

- R6-14-501. Expired Intentional Program Violations (IPV): Defined
R6-14-502. Expired IPV Administrative Disqualification Hearings; Hearing Waiver
R6-14-503. Expired Administrative Disqualification Hearings
R6-14-504. Expired Failure to Appear; Default; Reopening
R6-14-505. Expired Disqualification Sanctions; Notice
R6-14-506. Expired Administrative Disqualification Hearings or Waiver of the Right to a Hearing; Appeal
R6-14-507. Expired Honoring Out-of-State IPV Determinations and Sanctions

ARTICLE 3. EXPIRED CLAIMS AGAINST HOUSEHOLDS

R6-14-301. Expired Purpose and Definitions

- A. The Department establishes and collects claims under 7 CFR 273.18, Claims against households. This Article clarifies the Department's policies and procedures as permitted in federal regulation.
B. The definitions in section R6-14-111 and the following definitions apply to this Article:
1. "Agency error" or "AE claim" means any claim for an overpayment caused by an action or failure to take action by the Department.
2. "Claim" means the amount of a federal debt owed because Nutrition Assistance benefits were overpaid or benefits were trafficked.
3. "Household" means one of the following individuals or groups of individuals, unless otherwise specified under 7 CFR 273.1(b):
a. An individual living alone;
b. An individual living with others, but customarily purchasing food and preparing meals for home consumption separate and apart from others; or
c. A group of individuals who live together and customarily purchase food and prepare meals together for home consumption.



4. “Inadvertent household error” or “IHE claim” means any claim for an overpayment resulting from a misunderstanding or unintended error on the part of the Nutrition Assistance household. This includes instances when the household received more benefits than it was entitled to receive because the household requested a continuation of benefits, pending a fair hearing decision.
5. “Intentional Program Violation” or “IPV claim” means any claim for an overpayment resulting from an individual committing an IPV under 7 CFR 273.16.
6. “Trafficking claim” means any claim for the value of benefits that are trafficked, under 7 CFR 273.18. Trafficking is defined under 7 CFR 271.2.

R6-14-302. ~~Expired~~ Claim Calculation: Date of Discovery: Overpayment Period

Under 7 CFR 273.18, the Department shall calculate an overpayment of benefits claim by:

- A. Date of discovery. The date of discovery is determined when the Department becomes aware of the overpayment. The Department becomes aware of an overpayment on:
 1. For AE claims, the date that the Department received written or oral notification, or the date the Department discovered an agency error occurred that caused an overpayment to the household.
 2. For IHE and IPV claims, the date that the Department obtains verification used to calculate the over-issuance.
 3. For claims resulting from trafficking, the date of the court decision or the date the household signed a waiver of administrative disqualification hearing form or a disqualification consent agreement.
- B. For AE and IHE claims, calculate a claim for the month of the date of discovery and for each prior month, not to exceed 36 months prior to the date of discovery.
- C. For an IPV claim not related to trafficking, calculate a claim back to the month that the IPV first occurred, not to exceed 72 months prior to the date of discovery.
- D. For a claim resulting from trafficking, calculate a claim for the value of the trafficked benefits, as determined under 7 CFR 273.18(c)(2).

R6-14-303. ~~Expired~~ Determining a Claim Amount

- A. For all claims other than a claim resulting from trafficking:
 1. The Department shall determine whether the overpayment of benefits occurred at the time an eligibility determination was rendered for a new or recertification application or whether the overpayment occurred during an eligible certification period.
 2. When it is discovered that an error occurred at application the Department shall re-determine eligibility and a benefit amount for that application and for the months in the certification period, using the application approval or denial policies and procedures that were in effect at the time the eligibility determination for the application was rendered.
 - a. When it is determined that the household was ineligible, the Department shall establish a claim based on the amount of benefits issued for each month during the certification period that was established when the application was originally approved.
 - b. When it is determined that the household was eligible, the Department shall establish a claim based on the amount of benefits that were paid in excess of the correct benefit amount in each month of the certification period.
 3. When a change occurred during an eligible certification period:
 - a. The Department shall process any change that was reported by the household and re-determine a new benefit allotment amount for each affected month in the certification period using the change processing policies and procedures that were in effect for those months. The Department shall establish a claim based on the amount of benefits that were paid in excess of the correct benefit amount in each affected month of the certification period.
 - b. When the Department discovers a change which was not reported by the household, the Department shall determine whether the change was required to be reported based on the change reporting requirement assigned to the household for the certification period:
 - i. When the change was not required to be reported the Department shall not process the change for the months in the certification period.
 - ii. When the change was required to be reported the Department shall re-determine eligibility and a new benefit allotment amount for each affected month in the certification period using the change processing policies and procedures that were in effect for those months. The Department shall establish a claim based on the amount of benefits that were paid in excess of the correct benefit amount in each month of the certification period.
- B. For a claim resulting from trafficking, the Department shall calculate a claim amount based on the entire value of the trafficked benefits.

R6-14-304. ~~Expired~~ Pre-establishment Cost Effectiveness Determination

The Department shall not establish an overpayment that is not cost effective using the threshold at 7 CFR 273.18(e)(2)(i), unless the Department establishes and collects claims under a cost-effectiveness plan approved by the Food and Nutrition Service of the U.S. Department of Agriculture under 7 CFR 273.18(e)(2)(i) that establishes a different threshold.

R6-14-305. ~~Expired~~ Notice of Claim

To begin collection on a claim, the Department shall send the household a Notice of Claim. At a minimum, the notice shall include all elements required under 7 CFR 273.18(e)(3)(iv).

R6-14-306. ~~Expired~~ Acceptable Forms of Payment

The Department may accept all forms of payment, including the methods listed in 7 CFR 273.18(f) to collect a claim.

R6-14-307. ~~Expired~~ Collection Methods

- A. Allotment reduction. When a household is receiving Nutrition Assistance benefits, the Department may use the allotment reduction in 7 CFR 273.18(g)(1) except the allotment reduction in 7 CFR 273.18(g)(1)(vi).



- B.** Under 7 CFR 273.18(g)(5), the Department may allow the household to pay a claim in equal monthly increments based on the following claim amounts:
 - 1. 12 month increments when the claim is \$600.00 or less.
 - 2. 24 month increments when the claim is \$1,200.00 or less.
 - 3. 36 month increments when the claim is over \$1,200.00.
- C.** Intercept of unemployment compensation benefits.
- D.** Under 7 CFR 273.18(g)(8), the Department may use other collection methods that include:
 - 1. Submitting the claim to the Arizona Department of Revenue for payment through a state tax refund.
 - 2. Submitting the claim to the Arizona Lottery Commission for payment through a lottery winnings offset.
 - 3. Submitting the claim to the federal Treasury Offset Program pursuant to 7 CFR 273.18(n).
 - 4. A wage garnishment established through a civil judgment or criminal restitution order. When the Department has obtained a judgment or order, the Department shall:
 - a. Send the household a Pre-Garnishment Notice to allow the household to agree to pay the claim in a manner other than wage garnishment; and
 - b. If the household fails to arrange for payment in response to the Pre-Garnishment Notice, the Department may request the Arizona Attorney General's Office to initiate a wage garnishment pursuant to A.R.S. Title 12, Chapter 9, Article 4.1, and that garnishment may continue until the claim is paid in full.
 - 5. Garnishment or levy of monies or property, pursuant to A.R.S. Title 12, Chapter 9, Article 4.
 - 6. Imposition or enforcement of all liens, including judgment liens imposed pursuant to A.R.S. § 33-961.
 - 7. Any other legal or equitable remedy for the collection of debts and judgments.
- E.** Under 7 CFR 273.18(j) and at the Arizona Attorney General's direction, the Department shall act on behalf of the Food and Nutrition Service of the U.S. Department of Agriculture in any bankruptcy proceeding against a household subject to a claim.

R6-14-308. Expired Claim Compromise

- A.** For purposes of a claim compromise "household" means the following persons who are residing together:
 - 1. Adults who were members of the Nutrition Assistance household for which the claim was established, and who were adults at the time the claim was established, and
 - 2. Minor children for whom adult household members are responsible.
- B.** When a household reports that it is unable to pay the claim in the equal monthly increments specified in R6-14-307(A) or (B), the Department may compromise the claim by reducing the claim amount and the resulting monthly payment amount when:
 - 1. The household contacts the Department, orally or in writing, and requests a compromise of the claim.
 - 2. The claim was established as an Agency Error claim or an,
 - 3. Inadvertent Household Error claim,
 - 4. There is no pending Appeal of the claim, and
 - 5. The Department approves the compromise request as provided in this rule.
- C.** When a request to compromise an AE or IHE claim is received the Department shall compromise the entire claim balance when:
 - 1. Every member in the household for which the claim was established is an adult and the only source of income in the household is Supplemental Security Income (SSI) issued by the Social Security Administration, or
 - 2. Every member in the household for which the claim was established is an adult who meets the definition of elderly or disabled as specified in 7 CFR 271.2 and the only source of income in the household is provided by the Social Security Administration or a combination of SSI and other income provided by the Social Security Administration.
- D.** When the Department receives a compromise request, the Department shall send the household a Financial Statement form that includes the following items that the household must provide the Department to determine eligibility for a claim compromise. The form shall specify that the household must also provide verification of the following applicable items:
 - 1. The source and amount of all earned and unearned income for each adult household member,
 - 2. The current amount billed for each of the following monthly expenses for the household, excluding past due amounts or late fees:
 - a. Rent or mortgage.
 - b. Utilities and telephone.
 - c. Medical expenses, including:
 - i. Health insurance premiums.
 - ii. Prescription medication.
 - iii. Home nursing care.
 - d. Actual transportation expenses for employed members of the household or those seeking employment or in an employment training program, not to exceed \$100.00 per applicable member.
 - e. Educational expenses not covered by student financial aid such as tuition, fees, and current repayment of past educational loan expenses.
 - 3. Court ordered child support for a child not living in the home;
 - 4. Court ordered spousal maintenance;
 - 5. Child and adult dependent care expenses.
 - 6. For homeless households whose primary place of residence is a vehicle, the vehicle payment, the vehicle insurance, and gas expense; and
 - 7. The Department shall allow a monthly food expense in the amount of the maximum Nutrition Assistance benefit amount for the household size minus the monthly Nutrition Assistance benefit allotment received by the household.
- E.** The household must return the completed Financial Statement and verification of the applicable items in subsection (D) to the Department no later than the 20th working day, as defined in R6-14-402, following the date that the Department mailed or otherwise transmitted the Financial Statement to the household. The Department shall deny the compromise claim request when the Financial



Statement is not provided timely by the household, unless the delay was for good cause. Good cause exists if circumstances beyond the household's reasonable control make it unduly difficult or impossible for the household to timely meet this requirement.

- E.** When the Financial Statement is timely provided to the Department, and all verification of income and expenses is complete, the Department shall complete the following no later than the 20th working day, as defined in R6-14-402, following the date that the Department received the Financial Statement:
1. Determine a monthly gross income amount by adding the gross earned income, minus 20 percent, and the gross unearned income of all adult household members. When the gross monthly income exceeds 130 percent of the current federal poverty level for the current household size, the Department shall deny the compromise request.
 2. When the gross monthly income is equal to or less than 130 percent of the current federal poverty level for the current household size, the Department shall determine a monthly discretionary income amount by deducting the total amount of the allowable monthly household expenses from the household's gross monthly income.
- G.** When the monthly discretionary income amount is equal to or less than \$50.00, the Department shall compromise the entire balance of the claim.
- H.** When the monthly discretionary income amount is greater than \$50.00 and less than \$100.00, the Department shall:
1. Multiply the monthly discretionary income amount by .25,
 2. Multiply the resulting amount by 36, and
 3. Approve a compromised claim balance in the amount resulting from (2), when that amount is less than the current claim balance.
- I.** When the monthly discretionary income amount is equal to or greater than \$100.00 and less than \$150.00, the Department shall:
1. Multiply the monthly discretionary income amount by .30,
 2. Multiply the resulting amount by 36, and
 3. Approve a compromised claim balance in the amount resulting from (2), when that amount is less than the current claim balance.
- J.** When the monthly discretionary income amount is equal to or greater than \$150.00, the Department shall:
1. Multiply the monthly discretionary income amount by .35,
 2. Multiply the resulting amount by 36, and
 3. Approve a compromised claim balance in the amount resulting from (2), when that amount is less than the current claim balance.
- K.** When the compromise request is approved the Department shall notify the household of the compromised claim amount, the options available to the household for repayment of the new claim amount, and the household's right to file an appeal of the Department's action.
1. When the household chooses to repay the compromised claim balance in monthly payments, the amount of the monthly payment shall be the compromised claim balance divided by 36 or \$10.00, whichever amount is greater.
 2. The approval of a compromise request shall apply only to the household that requested the compromise and does not affect the responsibility of any person:
 - a. Who is not a member of the household that requested the compromise, and
 - b. Who is responsible for paying the claim under 7 CFR 273.18(a)(4).
- L.** When the compromise request is denied the Department shall notify the household of the denial and the household's right to file an appeal of the Department's action.
- M.** The household may appeal the following actions or inaction related to a request for a compromise:
1. The Department's inaction or untimely action on processing the compromise request;
 2. The amount of the approved compromise balance; or
 3. A denial of the compromise request.

R6-14-309. ~~Expired~~ Reinstatement of a Compromised Claim

The Department shall reinstate any compromised portion of a claim when either of the following occurs:

1. A claim becomes delinquent under 7 CFR 273.18(e)(5), or
2. The Department approved a compromise for a claim that was originally established as an Inadvertent Household Error claim and the original claim is later determined to have resulted from an Intentional Program Violation, as evidenced by a signed waiver of an Administrative Disqualification Hearing, an Administrative Disqualification Hearing decision, or a decision rendered by a State or Federal court in a civil or criminal action.

R6-14-310. ~~Expired~~ Terminating and Writing Off a Claim

A. Under 7 CFR 273.18(e)(8)(ii)(F), the Department may terminate and write off a claim when no adult member of the household who is responsible for paying the claim can be located.

B. Under 7 CFR 273.18(e)(8)(ii)(E), the Department shall not terminate and write off a claim which has been delinquent for 36 months when the claim is pending for possible payment through the Treasury Offset Program or a State Offset Program.

R6-14-311. ~~Expired~~ Claims Established in Another State

Under 7 CFR 273.18(i)(2), the Department may accept a claim from another state if the household subject to the claim receives Nutrition Assistance benefits in Arizona, when:

1. The Department confirms that the household was notified by the other state of the overpayment; and
2. There is no pending or unresolved Fair Hearing or Appeal of the overpayment in the other state.

ARTICLE 4. ~~EXPIRED~~ APPEALS AND FAIR HEARINGS

R6-14-401. ~~Expired~~ Entitlement to a Fair Hearing: Appealable Action

Any applicant or recipient who disagrees with any action or inaction by the Department has the right to challenge the action or inaction by requesting an administrative or fair hearing. Administrative hearings are conducted by the Department's Office of Appeals. In this Article, "hearing" refers to a Fair Hearing as required in 7 CFR 273.15.

**R6-14-402. ~~Expired~~ Computation of Time**

- A.** In computing any time period:
1. “Day” means a calendar day;
 2. “Working day” means Monday through Friday, excluding federal or Arizona state holidays;
 3. The Department does not count the date of the act, event, notice, or default from which a designated time period begins to run as part of the time period; and
 4. The Department counts the last day of the designated time period. When the day is a Saturday, Sunday, federal holiday or Arizona state holiday, the last day is the first working day following that day.
- B.** Documents sent by the Department are received by an applicant or recipient on the date sent to the applicant or recipient’s last known street or e-mail address, plus an additional five calendar days only when sent by U.S. mail. The send date is the date shown on the document unless the facts show otherwise.

R6-14-403. Request for Hearing: Form: Time Limits: Presumptions

- A.** An applicant or recipient who wishes to appeal an action or inaction shall make an oral or written request for a hearing to the Department within 90 days of the notice date advising the applicant or recipient of the action, except that a recipient may appeal the current level of benefits at any time within a certification period. Action by the Department shall include a denial of a request for restoration of any benefits lost more than 90 days but less than one year prior to the request for a hearing. An applicant or recipient may file a request for hearing in-person or by mail, fax, phone, or Internet. The Department shall provide a form for this purpose and, upon request, shall help an applicant or recipient complete the form. If the applicant or recipient makes an oral request for a hearing, the Department shall accept the oral request, record in writing the date of the request and the stated reasons for the hearing, and forward the request to the Office of Appeals. The freedom to make a request for a hearing shall not be limited or interfered with in any way.
- B.** An appellant is an applicant or recipient who files an appeal. The appellant shall include the following information in the request for hearing:
1. Name, address, e-mail address, if applicable, and telephone number of the appellant;
 2. A description of the action or inaction that is the subject of the appeal;
 3. The date of the notice of adverse action or inaction; and
 4. A statement explaining why the appellant disagrees with the action or inaction.
- C.** The Department shall process any oral or written request for a hearing that contain sufficient information for the Department to determine the appellant’s identity.
- D.** The Department deems a request for hearing filed:
1. If the appellant sends the request for hearing by first-class mail through the United States Postal Service to the Department:
 - a. On the mailing date as shown by the postmark;
 - b. In the absence of a postmark, on the postage meter mark on the envelope in which it is received; or
 - c. If not postmarked or postage meter marked or if the mark is illegible, on the date entered on the document as the date of completion.
 2. The date the Department actually receives the request, if not mailed.
- E.** A document is timely filed if the appellant can demonstrate that any delay in submission was due to any of the following reasons:
1. Department error or misinformation,
 2. Delay or other action by the United States Postal Service, or
 3. Delay due to the appellant’s changing mailing addresses at a time when the appellant had no duty to notify the Department of the change.
- F.** When the Office of Appeals receives an untimely request for a hearing, the Office of Appeals shall determine whether the delay in submission is excusable, as provided in subsection (E).
- G.** An appellant whose appeal the Office of Appeals denies as untimely may petition for review of this issue as provided in R6-14-416.
- H.** The Department shall expedite a hearing request for any person covered by 7 CFR 273.15(i)(2).
- I.** The Department shall provide interpreters or other language services at no cost to persons whose primary language is other than English. This shall include explaining the hearing procedures orally in the person’s language if the materials are not translated into the person’s language.
- J.** The Department shall offer an agency conference as provided by 7 CFR 273.15(d) to those persons denied expedited service and to any person who requests a conference.

R6-14-404. Stay of Action Pending Appeal

As provided by 7 CFR 273.15(k), if the appellant timely requests a fair hearing, the Department shall stay the implementation of an action until the hearing officer renders a final decision on the appeal and the person receives the decision, unless the appellant signs a waiver of continuation of benefits.

R6-14-405. Hearings: Location: Notice: Time

- A.** The Office of Appeals shall schedule the hearing. The Office of Appeals may schedule a telephonic hearing instead of an in-person hearing or permit a witness or party, upon request, to appear telephonically.
- B.** Unless the appellant requests an earlier hearing date, the Office of Appeals shall schedule the hearing no earlier than 20 days from the date the Department receives the appellant’s request for hearing.
- C.** The Office of Appeals shall send a notice of hearing to all parties at least 20 days before the hearing date, unless a request for an earlier hearing date is granted under subsection (B).
- D.** The notice of hearing shall be in writing and shall:
1. Advise the appellant or the appellant’s representative of the name, address, and phone number to notify the Office of Appeals in the event it is not possible for the appellant to attend the hearing;



2. Specify that the Office of Appeals will dismiss the hearing request if the appellant or the appellant's representative fails to appear for the hearing without good cause;
3. Include the Office of Appeals hearing procedures and any other information that would provide the appellant with an understanding of the proceedings and that would contribute to the effective presentation of the appellant's case; which shall include a pre-hearing summary prepared by the Department, and
4. Explain that the appellant or the appellant's representative shall be given adequate opportunity to:
 - a. Examine all documents and records to be used at the hearing at a reasonable time before the date of the hearing as well as during the hearing. The contents of the case file including the application form and documents of verification used by the Department to establish the household's ineligibility or eligibility and allotment shall be made available, provided that confidential information, such as the names of individuals who have disclosed information about the household without its knowledge or the nature or status of pending criminal prosecutions, is protected from release. If requested by the household or its representative, the Department shall provide a free copy of the portions of the case file that are relevant to the hearing. Confidential information that is protected from release and other documents or records which the household will not otherwise have an opportunity to contest or challenge shall not be introduced at the hearing or affect the hearing official's decision.
 - b. Present the case or have it presented by legal counsel or other person.
 - c. Present witnesses.
 - d. Advance arguments without undue interference.
 - e. Question or refute any testimony or evidence, including an opportunity to confront and cross-examine adverse witnesses.
 - f. Submit evidence to establish all pertinent facts and circumstances in the case.
5. The notice shall include information about the availability of free community legal services.

R6-14-406. Postponing the Hearing

- A. The appellant may request and is entitled to receive one postponement of the first scheduled hearing. The postponement shall not exceed 30 days and the time limit for action on the decision may be extended for as many days as the hearing is postponed. The Office of Appeals may grant subsequent postponements upon a showing of good cause.
- B. When the Office of Appeals reschedules a hearing under this Section, the Office of Appeals shall send the notice of rescheduled hearing at least 11 days prior to the date of the rescheduled hearing, unless the appellant agrees to shorter notice.

R6-14-407. Hearing Officer: Duties and Qualifications

- A. An impartial hearing officer in the Office of Appeals shall conduct all hearings.
- B. The hearing officer shall:
 1. Administer oaths and affirmations;
 2. Regulate the conduct and course of the hearing consistent with due process to insure an orderly hearing;
 3. Consider all relevant issues;
 4. Request, receive, and admit into the record all evidence determined necessary to decide the issues being raised;
 5. Order, where relevant and useful, an independent medical assessment or professional evaluation from a source mutually satisfactory to the household and the Department. The hearing officer shall decide on the source of the medical assessment or professional evaluation when the household and the Department are unable to agree on a mutually satisfactory source. The Department shall pay for the medical assessment or professional evaluation when such services are not available to the household as part of the household's current health insurance coverage; and
 6. Render a hearing decision and issue a written decision.

R6-14-408. Change of Hearing Officer: Challenges for Cause

- A. A party may request a change of hearing officer as prescribed in A.R.S. § 41-1992(B) by filing an affidavit that includes:
 1. The case name and number,
 2. The hearing officer assigned to the case, and
 3. The name and signature of the party requesting the change.
- B. The party requesting the change shall file the affidavit with the Office of Appeals and send a copy to all other parties at least five days before the hearing date.
- C. A party shall request only one change of hearing officer unless that party is challenging a hearing officer for cause under subsection (E).
- D. A party may not request a change of hearing officer once the hearing officer has heard and decided a motion except as provided in subsection (E).
- E. At any time before a hearing officer renders a final decision under R6-14-414, a party may challenge a hearing officer on the grounds that the hearing officer is not impartial or disinterested in the case.
- F. A party who brings a challenge for cause shall file an affidavit as provided in subsection (A) and send a copy of the affidavit to all other parties. The affidavit shall explain the reason why the assigned hearing officer is not impartial or disinterested.
- G. When a party files an affidavit for a change in hearing officer as provided in subsection (F), the Office of Appeals shall assign another hearing officer to determine whether the hearing officer being challenged shall be removed, unless the hearing officer recuses himself or herself.
- H. The Office of Appeals shall transfer the case to another hearing officer when:
 1. A party requests a change as provided in subsections (A) through (D); or
 2. The hearing officer is removed for cause, as provided in subsections (E) through (G).
- I. The Office of Appeals shall send the parties written notice of the new hearing officer assignment.

R6-14-409. Subpoenas



- A. A party who wishes to have a witness testify at a hearing or to offer a particular document or item in evidence shall first attempt to obtain the witness or evidence by voluntary means.
- B. If the party cannot obtain the voluntary attendance of the witness or production of the evidence, the party may ask the assigned hearing officer to issue a subpoena for a witness, document, or other physical evidence or to otherwise obtain the requested evidence. Subpoena forms are available to the appellant under R6-14-410(2).
- C. The party seeking the subpoena shall send the hearing officer a written request for a subpoena. The request shall include:
 - 1. The case name and number;
 - 2. The name of the party requesting the subpoena;
 - 3. The name and address of any person to be subpoenaed;
 - 4. A description of any documents or physical evidence the appellant desires the hearing officer to subpoena, including the title, appearance, and location of the item if the appellant knows its location, and the name and address of the person in possession of the item;
 - 5. A statement about the expected substance of the testimony or other evidence as well as the relevance and importance of the requested testimony or other evidence; and
 - 6. A description of the party's efforts to obtain the witness or evidence by voluntary means.
- D. A party shall request a subpoena at least five work days before the hearing date.
- E. The hearing officer shall deny the request if the witness's testimony or the physical evidence is not relevant to an issue in the case or is duplicative.
- F. The Office of Appeals shall prepare all subpoenas and serve them by mail, except that the Office of Appeals may serve subpoenas on state employees who are appearing in the course of their jobs, by regular mail, hand-delivered mail, e-mail, or interoffice mail.

R6-14-410. Parties' Rights

The appellant and the Department have the following rights:

- 1. The right to request a postponement of the hearing;
- 2. The right to receive before and during the hearing a free copy of any documents in the Department's file on the appellant and documents the Department may use at the hearing, except documents protected by the attorney-client or work-product privilege or as otherwise protected by federal or state confidentiality laws;
- 3. The right to request a change of hearing officer;
- 4. The right to request subpoenas for witnesses and evidence;
- 5. The right to be represented by an authorized representative, subject to any limitations on the unauthorized practice of law in the Rules of the Supreme Court of Arizona, Rule 31;
- 6. The right to bring witnesses, present evidence and to confront and cross-examine adverse witnesses;
- 7. The right to advance arguments without undue interference, to question or refute any testimony or evidence, and
- 8. The right to further appeal, as provided in R6-14-416 and R6-14-417, if dissatisfied with the Office of Appeals decision.

R6-14-411. Withdrawal of an Appeal

- A. An appellant may withdraw an appeal at any time prior to the time the hearing officer issues a decision.
 - 1. An appellant may withdraw an appeal orally, either in person or by telephone. The Department may record the audio of the withdrawal. The Department is prohibited from coercion or actions that would influence the person or their representative to withdraw the fair hearing request. The Department must provide a written notice within 10 days of the oral request confirming the withdrawal request and providing the person an opportunity to reinstate a hearing. The notice shall explain the person's right to request or reinstate the hearing within 10 days of when they receive the notice.
 - 2. An appellant may withdraw an appeal by signing a written statement expressing the intent to withdraw. The Department shall make a withdrawal form available for this purpose.
- B. The Office of Appeals shall dismiss the appeal when the appellant or the appellant's representative provides a signed withdrawal request to the Department or to the hearing officer prior to the issuance of a hearing decision or when the appellant or the appellant's representative makes such a request on the record during a hearing.

R6-14-412. Failure to Appear; Default; Reopening

- A. If an appellant fails to appear at the hearing, the hearing officer shall:
 - 1. Enter a default and issue a decision dismissing the appeal, except as provided in subsection (B);
 - 2. Rule summarily on the available record; or
 - 3. Adjourn the hearing to a later date and time.
- B. The hearing officer shall not enter a default or rule summarily if the appellant notifies the Office of Appeals before the scheduled time of hearing that the appellant cannot attend the hearing because of good cause and still desires a hearing or wishes to have the matter considered on the available record. Good cause exists if circumstances beyond the party's reasonable control make it unduly difficult or burdensome for the party or the party's representative to attend the hearing at the scheduled time.
- C. A party who did not appear at the hearing may file a request to reopen the proceedings no later than 10 days after the hearing. The request shall be in writing or be made in person and shall demonstrate good cause for the party's failure to appear.
- D. If the hearing officer finds that the party had good cause for failure to appear, the hearing officer shall reopen the proceedings and schedule a new hearing with notice to all interested parties as prescribed in R6-14-405.
- E. Good cause, for the purpose of reopening a hearing, is established if the failure to appear at the hearing and the failure to timely notify the hearing officer were beyond the reasonable control of the nonappearing party. Good cause also exists when the nonappearing party demonstrates excusable neglect, as used in Arizona Rules of Civil Procedure, Rule 60(b)(1) for both the failure to appear and the failure to timely notify the hearing officer.

R6-14-413. Hearing Proceedings



- A. The hearing is a de novo proceeding. The Department has the initial burden of presenting the evidence to support the adverse action being appealed.
- B. The standard of proof is a preponderance of the evidence.
- C. The Arizona Rules of Evidence do not apply at the hearing. The hearing officer may admit and give probative effect to evidence as prescribed in A.R.S. § 41-1062(A).
- D. The Office of Appeals shall audio record all hearings. The Office of Appeals shall also transcribe the proceedings when a transcription is requested by the Appeals Board or when a transcription is required for judicial review under A.R.S. § 41-1993. If a transcript is prepared for any purpose, the appellant is entitled to a copy of the transcription at no cost.
- E. A party may, at the party's own expense, arrange to have a court reporter present to transcribe the hearing, provided that such transcription does not delay or interfere with the hearing. The Office of Appeal's recording of the hearing shall constitute the official record of the hearing.
- F. The hearing officer shall call the hearing to order and dispose of any prehearing motions or issues.
- G. With the consent of the hearing officer, the parties may stipulate to factual findings or legal conclusions.
- H. Upon request and with the consent of the hearing officer, a party may make opening and closing statements. The hearing officer shall consider any statements as argument and not evidence.
- I. A party may testify, present evidence, call witnesses, cross-examine adverse witnesses, and object to evidence. The hearing officer may also take witness testimony or admit evidence on the hearing officer's own motion.
- J. The hearing officer shall keep a complete record of all proceedings in connection with an appeal.
- K. The hearing officer may request the parties to submit memoranda on issues in the case if the hearing officer finds that the memoranda would assist the hearing officer in deciding the case. The hearing officer shall establish a briefing schedule for any required memoranda.
- L. The recording of the hearing, all the evidence presented at the hearing and all papers and requests filed shall constitute the record and shall be available to the household or its representative at any reasonable time for copying and inspection.

R6-14-414. Hearing Decision

- A. No later than 60 days after the date the appellant files a request for hearing with the Department, the hearing officer shall render a decision based solely on the evidence and testimony produced at the hearing and the applicable law. The 60-day time limit is extended for any delay necessary to accommodate hearing continuances or extensions, or postponements requested by a party.
- B. The hearing decision shall include:
 1. Findings of fact concerning the issue on appeal.
 2. Citations to the law and authority applicable to the issue on appeal.
 3. A statement of the conclusions derived from the controlling facts and law and the reasons for the conclusions.
 4. The name of the hearing officer.
 5. The date of the decision.
 6. A statement of further appeal rights, a statement of the process required to initiate a further appeal, and the time period for exercising those rights, and
 7. That an appeal may result in a reversal of the decision.
- C. The Office of Appeals shall send a copy of the decision to each party or the party's representative.
- D. When requested by the appellant, the Department, or upon the hearing officer's own motion, the Office of Appeals may amend or vacate a decision to correct clerical errors, including typographical and computational errors.

R6-14-415. Effect of the Decision

- A. If the hearing officer affirms the adverse action against the appellant, the adverse action is effective as of the date of the initial determination of adverse action by the Department. The adverse action remains effective until the appellant appeals and obtains a higher administrative or judicial decision reversing or vacating the hearing officer's decision.
- B. If the hearing officer vacates or reverses the Department's decision to take adverse action, the Department shall not take the action or shall reverse any adverse action.

R6-14-416. Further Administrative Appeal

- A. A party can appeal an adverse decision issued by a hearing officer to the Department's Appeals Board as prescribed in A.R.S. § 41-1992(C) and (D) by filing a written petition for review with the Office of Appeals within 15 days of the mailing or transmittal date of the hearing officer's decision.
- B. The petition for review shall:
 1. Be in writing and filed in person or by mail or fax.
 2. Describe why the party disagrees with the hearing officer's decision, and
 3. Be signed and dated by the party or the party's representative.

R6-14-417. Appeals Board

- A. The Appeals Board shall conduct proceedings in accordance with A.R.S. §§ 41-1992(D) and 23-672.
- B. The Appeals Board shall issue to all parties a final written decision affirming, reversing, setting aside, or modifying the hearing officer's decision based on the record. The decision of the Appeals Board shall specify the parties' rights to further review and the time for filing an application for appeal.
- C. An appellant adversely affected by an Appeals Board decision may seek judicial review under A.R.S. § 41-1993.

ARTICLE 5. EXPIRED INTENTIONAL PROGRAM VIOLATION

R6-14-501. Expired Intentional Program Violations (IPV): Defined

- A. An Intentional Program Violation (IPV) consists of having intentionally:
 1. Made a false or misleading statement, or misrepresented, concealed or withheld facts; or



- 2. Committed any act that constitutes a violation of the Food and Nutrition Act, the Supplemental Nutrition Assistance Program Regulations, or any State statute for the purpose of using, presenting, transferring, acquiring, receiving, possessing or trafficking of Supplemental Nutrition Assistance Program benefits or Electronic Benefit Transfer (EBT) cards. In Arizona, the name of the Supplemental Nutrition Assistance Program is the Nutrition Assistance Program.
- B.** For the purpose of imposing sanctions as prescribed in R6-14-505, a person is considered to have committed an IPV if:
 - 1. A person signs a waiver of an Administrative Disqualification Hearing.
 - 2. A person is found to have committed an IPV by an Administrative Disqualification Hearing, or
 - 3. A person is convicted of a criminal offense the elements of which would constitute an IPV under subsection A above or enters into a disqualification consent agreement for deferred prosecution for fraud in a court of law.

R6-14-502. ~~Expired~~IPV Administrative Disqualification Hearings; Hearing Waiver

- A.** Upon receipt of sufficient documentary evidence substantiating that a person has committed an IPV, the Department shall initiate either an Administrative Disqualification Hearing, or a referral for prosecution.
- B.** When the Department initiates an Administrative Disqualification Hearing, the Department shall mail the person suspected of an IPV written notice of the right to waive the Administrative Disqualification Hearing. This notice shall be sent either by first class mail or certified mail – return receipt requested.
- C.** The waiver notice of the Administrative Disqualification Hearing shall include the following information as well as the information described in R6-14-503 (D):
 - 1. A statement that the Department has determined that the individual suspected of the IPV committed one or more acts described in R6-14-501(A) and that the Department has initiated an Administrative Disqualification Hearing against the individual suspected of the IPV.
 - 2. A summary of the allegations and evidence against the individual suspected of the IPV and notification that the individual suspected of the IPV has the right to examine and, when requested by the individual or representative, be provided a free copy of the portions of the case file that are relevant to the hearing.
 - 3. A statement of the right of the individual suspected of the IPV to remain silent concerning the allegation of an IPV, and that anything said or signed by the individual concerning the allegations can be used against the individual suspected of the IPV in a court of law, including signing any part of the waiver.
 - 4. A statement that signing a waiver of the Administrative Disqualification Hearing will result in disqualification periods as determined by section R6-14-505, a statement of the penalty the Department believes is applicable to the case scheduled for a hearing and a reduction in benefits for the period of disqualification, even if the individual suspected of the IPV does not admit to the facts as presented by the Department.
 - 5. A statement that the individual suspected of the IPV does not have to sign a waiver of the Administrative Disqualification Hearing, return the waiver form to the Department or speak to anyone at the Department.
 - 6. A statement of the fair hearing rights of the individual suspected of the IPV and notification that these rights are waived when the individual suspected of the IPV submits a signed waiver of the Administrative Disqualification Hearing form.
 - 7. A statement that waiver of the Administrative Disqualification Hearing does not preclude the State or Federal Government from prosecuting the individual suspected of the IPV for the IPV in a civil or criminal court action, or from collecting any over issuance of Nutrition Assistance benefits.
 - 8. A statement that the individual suspected of the IPV may wish to consult an attorney and a list of any individuals or organizations that provide free legal representation.
 - 9. A statement that Nutrition Assistance benefits will continue and will only be terminated if the following occurs:
 - a. The individual suspected of the IPV signs a notice to waive their rights to an Administrative Disqualification Hearing.
 - b. There is an Administrative Disqualification Hearing decision that the individual suspected of the IPV is disqualified.
 - c. The individual is determined to no longer be eligible on other grounds, or
 - d. The individual requests that the Nutrition Assistance benefits not be continued in order to avoid a potential over issuance of benefits.
 - 10. A statement that the remaining adult household members, if any, will be held responsible for repayment of the resulting over issuance claim.
 - 11. An opportunity for the individual suspected of the IPV to specify whether or not the individual admits to the facts as presented by the Department. This opportunity shall consist of the following statements, and a method for the individual suspected of the IPV to designate the individual’s waiver choice:
 - a. I admit to the facts as presented and understand that a disqualification penalty will be imposed if I sign this waiver. I understand that if I sign this waiver, there will not be an Administrative Disqualification Hearing; or
 - b. I do not admit that the facts as presented are correct in my Nutrition Assistance case. However, I have chosen to sign this waiver of the Administrative Disqualification Hearing. I also understand that a disqualification penalty will be imposed. I understand that if I mark this box, I will not be able to submit additional evidence, have an Administrative Disqualification Hearing, or have the right to administrative appeal.
 - c. A statement that the individual suspected of the IPV does not waive the individual’s right to an Administrative Disqualification Hearing and a method to indicate this choice: I do not admit that I committed an Intentional Program Violation and I do not waive my right to an Administrative Disqualification Hearing where the Department must prove that I committed an Intentional Program Violation. I understand that I may attend the hearing but I am not required to attend. If I attend the hearing, I may talk to the judge about what happened. I understand that at my hearing, I can present additional evidence to the judge if I want. I understand that I have the right to remain silent. I understand that the judge will decide if I will be disqualified from participating in the Nutrition Assistance program.
 - 12. The telephone number of the appropriate Department unit that the individual may contact to obtain additional information.
 - 13. A due date that the signed waiver of an Administrative Disqualification Hearing must be provided to the Department so that a hearing will not be held and a signature block for the individual suspected of the IPV, along with a statement that the head of



household must also sign the waiver if the individual suspected of the IPV is not the head of household, with an appropriately designated signature block.

- D.** For the purpose of imposing sanctions as prescribed in R6-14-505, a timely signed waiver of an Administrative Disqualification Hearing shall have the same effect as an administrative adjudication that an IPV occurred.

R6-14-503. ~~Expired~~ Administrative Disqualification Hearings

- A.** The rules on fair hearings contained in Article 4 of this Chapter apply to Intentional Program Violation (IPV) Administrative Disqualification Hearings, except as provided in this Article.
- B.** All IPV Administrative Disqualification Hearings are conducted by the Department's Office of Appeals.
- C.** If the individual suspected of an IPV does not sign and return the waiver of Administrative Disqualification Hearing by the return date set in the waiver notice, or returns the waiver notice stating they do not waive the Administrative Disqualification Hearing, the Office of Appeals shall send the individual a written hearing notice. The Office of Appeals shall send the notice by first class mail, certified mail return receipt requested, or any other reliable method, no later than 30 days before the scheduled hearing date.
- D.** The hearing notice shall include the following information:
1. The date, time, and place of the hearing;
 2. The allegations of an IPV against the individual;
 3. A summary of the evidence, and how and where the evidence can be examined. When requested by the household or its representative, the Department shall provide a free copy of the portions of the case file that are relevant to the hearing;
 4. A notice that the decision will be based solely on information provided by the Department if the individual suspected of the IPV fails to appear at the hearing;
 5. A statement that the individual or representative will, upon receipt of the notice, have 10 days from the date of the scheduled hearing to present good cause for failure to appear in order to receive a new hearing;
 6. A warning that a determination of IPV will result in disqualification periods as defined by section R6-14-505, and a statement of which penalty the Department believes is applicable to the case scheduled for a hearing;
 7. A listing of the individual's rights as contained in R6-14-410;
 8. A statement that the Administrative Disqualification Hearing does not preclude the State or Federal Government from prosecuting the individual for the IPV in a civil or criminal court action, or from collecting any over issuance of Nutrition Assistance benefits; and
 9. A statement that the individual suspected of the IPV may consult with an attorney and a list of any individuals or organizations known to the Department that provide free legal representation;
 10. A notice that the individual suspected of the IPV has the right to obtain a copy of the Department's published hearing procedures together with an explanation of how the individual suspected of the IPV can obtain these procedures.
- E.** The hearing officer shall postpone a hearing for up to 30 days if the individual suspected of the IPV files a written or oral request for postponement with the hearing officer no later than 10 days before the hearing date. Any such postponement shall increase the time by which the hearing officer shall issue a decision, as provided in subsection (G) below.
- F.** The time and place for the hearing shall be arranged so that the hearing is accessible to the individual suspected of the IPV, including making reasonable accommodations for a person with a disability.
- G.** At the start of the Administrative Disqualification Hearing, the hearing officer shall advise the individual suspected of the IPV or representative of the right to remain silent during the hearing and the consequences of exercising that right, including the court's ability to draw an adverse inference from silence. The hearing officer shall also advise that if the individual suspected of the IPV or representative chooses not to exercise the right to remain silent, anything they say may be used against them.
- H.** A hearing officer, as prescribed in R6-14-407, shall conduct the Administrative Disqualification Hearing pursuant to the procedures set forth in R6-14-408, R6-14-409, R6-14-410 and R6-14-413, except as prescribed in this subsection.
- I.** The Department shall prove by clear and convincing evidence that the household member committed an IPV.
- J.** No later than 90 days from the date of the notice of hearing, as increased by any postponement days, the hearing officer shall send to the individual suspected of the IPV a written decision. The hearing officer shall find whether the evidence shows by clear and convincing evidence that the person committed an IPV or did not commit the IPV. The decision shall specify the reasons for the decision, identify the supporting evidence, identify the pertinent regulation, and respond to reasoned arguments made by the individual suspected of the IPV or representative.

R6-14-504. ~~Expired~~ Failure to Appear; Default; Reopening

- A.** If the individual suspected of the IPV fails to appear at the Administrative Disqualification Hearing without good cause, the hearing officer shall conduct the hearing.
- B.** The hearing officer shall not conduct the hearing if the individual suspected of the IPV notifies the Office of Appeals before the hearing that the individual cannot attend the hearing because of good cause and still desires a hearing. Good cause exists if circumstances beyond the party's reasonable control make it unduly difficult or burdensome for the party or the party's representative to attend the hearing on the scheduled date.
- C.** An individual suspected of the IPV who did not appear at the hearing may file a request to reopen the Administrative Disqualification Hearing. The request shall be in writing and shall demonstrate good cause for the party's failure to appear.
1. The individual suspected of the IPV has 30 days after the date of the written notice of the hearing decision to file a request to reopen the Administrative Disqualification Hearing if the individual did not receive a hearing notice.
 2. In all other instances, the individual suspected of the IPV has 10 days from the hearing date to show good cause why the individual failed to appear.
- D.** The hearing officer shall review the good cause reason submitted by the individual suspected of the IPV and unless the hearing officer can grant or deny the request based on the information provided, shall set the matter for a hearing to determine whether the individual suspected of the IPV had good cause for failing to appear.



- E.** If the hearing officer finds that the individual suspected of the IPV had good cause for failure to appear, the previous decision shall be vacated and the hearing officer shall reopen the Administrative Disqualification Hearing and schedule a new hearing with notice to all parties. The hearing officer must enter the good cause decision on the record.
- F.** Good cause, for the purpose of reopening an Administrative Disqualification Hearing, is established if the failure to appear at the hearing and the failure to timely notify the hearing officer were beyond the reasonable control of the individual suspected of the IPV. Good cause also exists when the individual suspected of the IPV demonstrates excusable neglect for both the failure to appear and the failure to timely notify the hearing officer. "Excusable neglect" means an action involving an error such as might be made by a reasonably prudent person who attempts to handle a matter in a prompt and diligent fashion.

R6-14-505. ~~Expired~~ Disqualification Sanctions: Notice

- A.** A person found to have committed an IPV is disqualified from program participation:
1. For a period of 12 months for the first IPV, except as provided under subsections (B) through (E) of this section.
 2. For a period of 24 months for the second IPV, except as provided in subsections (B) through (E) of this section; and
 3. Permanently for the third IPV.
 4. The same act of IPV repeated over a period of time shall not be separated so that separate penalties can be imposed.
- B.** Individuals found by any court to have used or received benefits in a transaction involving the sale of a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802), shall be ineligible to participate in the program:
1. For a period of 24 months for the first violation; and
 2. Permanently upon the second violation.
- C.** Individuals found by any court to have used or received benefits in a transaction involving the sale of firearms, ammunition or explosives shall be permanently ineligible to participate in the program upon the first violation.
- D.** An individual convicted by any court of having trafficked benefits for an aggregate amount of \$500 or more shall be permanently ineligible to participate in the program upon the first violation.
- E.** Except as provided under subsection (A) (3) of this section, an individual found to have made a fraudulent statement or representation with respect to the identity or place of residence of the individual in order to receive multiple Nutrition Assistance benefits simultaneously shall be ineligible to participate in the program for 10 years.
- F.** Upon a determination of IPV, the Department shall notify the disqualified person in writing of the pending disqualification. The written notice shall:
1. Inform the disqualified person of the decision and the reasons for the decision; and
 2. Inform the disqualified person of the date the disqualification will take effect and the duration of the disqualification.
- G.** When determining the eligibility and benefit level for the remaining eligible members of the household, the Department shall count the income and resources of the disqualified person in their entirety and the entire household's allowable earned income, standard, medical, dependent care, child support, and excess shelter deductions shall continue to apply to the remaining household members. The Department shall not include the ineligible member when determining the household's size for the purposes of:
1. Assigning a benefit level to the household;
 2. Assigning a standard deduction to the household;
 3. Comparing the household's monthly income with the income eligibility standards; or
 4. Comparing the household's resources with the resource eligibility limits.

R6-14-506. ~~Expired~~ Administrative Disqualification Hearings or Waiver of the Right to a Hearing: Appeal

- A.** Upon a determination of IPV through a signed waiver of an Administrative Disqualification Hearing, the individual has no right to further administrative appeal. The individual may seek relief in a court having jurisdiction and may seek a stay or other injunctive relief of a period of disqualification.
- B.** A person found through an Administrative Disqualification Hearing decision to have committed an IPV can appeal the decision as provided in R6-14-416 (A) to the Appeals Board as provided in R6-14-417.
- C.** The petition for review shall:
1. Be in writing and filed in person or by mail or fax.
 2. Describe why the appellant disagrees with the hearing officer's decision, and
 3. Be signed and dated by the appellant or the appellant's representative.

R6-14-507. ~~Expired~~ Honoring Out-of-State IPV Determinations and Sanctions

The Department shall honor sanctions imposed against an applicant or recipient by the agency of another state that administers the Supplemental Nutrition Assistance Program and shall consider prior violations committed in another state when determining the appropriate sanction.



Telephone: (602) 262-5601
Fax: (602) 262-5620
E-mail: DRandolph@azcc.gov
Web site: www.azcc.gov

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

The Commission has scheduled the following oral proceeding for public comments:

Date: November 19, 2018
Time: 10:00 a.m.
Location: Arizona Corporation Commission
Hearing Room to be determined
1200 W. Washington St.
Phoenix, AZ 85007
Nature: Public Comment Hearing

Written comments can be submitted on or before November 19, 2018, to the Commission's Docket Control at the address listed above. Please reference Docket No. RG-00000A-18-0290 on all documents.

Oral comments may be provided at the proceedings on November 19, 2018, at 10:00 a.m.

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

None

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

Not applicable

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:

Not applicable

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

Not applicable

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

Not applicable

13. The full text of the rules follows:

TITLE 14. PUBLIC SERVICE CORPORATIONS; CORPORATIONS AND ASSOCIATIONS; SECURITIES REGULATION

CHAPTER 5. CORPORATION COMMISSION – TRANSPORTATION

ARTICLE 2. PIPELINE SAFETY

Sections

- R14-5-201. Definitions
R14-5-202. Construction and Safety Standards for Gas, LNG, and Hazardous Liquid Pipeline Systems
R14-5-204. Annual Reports

ARTICLE 2. PIPELINE SAFETY

R14-5-201. Definitions

As used in this Article:

- 1. No change
2. No change
3. No change
4. No change
5. No change
6. No change
7. No change
8. No change
9. No change
10. No change
11. No change
12. No change
13. No change
14. No change



15. No change
16. “Office of Pipeline Safety” means the Commission personnel assigned to perform the Commission’s day-to-day activities under A.R.S. Title 40, Chapter 2, Article 10, who are headquartered at ~~2200 N. Central Ave., Suite 300, Phoenix, AZ 85004~~ 1300 W. Washington Street, Suite 220 Phoenix, AZ 85007 and whose contact information is available at <http://www.azcc.gov/Divisions/Safety>.
17. No change
18. No change
19. No change
20. No change
21. No change
22. No change
23. No change
24. No change
25. No change
26. No change
27. No change
28. No change
29. No change
30. No change
31. No change
32. No change

R14-5-202. Construction and Safety Standards for Gas, LNG, and Hazardous Liquid Pipeline Systems

- A. No change
- B. Subject to the definitional changes in R14-5-201 and the modifications noted in this Section, the Commission adopts, incorporates, and approves as its own 49 CFR 40; 191; 192, except (I)(A)(2) and (3) of Appendix D to Part 192; 193; 195, except 195.1(b)(2), (3), and (4); and 199 (October 1, ~~2015~~ 2017), including no future editions or amendments, which are incorporated by reference; on file with the Office of Pipeline Safety; and published by and available from the U.S. Government Printing Office, 710 North Capital Street N.W., Washington DC 20401, and at <http://www.gpo.gov/fdsys/>. For purposes of 49 CFR 192, “Business District” means an area where the public congregate for economic, industrial, religious, educational, health, or recreational purposes and two or more buildings used for these purposes are located within 100 yards of each other.
- C. No change
- D. No change
- E. No change
- F. No change
- G. No change
- H. No change
- I. No change
- J. No change
- K. No change
- L. No change
- M. No change
- N. No change
- O. No change
- P. No change
- Q. No change
- R. No change
- S. No change
- T. No change
- U. No change
- V. No change
- W. No change
- X. No change

R14-5-204. Annual Reports

- A. An operator of an intrastate pipeline shall file with the Office of Pipeline Safety, not later than March 15, for the preceding calendar year, an annual report completed using one of the following, as applicable, which are incorporated by reference; on file with the Office of Pipeline Safety; and published by and available from PHMSA as provided in R14-5-203(C)(2):
 1. No change
 2. Form PHMSA F 7100.1-1: Annual Report for Calendar Year 20__ Gas Distribution System (~~May 2015~~ January 2017), including no future editions or amendments, which shall be completed in accordance with the PHMSA instructions for the form;
 3. No change
 4. Form PHMSA F 7100.3-1: Annual Report for Calendar Year 20__ Liquefied Natural Gas (LNG) Facilities (~~October 2014~~ August 2017), including no future editions or amendments, which shall be completed in accordance with the PHMSA instructions for the form.
- B. No change



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 12. NATURAL RESOURCES
CHAPTER 4. GAME AND FISH COMMISSION

[R18-216]

PREAMBLE

1. Citations to the agency's Notice of Rulemaking Docket Opening, the 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 to include the as specified in R1-1-409(A):

- Notice of Rulemaking Docket Opening: 24 A.A.R. 577, March 16, 2018
Notice of Proposed Rulemaking: 24 A.A.R. 529, March 16, 2018
Notice of Supplemental Proposed Rulemaking: 24 A.A.R. 1936, July 13, 2018

Table with 2 columns: Article, Part, or Section Affected (as applicable) and Rulemaking Action. Lists various rule numbers (R12-4-101 to R12-4-401) and their corresponding actions (Amend, New Section, Repeal).

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

- Authorizing statute: A.R.S. § 17-231(A)(1)
Implementing statute: A.R.S. §§ 13-3107, 13-3108, 17-102, 17-211(E)(4), 17-231(A)(1), 17-231(A)(2), 17-231(A)(3), 17-231(A)(4), 17-231(B)(8), 17-232, 17-233, 17-234, 17-235, 17-236, 17-239, 17-251, 17-301, 17-302, 17-305, 17-306, 17-307, 17-309, 17-331, 17-332, 17-333, 17-333.02, 17-335, 17-346, 17-361, and 17-371

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

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

Please visit the Department's website to track the progress of this rule; view the regulatory agenda and all previous Five-year Review Reports; and learn about any other agency rulemaking matters at <https://www.azgfd.com/agency/rulemaking/>.

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 Arizona Game and Fish Commission proposes to amend its Article 3 rules, governing the taking and handling of wildlife, to enact amendments developed during the preceding Five-year Review Report. The amendments proposed in the five-year review report are designed to clarify current rule language; protect public health and safety and private property rights; facilitate job growth and economic development; support Fair Chase principles and the tenets of the North American Model of Wildlife Conservation; enable the Department to provide better customer service; and reduce regulatory and administrative burdens wherever possible. After evaluating the scope and effectiveness of the proposed amendments specified in the review, the Commission proposes additional amendments to further implement the original proposals.

Arizona's great abundance and diversity of native wildlife can be attributed to careful management and the important role of the conservation programs the Arizona Game and Fish Department has developed. The Department's management of both game and nongame species as a public resource depends on sound science and active management. As trustee, the state has no power to delegate its trust duties and no freedom to transfer trust ownership or management of assets to private establishments. Without strict agency oversight and management, the fate of many of our native species would be in jeopardy. Wildlife can be owned by no individual and is held by the state in trust for all the people.

An exemption from Executive Order 2015-01 was provided for this rulemaking by Hunter Moore, Natural Resource Policy Advisor, Governor's Office, in an email dated August 22, 2017.

In addition to replacing the term "buffalo" with "bison" and "individual" with "person", nonsubstantive amendments made to make rules clearer and more concise; the Commission proposes the following substantive amendments:

R12-4-101. Definitions

The objective of the rule is to establish definitions that assist persons regulated by the rule and members of the public in understanding the unique terms that are used throughout 12 A.A.C. 4. Game and Fish Commission Rules. The rule was adopted to facilitate consistent interpretation of Commission rules and to prevent persons regulated by the rule from misinterpreting the intent of Commission rules.

Because the terms "cervid," "nonprofit organization," and "person" are used in multiple Game and Fish Commission rules, the Commission proposes to amend the rule to define these terms under R12-4-101. The Commission proposes to amend the rule to define terms used in multiple Game and Fish Commission rules and Commission Orders: "bow," "crossbow," and "handgun." Defining these terms will aid in facilitating a consistent interpretation of Commission Orders and rules. In addition, the Commission proposes to amend the rule to define "export" and "import" to reduce regulatory ambiguity. It is often assumed the terms "import" and "export" mean something is being brought into or taken out of the country. For the purposes of Game and Fish Commission rules, "import" and "export" mean something is being brought into or taken out of the State. These changes are proposed as a result of customer comments received by the Department.

The Commission proposes to amend the rule to replace the term "animal" with "wildlife" to make the rule more concise.

R12-4-216. Crossbow Permit

The objective of the rule is to establish eligibility requirements, conditions, and restrictions for the crossbow permit. The permit allows a person, who cannot draw and hold a bow, to use a crossbow during an archery-only hunt.

The Commission proposes to amend the rule to allow a Crossbow Permit holder to use a pre-charged pneumatic weapon, as defined under R12-4-301, using bolts or arrows and with a capacity of holding and firing only one arrow or bolt at a time during an archery-only season. This change is proposed as a result of customer comments received by the Department.

R12-4-301. Definitions

The objective of the rule is to establish definitions that assist persons regulated by the rule and members of the public in understanding the unique terms that are used throughout Article 3. The rule was adopted to facilitate consistent interpretation of Article 3 rules and to prevent persons regulated by the rule from misinterpreting the intent of Commission rules.

The Commission proposes to amend the definition of "administer" to remove the phrase "pursue, capture, or otherwise restraining wildlife" as the language is unnecessarily restrictive.

In recent years, due to the affordability and availability of drones, their use has significantly increased. While the definition of "aircraft" includes any lighter-than-air contrivance designed for flight, confusion remains as to whether a drone is considered an aircraft. The Commission proposes to amend the definition of "aircraft" to clearly state that drones are considered aircraft.

Many anglers believe scented, flavored, and chemically treated devices are legal artificial lures because the definition of "artificial lures" does not specifically address them. Since this definition was adopted, the popularity of these types of baits, often marketed as "lures" and "artificial," has increased; and their use is causing unacceptable mortality rates in released trout caught in



some catch-and-release waters. The Commission proposes to amend the definition to clearly state that artificial flies and lures does not include chemical and organic attractants. The purpose of restricting scented, flavored, and chemically treated flies and lures is to minimize the mortality of fish, particularly trout mortalities because trout tend to gulp the lure deeper, resulting in a 30 to 90% mortality rate after being released. In addition, the Commission proposes to amend the definition of “artificial lures and flies” to increase consistency between Commission rules, Commission Orders and public outreach materials; Commission rules use the phrase “artificial lures and flies;” Commission Orders, and all other public outreach materials use the phrase “artificial flies and lures.”

The Commission proposes to repeal the definition of “cervid.” Because the term is used in multiple Game and Fish Commission rules, the Commission intends to define this term under R12-4-101.

Under A.R.S. § 13-3102(A)(4), a person commits misconduct involving weapons by knowingly possessing a deadly weapon or prohibited weapon if such person is a prohibited possessor. Under A.R.S. § 13-3101(A)(1), “deadly weapon” means anything that is designed for lethal use. As a result of amendments made to R12-4-303 (Unlawful Devices, Methods, and Ammunition), the Commission proposes to define “deadly weapon,” “prohibited possessor,” and “prohibited weapon.”

The Commission also proposes to define “edible portions of game meat” to increase consistency between statute, Commission Orders, and rules. While A.R.S. § 17-340 defines edible portions of bighorn sheep, bison, deer, elk, game fish, javelina, migratory game birds, pronghorn antelope, upland game birds, and wild turkey, the statute does not address bear or mountain lion, which are considered big game. This change is in response to customer comments received by the Department.

A.R.S. §§ 17-231(A)(3) and 17-301(D)(2) authorizes the Commission to adopt rules establishing the taking of wildlife with firearms, fishing equipment, archery equipment, or other implements in hand as may be defined. The Commission also proposes to amend the rule to define “device,” “hybrid device,” “muzzleloading shotgun,” “pneumatic weapon,” “rifle,” and “shotgun.” Defining these terms will aid in facilitating a consistent interpretation of Commission Orders and rules.

In addition, the Commission is aware of devices that use lasers and computers that enable a person with no hunting or shooting experience to easily hit a target up to 500 yards away. As a result of amendments made to R12-4-303 (Unlawful Devices, Methods, and Ammunition), the Commission proposes to define “smart device.” This change is in response to customer comments received by the Department.

R12-4-302. Use of Tags

The objective of the rule is to establish requirements for the possession and lawful use of tags issued by the Department. A.R.S. § 17-332 authorizes the Commission to prescribe the manner in which a licensee shall attach a tag to a big game animal. The rule was adopted to establish the manner and method in which a person shall attach a tag to wildlife and ensure consistent interpretation of and compliance with A.R.S. § 17-332.

The Commission is aware of a problem with the enforcement of the rule. The rule establishes that only the hunter listed on the tag shall use the tag and attach it to game lawfully harvested by the hunter listed on the tag. When two persons are hunting, and knowingly deviate from this mandate - both parties are involved in the violation. There is a circumstance within the current rule that results in only one of the two persons unlawfully using a tag to be in violation of the rule. For example: Hunter A harvests an elk. Hunter A then allows Hunter B to place Hunter B's tag on the elk, enabling Hunter A to continue hunting for another elk after having reached their bag limit for elk. Even though both parties were involved in the unlawful tagging of the elk, only Hunter B would be cited under this rule. The Commission proposes to amend the rule to establish that it is unlawful for a person to allow another person's tag to be attached to wildlife that person harvested.

The Commission proposes to amend the rule to replace the term “hunt area” with “taking wildlife” to clarify unlawful uses of a tag.

R12-4-303. Unlawful Devices, Methods, and Ammunition

The objective of the rule is to establish those devices, methods, and ammunition that are unlawful for taking of any wildlife in Arizona. A.R.S. § 17-301(D)(2) authorizes the Commission to adopt rules establishing the taking of wildlife with firearms, archery equipment, or other implements in hand as may be defined. The rule was adopted to establish methods and devices that are unlawful for the take of wildlife and ensure consistent interpretation of and compliance with § 17-301(D)(2). The Commission believes the reason the rule exists is to prohibit those devices and methods that compromise safe hunting practices or the spirit of fair chase. “Fair Chase” means the ethical and lawful pursuit and take of free-range wildlife in a manner that does not give the hunter or angler improper or unfair advantage over such wildlife. The following criteria are used to evaluate whether a new technology or practice violates the Fair Chase ethic; does the technology or practice allow a hunter or angler to: locate or take wildlife without acquiring necessary hunting and angling skills or competency; pursue or take wildlife without being physically present and pursuing wildlife in the field; or almost guarantee the harvest of wildlife when the technology or practice prevents wildlife from eluding take.

The Commission is aware that confusion exists regarding the use of full-jacketed ammunition. Full-jacketed ammunition is sold by sporting goods stores and is often labeled by the manufacturer for use in target practice, but there are manufacturers who also label the ammunition for use in hunting. Confusion exists because full-jacketed ammunition is readily available in sporting goods stores and the rule prohibits the use of full-jacketed ammunition “designed for military use.” A person could assume the ammunition sold by a sporting goods store may be used for hunting purposes because it is readily available to the public for purchase. The use of full-jacketed ammunition for hunting is prohibited because it does not create a substantial wound for the humane harvest of big game. The uniform and aerodynamic design means the ammunition is more likely to penetrate the animal and keep going out the other side, possibly injuring people or wildlife farther downrange and leaving only a small wound in the big game animal, resulting in wounding loss. This would impact hunter opportunity, because a person who wounds a big game animal may not be aware the animal was wounded and may continue to hunt and possibly wound or take another big game animal. Ammunition designed to expand creates a wound cavity and slows the bullet down so that it will not continue beyond the target with much



force, if at all. The Commission proposes to amend the rule to remove and specify that any ammunition that does not expand on impact shall not be used for the take of big game to make the rule more concise. This change also allows the continued use of ammunition that does not expand for the take of small game, fur bearers, and predators. This change is in response to customer comments received by the Department.

The Commission is aware of arrows or bolts capable of being fitted with explosive tips that discharge upon impact, some allow the user to insert a bullet into a modified broadhead and others are manufactured with a small broadhead inside a shotgun shell. Under R12-4-303, a person is prohibited from using any projectile that contains explosives because the Commission believes they compromise the spirit of fair chase. The Commission proposes to amend the rule to include projectiles that contain a secondary propellant to proactively address emerging technology.

Due to technological advances in hunting scopes (for any lawful hunting device), the Commission proposes to clarify the rule to address laser range finders that project a non-visible light onto an animal. A laser distance meter emits a pulse of laser at a target. The pulse then reflects off the target and back to the sending device (in this case, a laser distance meter). This “time of flight” principle is based on the fact that laser light travels at a fairly constant speed through the Earth’s atmosphere. Inside the meter, a simple computer quickly calculates the distance to target. The Commission does not believe these types of hunting scopes compromise the spirit of fair chase because the hunter still must possess the necessary hunting skills or competency in order to take an animal. This change is in response to customer comments received by the Department.

Smart devices are becoming more prevalent in the firearm and hunting industries (devices equipped with a target-tracking system or an electronically-controlled, electronically-assisted, or computer-linked trigger or release). These smart devices enable a person with little or no experience to easily hit a target more than 500 yards away with very high accuracy; once a target is selected, the smart device controls the trigger mechanism and discharges only when the weapon is pointed at the designated target, taking into account dozens of variables, including wind, barometric pressure, elevation, inclination or declination, ballistic performance, etc. Normally, it takes years of practice to hit a target at that distance, but a smart device can make a person into a sharpshooter in a matter of hours or even less. Because the Commission believes these devices compromise the spirit of fair chase and the Commission’s Fair Chase Policy, the Commission proposes to amend the rule to prohibit the use a smart device while taking wildlife. This change is in response to customer comments received by the Department.

While the current use of self-guided ammunition is not popular due to limited availability and the high costs involved, the Commission believes it is necessary to proactively address concerns about the use of self-guided ammunition and prohibit its use for taking or aiding in the take of wildlife.

The Commission is aware of instances where a person will use a watercraft to chase and harass waterfowl in an effort to force the waterfowl to take flight so they may be hunted by another person. The Commission proposes to amend the rule to clarify federally prohibited activities to ensure consistent interpretation of A.R.S. § 17-301 as it applies to migratory birds and prevent persons from inadvertently violating federal regulations applicable to migratory bird hunting.

Under A.R.S. § 17-309(A)(4), it is unlawful to discharge a firearm while taking wildlife within one-fourth mile of an occupied farmhouse or other residence, cabin, lodge or building without permission of the owner or resident. Under R12-4-303(A)(3)(h), it is unlawful to discharge a pneumatic weapon .30 caliber or larger while taking wildlife within one-fourth mile of an occupied farmhouse or other residence, cabin, lodge or building without permission of the owner or resident. In addition, the Commission is aware of instances where a hunter who lives on the edge of a municipal boundary is unable to archery hunt on his own property because Commission Order closes areas within one-fourth mile of an occupied residence. For example, a hunter who lives on the edge of a forest boundary and who is miles away from the nearest residence is unable to archery hunt on their own property because of the location of their own home. In addition, the Commission and Department have received a number of complaints about persons archery hunting near their private property. The Commission proposes to amend the rule to prohibit the discharge of hybrid device, arrow, or bolt while taking wildlife within one-fourth mile of an occupied farmhouse or other residence, cabin, lodge or building without permission of the owner or resident, to increase consistency between statute and rules. This language mirrors statutory language under A.R.S. § 17-309, which prohibits a person from discharging a firearm while taking wildlife within one-fourth mile of an occupied farmhouse or other residence, cabin, lodge, or building without permission of the owner or resident. This change is in response to customer comments received by the Department.

In addition, the Commission is aware confusion exists as to what distance constitutes “one-fourth mile” and “one-half mile.” The Commission proposes to clarify this distance by also referencing this distance in yards (440 or 880, as applicable) to reduce regulatory uncertainty. This change is in response to customer comments received by the Department.

The Commission recognized the need to evaluate regulatory measures pertaining to the use of trail cameras, as they relate to the ‘take of wildlife’ and the Fair Chase hunting ethic, and directed the Department to evaluate current rule language as it pertains to trail cameras. The team benchmarked with other states and spoke with members of industry and ultimately made recommendations to prohibit the use of trail cameras capable of sending a wireless remote signal to another electronic device for the purpose of taking or aiding in the taking of wildlife or taking or aiding in the take of wildlife, or locating wildlife for the purpose of taking or aiding in the take of wildlife.

While the current use of satellite imagery for hunting is not popular due to the costs involved, the Commission believes it is necessary to proactively address concerns about the use of satellite imagery and prohibit its use for taking or aiding in the take of wildlife. The Commission proposes to amend the rule to prohibit the use of images of wildlife produced or transmitted from a satellite or other device that orbits the earth; this prohibition does not include mapping systems or programs. This change is in response to customer comments received by the Department.

Under A.R.S. § 13-3102(A)(4), a person commits misconduct involving weapons by knowingly possessing a deadly weapon or prohibited weapon if such person is a prohibited possessor. Under A.R.S. § 13-3101(A)(1), “deadly weapon” means anything that is designed for lethal use. The Commission proposes to amend the rule to prohibit a person who is a prohibited possessor from



using a deadly weapon or prohibited weapon to take wildlife to remove regulatory uncertainty.

R12-4-304. Lawful Methods for Taking Wild Mammals, Birds, and Reptiles

The objective of the rule is to establish lawful devices and methods a person may use to take wild mammals, birds, and reptiles during seasons established by Commission Order. A.R.S. § 17-301(D)(2) authorizes the Commission to adopt rules establishing the taking of wildlife with firearms, archery equipment, or other implements in hand as may be defined. The rule was adopted to establish methods and devices that may be used for the take of specific wildlife and ensure consistent interpretation of and compliance with A.R.S. § 17-301(D)(2).

The availability of hybrid devices (weapons with components from two or more different devices) is increasing. Depending on the species, some hybrid devices may be used for the take of wildlife, while others cannot. The Commission proposes to amend the rule to allow the use of a hybrid device for the taking of wildlife provided all components of the device are authorized for the take of that species. This change is in response to customer comments received by the Department.

The Commission proposes to amend the rule to replace references to “antelope” with “pronghorn antelope” to reflect language used in Commission Order and public outreach materials.

In 2013, the Commission amended the rule to allow the use of pre-charged pneumatic weapons for the take of all wildlife, except bison, elk, and turkey due to concerns that pre-charged pneumatic weapons would not create a substantial wound for the humane harvest of a large animal (bison and elk) and public safety concerns (turkey). Subsequent discussions with persons in the pre-charged pneumatic weapon industry indicate that it is also necessary to reference the caliber of the bullet. This change enables the Commission to establish a lethal standard for the take of bison and elk using a pre-charged pneumatic weapon. These changes are in response to customer comments received by the Department.

The Commission believes technological advances in ceramic or ceramic coated broadheads have proven they can be as effective as traditional metal broadheads. A ceramic broadhead is typically produced by dry-pressing zirconia powder and then hardening the broadheads through the process of compacting and forming a solid mass of material by heat or pressure to make the ceramic as hard as metal. The broadhead is then sharpened by grinding the edges with a diamond-dust-coated grinding wheel. Zirconia is 8.5 on the Mohs scale of mineral hardness, compared to 4.5 for normal steel and 7.5 to 8 for hardened steel and 10 for diamond. This very hard edge significantly reduces the need for sharpening, making them a desirable product for archery hunters. The Commission proposes to amend the rule to allow the use of ceramic and ceramic-coated broadheads. This change is in response to customer comments received by the Department.

The Commission proposes to allow the use of pre-charged pneumatic weapons using arrows or bolts for the take of wildlife during a general season wherever a bow or crossbow is listed as a lawful method of take for that species: bear, bighorn sheep, bison, deer, elk, javelina, mountain lion, pronghorn antelope, and turkey. The Commission believes these types of devices do not compromise the spirit of fair chase. This change is in response to customer comments received by the Department.

Under A.R.S. § 17-235, the Commission is required to prescribe seasons, bag limits, possession limits and other regulations pertaining to taking migratory birds in accordance with the Migratory Bird Treaty Act and regulations issued thereunder. The Commission proposes to incorporate by reference the most recent version of 50 C.F.R. 20.21 and reflect the most recent Government Printing Office contact information.

The Commission proposes to amend the rule to replace references to “handguns using black powder or synthetic black powder” with “muzzleloading handguns” to make the rule more concise.

R12-4-305. Possessing, Transporting, Importing, Exporting, and Selling Carcasses or Parts of Wildlife

The objective of the rule is to conserve wildlife resources by establishing requirements for the lawful possession, transport, import, export, or sale of wildlife. The Commission’s rule protects native wildlife by preventing the spread of disease, reducing the risk of released animals competing with native wildlife, discouraging illegal trade of native wildlife, and preventing interactions between humans and wildlife that may threaten public health or safety. The rule was adopted to prevent the unlawful possession, transport, import, export, or sale of wildlife and allow for lawful possession by establishing the methods for complying with governing statutes.

The Commission proposes to amend the rule to state the tag shall be attached in the manner indicated on the tag to increase consistency between Commission rules.

In addition, the Commission proposes to amend the rule to specify the manner in which a person may provide evidence of legality for Eurasian collared-doves to reduce regulatory ambiguity.

The rule requires a person who receives a portion of wildlife to provide the identity of the person who took and gave the wildlife, but does not state under what circumstances this action is required. The Commission proposes to amend the rule to add “upon request to any peace officer, wildlife manager, or game ranger” to reduce ambiguity and increase consistency between Commission rules.

The Department issues both permit-tags (through computer draw) and nonpermit-tags (over the counter) for the take of wildlife. The Commission proposes to amend the rule to reflect both types of tags issued by the Department to make the rule more concise.

Under A.R.S. § 17-302(A), a landowner or lessee who is a livestock operator and whose livestock were recently attacked or killed by bear or mountain lion may lawfully exercise such measures as necessary to prevent further damage from the offending bear or mountain lion, including the taking of such bear or mountain lion; and further states that dogs may be used to facilitate the pursuit of the depredating bear or mountain lion. The statute also states that no portion of an animal taken pursuant to A.R.S. § 17-302 shall be retained or sold by any person except as authorized by the Commission. In response to comments made by hunters,



the Commission amended R12-4-305(H) to allow a person who takes a depredating bear or mountain lion to retain the carcass provided the person has a valid hunting license and the carcass is immediately tagged with a valid hunt permit-tag or nonpermit-tag (unless the person has already taken the applicable bag limit for that big game animal). This change also prevents the animal from going to waste.

The Commission proposes to amend the rule to restrict the import of velvet antlers of cervids to address Chronic Wasting Disease (CWD) concerns. Growing antlers of cervids are covered by a highly innervated and vascularized apical skin layer, referred to as velvet, which is shed after an increase in testosterone and ossification of antlers. In a recent study, findings of prions in antler velvet of CWD-affected elk suggest that this tissue may play a role in disease transmission among cervids. At this time, the most effective management approach has to be to take measures to ensure, to the greatest extent possible, that the disease does not enter into Arizona. If it does, there will be substantial financial impact to the Department, captive cervid breeders, and the rural economy that is supported, in part, by hunting.

The Commission proposes to amend the rule to clarify that, when possessing, transporting, or importing cervid meat that has been cut and packaged, the meat may be personally or commercially cut and packaged. This change is in response to customer comments received by the Department.

The Commission also proposes to replace the phrase “wild mammal, bird, or reptile” with “wildlife” to indicate the rule applies to all wildlife, unless otherwise specified, to make the rule more concise.

R12-4-306. Buffalo Hunt Requirements

The objective of the rule is to establish rules of practice governing bison hunts, which are conducted by the Department to harvest bison appropriate to management objectives and land carrying capacity. In Arizona, bison are found on two wildlife areas operated solely by the Department; Raymond, located east of Flagstaff, and House Rock, located east of the North Kaibab National Forest. Both wildlife areas are managed to provide viewing opportunities as well as hunting opportunity. The rule was adopted to ensure the Department manages these herds on a sustainable basis.

In the past, the hunts on Raymond and House Rock were managed differently to allow the Department greater flexibility in conducting these hunts. Over time, the Department has implemented more effective control measures for these hunts and, as a result, now manages both areas in the same manner. The Commission proposes to amend the rule to combine bison hunt requirements into one subsection to make the rule more concise.

Currently, a hunter who takes a bison, or their designee, is required to present the bison in person to the Department for inspection. The Commission proposes to amend the rule to allow the hunter to check out either in person or by telephone to reduce the burden and costs on persons regulated by the rule. This change is in response to customer comments received by the Department.

The Commission is aware of electronic methods implemented by other fish and wildlife agencies that allow a person to check-in or check-out electronically, such as an online system or mobile device application. The Commission proposes to amend the rule to allow a person to check-in and check-out electronically, when made available by the Department, to reduce the costs and burdens to persons regulated by the rule. This change is in response to customer comments received by the Department.

R12-4-307. Trapping Regulations, Licensing; Methods; Tagging of Bobcat Pelts

The objective of the rule is to establish requirements and restrictions necessary to regulate trapping in a fair and humane manner with the utmost regard for wildlife management principles and public safety. In addition, the rule establishes trapping reporting requirements as required under A.R.S. § 17-361(D). Trapping is the use of a device to remotely catch an animal. Fur-bearing and predatory animals may be trapped for a variety of purposes, including food, the fur trade, pest control, and wildlife management. Under A.R.S. § 17-301, it is unlawful to take wildlife with any leghold trap, instant kill body gripping design trap, or by a poison or a snare on any public land. The rule was adopted to establish requirements and restrictions to ensure responsible trapping and safeguard the future of trapping and ensure consistent interpretation of and compliance with A.R.S. § 17-301.

The Commission proposes to amend the rule to remove redundant language regarding the issuance of a trapping registration number.

In 2013, the Legislature amended A.R.S. Title 17 to allow the Arizona Game and Fish Commission to establish license classifications and fees. As a result of the subsequent rulemaking, any person age 10 and older is required to possess a license in order to lawfully take wildlife; this change was consistent with other Western states. The Commission proposes to amend the rule to require a person age 10 or older to possess a trapping license in order to trap in Arizona to increase consistency between Commission rules. In addition, under A.R.S. § 17-361(D) a person who possesses a trapping license is required to submit a trapping report. A trapper under the age of 14 was not required to submit a trapping report because they were not required to possess a trapping license. Reducing the trapping license age requirement will also enable the Department to gather additional valuable harvest data.

The Commission has amended license rules within Article 2 (licenses; permits; stamps; tags) and 4 (live wildlife) to increase consistency in format between application requirements. The Commission proposes to amend the rule to reflect changes made to other license application rules to increase consistency between Commission rules.

The Commission is aware of some confusion as to the daily trap check requirement prescribed under A.R.S. § 17-361(B). The statute requires a trapper to inspect all traps in use daily. Some trappers have asked if a trail camera could be used to meet this statutory mandate. Because “inspect” and “view” are very different actions, the Commission believes a trapper should be physically present in the trap area when inspecting their traps in order to meet the inspection requirements prescribed in statute.

Under R12-4-321, a city, county, or town may limit or prohibit any person from hunting within one-fourth mile (440 yards) or trapping within one-half mile (880 yards) of any developed picnic area, campground, boat ramp, shooting range, occupied structure, or golf course. The Commission also proposes to amend the rule to incorporate other areas developed for public use, as referenced under R12-4-321, to increase consistency between rules within Article 3.



In addition, under A.R.S. § 17-309 and R12-4-303, a person is prohibited from conducting certain activities involving the take of wildlife within a specific distance from “an occupied farmhouse or other residence, cabin, lodge or building,” while this rule references “occupied residence or building.” The Commission proposes to amend the rule to mirror statutory language to increase consistency between statute and Commission rule.

In addition, the Commission is aware confusion exists as to what distance constitutes “one-fourth mile” and “one-half mile.” The Commission proposes to clarify this distance by also referencing this distance in yards (440 or 880, as applicable) to reduce regulatory uncertainty. This change is in response to customer comments received by the Department.

To comply with CITES (Convention on International Trade in Endangered Species), which aims to protect against over-exploitation of certain species, a person is required to obtain and attach a bobcat seal to all bobcats exported (trapped or hunted) out of Arizona. The information gathered from persons obtaining these seals is used to record population and biological information that helps in conservation management decisions. Currently, a person who traps a bobcat in Arizona is required to obtain a bobcat seal from the Department and attach the seal to the bobcat pelt within ten days of the end of the bobcat trapping season. The Commission proposes to amend the rule to require a trapper to ensure a bobcat seal is attached to a bobcat no later than April 1 of each year to reduce the burden on persons regulated by the rule; this is approximately 30 days after the close of the trapping season and coincides with the date the annual trapping report is due.

Since the rule was last amended, the Department implemented a new organizational structure; the Game Branch is now referred to as the Terrestrial Wildlife Branch. The Commission proposes to amend the rule to reference the Terrestrial Wildlife Branch to make the rule more concise.

In light of comments received by the Department, the Commission proposes to amend the rule to allow a trapper to use a trail camera for the purpose of remotely observing traps they have lawfully set. While this change will allow the trapper to view their traps without disturbing the immediate area, this change does not allow the trapper to use the trail camera to meet the daily inspection requirement prescribed under A.R.S. § 17-361(B).

R12-4-308. Wildlife Inspections, Check Stations, and Roadblocks

The objective for the rule is to establish requirements for wildlife check stations and wildlife inspections, as authorized by the Director. Wildlife check stations and inspections enable the Department to obtain biological data and verify evidence of legality. Under A.R.S. § 17-211(E), game rangers and wildlife managers may inspect all wildlife taken or transported and seize all wildlife taken or possessed in violation of law, or showing evidence of illegal taking. The rule was adopted to ensure consistent interpretation of and compliance with A.R.S. § 17-211(E) and all applicable laws and rules.

The Commission believes that to have a successful hunt, one does not have to harvest wildlife; whether a person takes a bull elk, a spike deer, a limit of dove, or goes home empty-handed, the Commission believes the times spent in the field with friends and family are some of the best times a person can ever have. The Commission proposes to amend the rule to replace the phrase “successful hunter” with “hunter who harvests” because the Commission believes a harvest is not required in order to have a “successful” hunt.

In addition, the Commission proposes to replace the phrase “produce and display any license, tag, stamp, or permit required for taking or transporting wildlife” with “provide evidence of legality as defined under R12-4-301” to make the rule more concise.

The Commission is aware of electronic methods implemented by other fish and wildlife agencies that allow a person to check-in or check-out electronically, such as an online system or mobile device application. The Commission proposes to amend the rule to allow a person to check-in and check-out electronically, when made available by the Department, to reduce the costs and burdens to persons regulated by the rule. This change is in response to customer comments received by the Department.

R12-4-309. Authorization for Use of Drugs on Wildlife

The objective of the rule is to establish the restrictions, application, reporting, and exemption from requirements for the authorization for use of drugs on wildlife, including but not limited to, fertility drugs, growth hormones, and tranquilizers. Such drugs are used in research and population management for fertility control, disease prevention or treatment, immobilization, or growth stimulation. The rule was adopted to proactively provide the Department with measures designed to ensure the necessary regulatory measures are in place for the use of drugs on wildlife.

In 2015, the Commission amended Article 4 special license rules to notice license holders that a special license does not exempt the license holder from any municipal, county, state or federal code, ordinance, statute, regulation, or rule or authorize the license holder to engage in any activity using wildlife that is protected by federal regulation. The Commission proposes to amend the rule to state the authorization does not exempt a person from any municipal, county, state or federal code, ordinance, statute, regulation, or rule or authorize a person to engage in any activity using wildlife that is protected by federal regulation to increase consistency between Commission rules.

The Commission proposes to amend the rule to remove the requirement that the applicant include information regarding federal approvals and/or permits because having this language in rule implies the Department verifies that the applicant possesses all of the necessary approvals and/or permits and that those approvals and/or permits are valid. The Commission believes it is the applicant's responsibility to ensure they apply for and obtain all required federal approvals and/or permits.

The Commission proposes to amend the rule to require the written endorsement to be signed by a person who has the authority to sign documents on behalf of a government agency, university, or institution to ensure the applicant has sufficient permission to conduct the activities noted on the application and associated documents.

Statute and rules that require a person to present a license, stamp, permit, or authorization to members of law enforcement also reference the terms “wildlife manager” and “game ranger.” The Commission proposes to amend the rule to reference “wildlife manager” and “game ranger” to increase consistency between Commission rules.



The rule requires a person who is authorized to use drugs on wildlife by the Department to submit an annual and final report; however, the rule does not establish a time-frame for either of these reports. The Commission proposes to establish due dates for the annual and final report to make the rule more concise.

The Commission proposes to amend the rule to require a person applying for authorization to use drugs on wildlife to indemnify the Department against any injury or damage resulting from the use of animal drugs in light of recent law suits taking place at the federal level.

In 2013, the Commission amended R12-4-428 (captivity standards) to remove the annual veterinary inspection requirement for all wildlife from R12-4-428 and reference the inspection requirement only in those rules where an annual veterinary inspection should be required and when wildlife is held for more than one year. Subsection (E) establishes the rule does not prohibit the treatment of wildlife by a licensed veterinarian or holder of a special license; the Commission proposes to amend the rule to replace the reference to R12-4-428 with R12-4-413 and R12-4-420 to make the rule more concise and increase consistency between Commission rules.

R12-4-310. Fishing Permits

The objective of the rule is to establish requirements for the fishing permit available to governmental agencies and nonprofit organizations that provide rehabilitation and treatment services for persons with disabilities. The Commission recognizes fishing and hunting as a fundamental requirement of wildlife conservation in Arizona and introductory fishing or hunting events actively promote participation in a variety of recreational opportunities. The rule was adopted to permit these agencies to provide outdoor fishing opportunities to persons with physical, developmental, or mental disabilities, without requiring them to obtain a fishing license.

The Commission proposes to amend the rule to remove the requirement that a nonprofit be licensed or contracted with the Department of Economic Security (DES) or Department of Health Services (DHS) to provide physical or mental rehabilitation or training to persons with physical, developmental, or mental disabilities and replace the terms “rehabilitation or training” with “treatment and care.” The Department receives approximately 100 fishing permit applications annually. Of those 100 applications, approximately 50% are denied either because the agency, department, or nonprofit is not contracted with DES or DHS or they provide “habilitative care and treatment” instead of “rehabilitative care and treatment.” The Fishing Permit was originally established to provide unlicensed fishing opportunities to a segment of the public that has difficulty engaging in this recreational activity. The Commission believes the rule with the proposed amendments will continue to meet the original intent of the rule, while expanding unlicensed fishing opportunities to additional agencies, departments, and nonprofits.

The Commission proposes to amend the rule to specify the permit is valid for any two days within a 30 day period. An agency, department, or nonprofit is required to submit a report no later than 30 days after the end of the authorized fishing dates; and an agency, department, or nonprofit that fails to submit the report is not eligible for another permit until the reporting requirement has been met. Currently, a Fishing Permit applicant may choose any two days within a within a calendar year; some applicants have chosen dates more than six months apart, which can be problematic when the agency, department, or nonprofit submits a subsequent application before the second date listed on the first permit has passed.

Currently, the Fishing Permit allows up to 20 persons to fish without a license. When an applicant proposed to hold an event for more than 20 persons, the applicant was required to submit an additional application. In these scenarios, the Department also issued and administered additional fishing permits. The Commission proposes to amend the rule to remove the twenty person limit to reduce the burdens and costs to persons regulated by the rule.

The Commission proposes to amend the rule to require a nonprofit to provide a copy of its Articles of Incorporation and a document identifying its mission at the time of application. Because the rule is being amended to remove the requirement that a nonprofit be contracted or licensed by DES or DHS, the Department will use these documents to determine the applicant's eligibility for the fishing permit.

The Commission proposes to amend the rule to replace the reference to “lesson plan” with “curriculum outline” to make the rule more concise. The Department's Education Branch is responsible for the issuance of the fishing permit; their internal documents and outreach information refers to the instructional document as a curriculum outline, rather than a lesson plan: a lesson plan is a detailed description of topics to be covered in a single class (to include what information is provided when); a curriculum outline establishes the key points that must be covered in a single class. The order and manner in which the instruction is provided should be left to the judgment of the instructor as more or less information on a particular key point may be required depending on the individuals receiving the instruction.

R12-4-311. Exemptions from Requirement to Possess an Arizona Fishing License or Hunting License While Taking Wildlife

The objective of the rule is to establish the circumstances under which a person is not required to possess a fishing or hunting license while taking wildlife. A.R.S. § 17-331 states, “Except as provided by this title, rules prescribed by the Commission or Commission Order, a person shall not take any wildlife in this state without a valid license or a Commission approved proof of purchase.” The rule was adopted to identify the circumstances under which a fishing or hunting license is not required due to statutory exemptions or when determined necessary by the Commission. The Commission recognizes fishing or hunting as a fundamental requirement of wildlife conservation in Arizona and introductory fishing or hunting events actively promote participation in a variety of recreational opportunities.

The Commission proposes to amend the rule to reference “trapping license” as one of the licenses that may be revoked by the Commission; provide examples of terrestrial mollusks and crustaceans; and remove the reference to “sport fishing contractor” as the Department no longer contracts this service to make the rule more concise.

The Commission proposes to amend the rule to provide examples of nonnative terrestrial mollusks to reduce regulatory ambi-



guity.

A.R.S. § 17-215 states, each employee and volunteer who has contact with children or vulnerable adults as part of their regular duties must have a valid fingerprint clearance card issued pursuant to A.R.S. § 41-1758.07 or provide the Department documentation of the person's application for a fingerprint clearance card. The Commission proposes to amend the rule to allow a person to provide documentation of the person's application for a fingerprint clearance card as prescribed under A.R.S. § 17-215 to reflect statutory requirements.

R12-4-313. Lawful Methods of Taking Aquatic Wildlife

The objective of the rule is to establish lawful devices and methods a person may use to take aquatic wildlife during seasons established by Commission Order. A.R.S. § 17-301 authorizes the Commission to determine lawful methods for the taking of fish. The rule was adopted to establish additional devices and methods by which a person may lawfully take aquatic wildlife and ensure consistent interpretation of and compliance with A.R.S. § 17-301.

The Commission proposes to combine R12-4-313 and R12-4-317 (Seasons for Lawfully Taking Fish, Mollusks, Crustaceans, Amphibians, and Aquatic Reptiles) to increase consistency between Commission Orders, rules, and Department publications; with this amendment R12-4-317 will be repealed.

The Commission proposes to amend the title of the rule to Lawful Methods of Take and Seasons for Aquatic Wildlife to more accurately reflect the subject matter of the rule as amended.

The Commission recently amended R12-4-609 Commission Orders to authorize the Commission to establish a special season allowing fish to be taken by additional methods on waters where a fish die-off is imminent. This change was made as a result of an incident involving Tempe Town Lake that gave light to the fact that the Commission did not have sufficient authority to issue an Order to allow the take of fish by additional methods on waters where a fish die-off was imminent. The Commission proposes to amend the rule to increase consistency between Commission rules.

Because scientific terms are italicized in other Commission rules, the Commission proposes to italicize scientific terms referenced in this rule to increase consistency in formatting with other Commission rules.

In 2014, the Commission amended its license and stamp rules as a result of legislation that authorized the Commission to simplify its license structure. In an effort to simplify the licensing process and increase value, the Department decided to eliminate the "two-pole" stamp and roll the simultaneous fishing privilege into the fishing license. As a result of eliminating the two-pole stamp, there is some confusion as to how many poles are lawful for one person to use while fishing. The Commission proposes to amend the rule to state a person may not use more than two lines at any one time while fishing to facilitate a consistent interpretation of simultaneous fishing.

The availability of hybrid devices (weapons with components from two or more different devices) is increasing. Depending on the species, some hybrid devices may be used for the take of aquatic wildlife, while others cannot. The Commission proposes to amend the rule to allow the use of a hybrid device for the taking of aquatic wildlife provided all components of the device are authorized for the take of that species. This change is in response to customer comments received by the Department.

In addition, under A.R.S. § 17-211(E)(4), a game ranger may seize all wildlife taken or possessed in violation of law or showing evidence of illegal taking. The Commission proposes to amend the rule to state aquatic wildlife taken in violation of Title 17 or this rule is unlawfully taken.

The Commission proposes to amend the rule to prohibit a person from snagging aquatic wildlife or using a bow and arrow, crossbow, snare, gig, spear or spear gun within 200 yards of a designated swimming area, as indicated by way of posted signs or notices, and fishing pier to protect public health and safety.

R12-4-315. Possession of Live Fish; Unattended Live Boxes and Stringers

The objective of the rule is to establish requirements necessary for the temporary possession of live fish. All freshwater game fish are listed as restricted live wildlife. Under R12-4-406, a person must possess a valid special license and any required federal authorization or have a lawful exemption in order to lawfully possess restricted live wildlife. The rule was adopted to provide a lawful mechanism by which a person can temporarily hold live freshwater game fish.

The Commission proposes to combine R12-4-315 and R12-4-316 (Possession, Transportation, or Importation of Live Baitfish, Crayfish, or Waterdogs) to increase consistency between Commission Orders, rules, and Department publications; with this amendment the Commission will adopt a new rule, R12-4-314, and both R12-4-315 and R12-4-316 will be repealed.

The Commission proposes to amend the title of the rule to Possession, Transportation, or Importation of Aquatic Wildlife to more accurately reflect the subject matter of the rule as amended.

The Commission proposes to amend the rule to add the following native fish to the list of live baitfish that a person may use for live bait: Longfin Dace (*Agosia chrysogaster*), Sonora Sucker (*Catostomus insignis*), Speckled Dace (*Rhynchithys osculus*), and Desert Sucker (*Catostomus clarki*). As a result of the Department's Statewide Sport Fish Stocking Consultation with the U.S. Fish and Wildlife Service, a conservation measure was developed within the Conservation and Mitigation Program to conduct a statewide live bait use assessment and complete a risk analysis to identify recommendations for live bait management in Arizona. The Live Bait Team evaluated the potential to minimize the risk and threats to native aquatic species, while continuing to maintain live bait use opportunities that have social and economic importance to the angling community. The goal of the live bait management team's recommendations is to prevent the transport and introduction of nonnative live bait and aquatic invasive species, pathogens, and parasites that impinge on the Department's ability to manage the State's aquatic resources. Because the unlawful release or improper use of nonnative live baitfish has resulted in established populations, to better protect native aquatic wildlife and its habitat, the team recommends allowing the use of certain native live baitfish for use in angling.

Both A.R.S. § 17-236(C) and R12-4-307 prohibit a person from disturbing the trap of another unless permitted by the owner.



The Commission proposes to amend the rule to prohibit a person from knowingly disturbing the crayfish net, live box, minnow trap, or stringer of another unless authorized to do so by the owner to increase consistency between statute and Commission rules.

With this rulemaking, the Commission proposes to combine R12-4-315 (Possession of Live Fish; Unattended Live Boxes and Stringers) and R12-4-316 to increase consistency between Commission Orders, rules, and Department publications; and renumber the rule to R12-4-314 and repeal both R12-4-315 and R12-4-316.

R12-4-316. Possession, Transportation, or Importation of Live Baitfish, Crayfish, or Waterdogs

The objective of the rule is to establish restrictions designed to control the introduction of undesirable species and to reduce the likelihood that baitfish, crayfish, and waterdogs (larval salamanders) may be released in waters where they could establish populations that compete with existing and native aquatic wildlife. The rule was adopted to protect and preserve native aquatic wildlife and habitat.

With this rulemaking, the Commission proposes to combine R12-4-315 (Possession of Live Fish; Unattended Live Boxes and Stringers) and R12-4-316 to increase consistency between Commission Orders, rules, and Department publications; and renumber the rule to R12-4-314 and repeal both R12-4-315 and R12-4-316.

R12-4-317. Seasons for Lawfully Taking Fish, Mollusks, Crustaceans, Amphibians, and Aquatic Reptiles

The objective of the rule is to establish special restrictions and requirements for various seasons to allow the Department to achieve management plans and goals for the preservation and harvest of aquatic wildlife, while providing maximum hunt opportunities for the public. A.R.S. § 17-301(D)(2) authorizes the Commission to adopt rules establishing the taking of wildlife with firearms, fishing equipment, archery equipment, or other implements in hand as may be defined. The rule was adopted to ensure consistent interpretation of and compliance with A.R.S. § 17-301(D)(2).

With this rulemaking, the Commission proposes to combine R12-4-313 (Lawful Methods of Taking Aquatic Wildlife) and R12-4-317 to increase consistency between Commission Orders, rules, and Department publications; and repeal this rule.

R12-4-318. Seasons for Lawfully Taking Wild Mammals, Birds, and Reptiles

The objective of the rule is to establish special restrictions and requirements for various hunt structures in order to allow the Department to achieve management goals for the preservation and harvest of wildlife, while at the same time providing maximum wildlife-oriented recreational opportunities for the public. Under A.R.S. § 17-301(D)(2), the Commission has the authority to adopt rules establishing the taking of wildlife with firearms, fishing equipment, archery equipment, or other implements in hand as may be defined. The rule was adopted to ensure consistent interpretation of and compliance with A.R.S. § 17-301(D)(2).

The Commission proposes to amend the rule to reference rules where lawful devices are defined to ensure consistent interpretation of terms used within Commission Orders and rules. In the current rule, R12-4-301 is referenced under each season. The Commission proposes to amend the rule to reference R12-4-301 only under subsection (A) to remove redundant language. These changes are made to make the rule more concise.

The availability of hybrid devices (weapons with components from two or more different devices) is increasing. Depending on the species, some hybrid devices may be used for the take of wildlife, while others cannot. The Commission proposes to amend the rule to allow the use of a hybrid device for the taking of wildlife provided all components of the device are authorized for the take of that species. This change is in response to customer comments received by the Department.

The Commission proposes to amend the rule to provide the devices and methods listed under each season by their range of effectiveness, from greatest range to least range to assist persons regulated by the rule; knowing which devices and methods are most effective may aid a person in choosing a device or method for their hunt.

The Commission proposes to amend the rule to reference “muzzleloading handguns” under subsection (C)(7) to ensure persons regulated by the rule are aware that only a muzzleloading handgun is lawful under that season to remove regulatory ambiguity.

The Commission proposes to amend the rule to allow a person to use a pre-charged pneumatic weapon capable of holding and discharging a single projectile .35 caliber or larger as a lawful method of take during a “handgun, archery, and muzzleloader (HAM)” season to provide persons regulated by the rule additional hunter opportunity.

The Commission proposes to amend the rule to allow a person to use a muzzleloading shotgun as a lawful method of take during a “limited weapon-shotgun” season to provide persons regulated by the rule additional hunter opportunity.

The Commission proposes to amend the rule to allow a person to use a muzzleloading shotgun shooting shot as a lawful method of take during a “limited weapon-shotgun shooting shot” season to provide persons regulated by the rule additional hunter opportunity.

R12-4-319. Use of Aircraft to Take Wildlife

The objective of the rule is to prohibit the use of aircraft for the purpose of hunting or harassing wildlife to provide for fair chase and pursuit of game animals. A.R.S. § 17-301(B) states, “A person shall not take wildlife, except aquatic wildlife, or discharge a firearm or shoot any other device from a motor vehicle, including an automobile, aircraft, train or powerboat, or from a sailboat, boat under sail, or a floating object towed by powerboat or sailboat except as expressly permitted by the commission.” The rule was adopted to ensure consistent interpretation of and compliance with A.R.S. § 17-301(B).

In recent years, the availability and use of drones has increased significantly. The Commission proposes to amend R12-4-319 to clarify drones are considered to be aircraft and are not lawful to use for the purpose of locating or assisting in locating wildlife.

R12-4-320. Harassment of Wildlife

The objective of the rule is to prohibit the use of vehicles for the purpose of hunting or harassing wildlife to provide for fair chase and pursuit of game animals. A.R.S. § 17-301(B) states, “A person shall not take wildlife, except aquatic wildlife, or dis-



charge a firearm or shoot any other device from a motor vehicle, including an automobile, aircraft, train or powerboat, or from a sailboat, boat under sail, or a floating object towed by powerboat or sailboat except as expressly permitted by the commission.” The rule was adopted to ensure consistent interpretation of and compliance with A.R.S. § 17-301(B).

The rule prohibits the use of vehicles for the purpose of hunting or harassing wildlife to provide for fair chase and pursuit of game animals. The Commission proposes to amend the rule to provide further clarity to the term “aircraft” by referencing drones. The Commission anticipates these changes will result in a rule that is more understandable.

The Commission proposes to amend R12-4-320 to replace the term “individual” with “person” to increase consistency between Commission rules.

R12-4-321. Restrictions for Taking Wildlife in City, County, or Town Parks and Preserves

The objective of the rule is to establish restrictions for hunting in city, county, or town parks and preserves. The rule was adopted to allow a person to hunt in city, county, or town parks and preserves where possible. The Maricopa County Parks and Recreation Commission and the Arizona Game and Fish Commission entered into an agreement in 1976 with the following stated objective: “To recognize hunting, fishing and trapping as practical methods for harvesting wildlife resources and to limit restrictions on such methods of harvest to recreational facilities and other developments where people are congregated and require safety precautions.” The agreement further specifies restrictions necessary to meet the objectives of the agreement. Because the restrictions affect the public and are more restrictive than methods commonly established under R12-4-304, R12-4-313, R12-4-317, and R12-4-318, they are appropriately established within this rule as well as within the agreement. The agreement remains in effect to date without change.

Under R12-4-307(H)(2)(a), a trapper shall not set a trap within one-half mile of certain public use areas. The Commission proposes to amend the rule to incorporate trapping restrictions and increase consistency between Commission rules.

Because some parks have replaced a physical check in station with an online check-in system, the Commission proposes to amend the rule to clarify a hunter shall declare their intent to hunt when the park or preserve has established a check-in process.

The Commission believes the distance restrictions provided in rule are needed to ensure public health and safety. Persons participating in a reptile and amphibian limited weapon hand or hand-held implement season established by Commission Order use their hand or a catch-pole, snake hook, or snake tongs. Because these methods and devices do not use projectiles, they do not pose the same type of hazard; the Commission proposes to amend the rule to exempt persons participating in a reptile and amphibian limited weapon hand or hand-held implement season from the one fourth and one half mile (440 or 880 yards, as applicable) prohibition when hunting in a city, county, or town park or preserve.

R12-4-322. Pickup and Possession of Wildlife Carcasses or Parts

The objective of the rule is to allow persons to pick up and possess naturally shed antlers, horns, or other wildlife parts that are not fresh without a Department inspection. In addition, the rule prohibits a person from collecting or possessing fresh wildlife parts unless a Department officer has inspected the wildlife parts and determined the animal died from natural causes. The possession of any threatened or endangered species carcass or its parts is prohibited.

The Commission proposes to amend the rule to allow a Department employee or agent to assist in determining whether an inspection by a law enforcement officer is required to reduce the burden on the Department and persons regulated by the rule. In the event a law enforcement officer is not available, a Department employee or agent who has experience in determining whether an animal died from natural causes may conduct the inspection.

R12-4-401. Live Wildlife Definitions

The objective of the rule is to establish definitions that assist persons regulated by the rule and members of the public in understanding the unique terms that are used throughout Article 4. The rule was adopted to facilitate consistent interpretation of Article 4 rules and to prevent persons regulated by the rule from misinterpreting the intent of Commission rules.

The Commission proposes to transfer the definition of “cervid” under R12-4-401 to R12-4-101 as the term “cervid” is used in Articles 1 and 3.

The Commission also proposes to remove the definition of “person” as person is defined under R12-4-101.

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:

Angers RC, Seward TS, Napier D, Green M, Hoover E, Spraker T, et al. Chronic Wasting Disease Prions in Elk Antler Velvet. *Emerg Infect Dis.* 2009;15(5):696-703. <https://dx.doi.org/10.3201/eid1505.081458>

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

The Commission is aware that confusion exists regarding the use of full-jacketed ammunition. Full-jacketed ammunition is sold by sporting goods stores and is often labeled by the manufacturer for use in target practice, but there are manufacturers who also label the ammunition for use in hunting. Confusion exists because full-jacketed ammunition is readily available in sporting goods stores and the rule prohibits the use full-jacketed ammunition “designed for military use.” The use of full-jacketed ammunition for hunting is prohibited because it does not create a substantial wound for the humane harvest of big game. Ammunition designed to expand creates a wound cavity and slows the bullet down so that it will not continue beyond the target with much force, if at all. In the Notice of Supplemental Proposed Rulemaking, the Commission proposed to amend the rule to replace the phrase “full-jacketed ammunition designed for military use” with “full-jacketed bullets that are not designed to expand upon impact.” The Commission received two comments regarding the proposed amendment; both commenters were concerned that the unintended consequence of this change would result in making the common practice of using nonexpanding ammunition for the take of small game, fur bearers, and predators unlawful. Nonexpanding bullets do result in a lethal wound for the humane harvest



of smaller animals (as opposed to a bison, deer, elk, or other big game species), and causes less damage to the animal's pelt. The Commission proposes to amend the rule to prohibit the use of full-jacketed or total-jacketed bullets that are not designed to expand upon impact for the take of big game to make the rule more concise. This change also allows the continued use of ammunition that does not expand for the take of small game, fur bearers, and predators. This change is in response to customer comments received by the Department.

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 Commission's intent in proposing the amendments listed above is to address the ethical taking and handling of wildlife, increase hunter opportunity, and encourage hunter recruitment and retention. These areas include the use of tags, lawful and unlawful methods of taking and possessing wildlife and wildlife parts, seasons, check-in/check-out requirements, and reporting requirements. The Commission believes the majority of the rulemaking is intended to benefit persons regulated by the rule and the Department by increasing consistency between Commission Order and rule, reducing regulatory ambiguity, clarifying rule language to ease enforcement, creating consistency among existing Commission rules, providing greater opportunities for hunting and fishing, reducing the burden on persons regulated by the rules where practical, allowing the Department additional oversight to handle advances in hunting and angling technology and protecting the spirit of fair chase. As areas within Arizona become increasingly urbanized, more people are now living isolated from nature and outdoor activities such as hunting. As hunters represent a smaller percentage of the overall population, growing segments of society are questioning the validity of hunting including its benefits, how it is conducted, and if it should continue as a legal activity. Regulated hunting fundamentally supports wildlife conservation efforts in North America. The loss of hunting would equate to a measureable loss in conservation efforts. Hunting and angling are the cornerstones of the North American Model of Wildlife Conservation and continue to be the primary source of funding for conservation efforts in Arizona. Hunters and anglers support 18,220 jobs in Arizona; this especially benefits rural communities. Spending by sportsmen and women in Arizona generated \$132 million in State and local taxes in 2011; enough to support the average salaries of 2,311 police and sheriff's patrol officers. The economic stimulus of hunting and fishing equates to \$3.4 million a day being pumped into Arizona's economy. ~ *Congressional Sportsmen's Foundation: 2013 Sportsman's Economic Report - Arizona*. Fair Chase issues can erode public support of hunting and angling and threaten the funding that drives Arizona's conservation mission and the economic benefit of those activities to our State. In addition, there exists a general expectation that hunting be conducted under appropriate conditions; animals are taken for legitimate purposes such as food, to accomplish wildlife agency management goals, and to mitigate property damage. It is also expected that the hunting is done sustainably and legally, and that hunters show respect for the land and animals they hunt. In the broadest sense, hunters are guided by a conservation ethic, but the most common term used to describe the actual ethical pursuit of an animal is "fair chase." "Fair Chase" means the ethical and lawful pursuit and take of free-range wildlife in a manner that does not give the hunter or angler improper or unfair advantage over such wildlife. The following criteria are used to evaluate whether a new technology or practice violates the Fair Chase ethic; does the technology or practice allow a hunter or angler to: locate or take wildlife without acquiring necessary hunting and angling skills or competency; pursue or take wildlife without being physically present and pursuing wildlife in the field; or almost guarantee the harvest of wildlife when the technology or practice prevents wildlife from eluding take. The Commission anticipates the rulemaking will result in an overall benefit to persons regulated by the rule. The Commission anticipates the rulemaking will result in no significant impact, if any, to political subdivisions of this state, private and public employment in businesses, agencies or political subdivisions, or state revenues. The Commission has determined the rulemaking will not require any new full-time employees. The Commission has determined that there are no less intrusive or costly alternative methods of achieving the purpose of the rulemaking. The Department will incur costs related to the cost of rulemaking, developing an electronic check-in/check-out system, and implementing rule changes (administration, training, forms, etc.); although the Department believes that implementing these changes now will result in resource savings in the future. Therefore, the Commission has determined that the benefits of the rulemaking outweigh any costs.

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

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

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:

Date: December 7, 2018
Time: 8:00 a.m. to 5:00 p.m.
Location: 5000 W. Carefree Hwy
Phoenix, AZ 85086
Close of record: December 7, 2018



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:

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

For R12-4-307, the rule complies with A.R.S. § 41-1037. The trapping license and bobcat seal described in the rule falls within the definition of “general permit” as defined under A.R.S. § 41-1001(11).

For R12-4-309, the rule complies with A.R.S. § 41-1037. The authorization described in the rule falls within the definition of “general permit” as defined under A.R.S. § 41-1001(11).

For R12-4-310, the rule complies with A.R.S. § 41-1037. The permits described in the rule falls within the definition of “general permit” as defined under A.R.S. § 41-1001(11).

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:

Except for the rules listed below, federal law is not directly applicable to the subject of the rules. The rules are based on state law.

For R12-4-303 and R12-4-304, Federal regulation 50 C.F.R. 20.21 is applicable to the subject of the rule. 50 C.F.R. 20.21 establishes general requirements, exceptions, and specific provisions for migratory bird hunting. The Commission has determined the rule is not more stringent than the corresponding federal law.

For R12-4-319, Federal regulation 50 C.F.R. 19 is applicable to the subject of the rule. The Commission has determined the rule is not more stringent than the corresponding federal law. 50 C.F.R. 19 establishes general prohibitions and exceptions for the use of aircraft for the taking of wildlife, requirements for the contents and filing of annual reports by the States regarding permits issued for such shooting or harassing, and regulations necessary for effective enforcement of the Fish and Wildlife Act of 1956 as amended. The Commission has determined the rule is not more stringent than the corresponding 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:

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

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

Under R12-4-101, C.F.R. 17.11, revised October 1, 2013.

Under R12-4-101, 50 C.F.R. 10.13 revised October 1, 2014.

Under R12-4-303 and R12-4-304, 50 C.F.R. 20.21, revised October 1, 2015.

14. The full text of the rules follows:

TITLE 12. NATURAL RESOURCES

CHAPTER 4. GAME AND FISH COMMISSION

ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS

Section
R12-4-101. Definitions

ARTICLE 2. LICENSES; PERMITS; STAMPS; TAGS

Section
R12-4-216. Crossbow Permit

ARTICLE 3. TAKING AND HANDLING OF WILDLIFE

Section
R12-4-301. Definitions
R12-4-302. Use of Tags
R12-4-303. Unlawful Devices, Methods, and Ammunition
R12-4-304. Lawful Methods for Taking Wild Mammals, Birds, and Reptiles
R12-4-305. Possessing, Transporting, Importing, Exporting, and Selling Carcasses or Parts of Wildlife
R12-4-306. Buffalo Hunt Requirements
R12-4-307. Trapping Regulations, Licensing; Methods; Tagging of Bobcat Pelts
R12-4-308. Wildlife Inspections, Check Stations, and Roadblocks
R12-4-309. Authorization for Use of Drugs on Wildlife
R12-4-310. Fishing Permits
R12-4-311. Exemptions from Requirement to Possess an Arizona Fishing License or Hunting License While Taking Wildlife
R12-4-313. Lawful Methods of ~~Taking~~ Take and Seasons for Aquatic Wildlife
R12-4-314. ~~Possession, Transportation, or Importation of Aquatic Wildlife~~
R12-4-315. ~~Possession of Live Fish; Unattended Live Boxes and Stringers~~ Repealed



- R12-4-316. ~~Possession, Transportation, or Importation of Live Baitfish, Crayfish, or Waterdogs~~ Repealed
 R12-4-317. ~~Seasons for Lawfully Taking Fish, Mollusks, Crustaceans, Amphibians, and Aquatic Reptiles~~ Repealed
 R12-4-318. Seasons for Lawfully Taking Wild Mammals, Birds, and Reptiles
 R12-4-319. Use of Aircraft to Take Wildlife
 R12-4-320. Harassment of Wildlife
 R12-4-321. Restrictions for Taking Wildlife in City, County, or Town Parks and Preserves
 R12-4-322. Pickup and Possession of Wildlife Carcasses or Parts

ARTICLE 4. LIVE WILDLIFE

Section

- R12-4-401. Live Wildlife Definitions

ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS

R12-4-101. Definitions

- A. In addition to the definitions provided under A.R.S. § 17-101, R12-4-301, R12-4-401, and R12-4-501, the following definitions apply to this Chapter, unless otherwise specified:

“Bobcat seal” means the tag a person is required to attach to the raw pelt or unskinned carcass of any bobcat taken by trapping in Arizona or exported out of Arizona regardless of the method of take.

“Bonus point” means a credit that authorizes the Department to issue an applicant an additional computer-generated random number.

“Bow” means a long bow, flat bow, recurve bow, or compound bow of which the bowstring is drawn and held under tension entirely by the physical power of the shooter through all points of the draw cycle until the shooter purposely acts to release the bowstring either by relaxing the tension of the toes, fingers, or mouth or by triggering the release of a hand-held release aid.

“Certificate of insurance” means an official document, issued by the sponsor's and sponsor's vendors, or subcontractors insurance carrier, providing insurance against claims for injury to persons or damage to property which may arise from, or in connection with, the solicitation or event as determined by the Department.

“Cervid” means a mammal classified as a Cervidae, which includes but is not limited to caribou, elk, moose, mule deer, reindeer, wapiti, and whitetail deer; as defined in the taxonomic classification from the Integrated Taxonomic Information System, available online at www.itis.gov.

“Commission Order” means a document adopted by the Commission that does one or more of the following:

- Open, close, or alter seasons,
- Open areas for taking wildlife,
- Set bag or possession limits for wildlife,
- Set the number of permits available for limited hunts, or
- Specify wildlife that may or may not be taken.

“Crossbow” means a device consisting of a bow affixed on a stock having a trigger mechanism to release the bowstring.

“Day-long” means the 24-hour period from one midnight to the following midnight.

“Department property” means those buildings or real property and wildlife areas under the jurisdiction of the Arizona Game and Fish Commission.

“Export” means to carry, send, or transport wildlife or wildlife parts out of Arizona to another state or country.

“Firearm” means any loaded or unloaded handgun, pistol, revolver, rifle, shotgun, or other weapon that will discharge, is designed to discharge, or may readily be converted to discharge a projectile by the action of an explosion caused by the burning of smokeless powder, black powder, or black powder substitute.

“Handgun” means a firearm designed and intended to be held, gripped, and fired by one or more hands, not intended to be fired from the shoulder, and that uses the energy from an explosive in a fixed cartridge to fire a single projectile through a barrel for each single pull of the trigger.

“Hunt area” means a management unit, portion of a management unit, or group of management units, or any portion of Arizona described in a Commission Order and not included in a management unit, opened to hunting.

“Hunt number” means the number assigned by Commission Order to any hunt area where a limited number of hunt permits are available.

“Hunt permits” means the number of hunt permit-tags made available to the public as a result of a Commission Order.

“Hunt permit-tag” means a tag for a hunt for which a Commission Order has assigned a hunt number.

“Identification number” means the number assigned to each applicant or license holder by the Department as established under R12-4-111.

“Import” means to bring, send, receive, or transport wildlife or wildlife parts into Arizona from another state or country.

“License dealer” means a business authorized to sell hunting, fishing, and other licenses as established under ~~to~~ R12-4-105.

“Live baitfish” means any species of live freshwater fish designated by Commission Order as lawful for use in taking aquatic wildlife under R12-4-317.

“Management unit” means an area established by the Commission for management purposes.



“Nonpermit-tag” means a tag for a hunt for which a Commission Order does not assign a hunt number and the number of tags is not limited.

“Nonprofit organization” means an organization that is recognized under Section 501(c) of the U.S. Internal Revenue Code.

“Person” has the meaning as provided under A.R.S. § 1-215.

“Proof of purchase,” for the purposes of A.R.S. § 17-331, means an original, or any authentic and verifiable form of the original, of any Department-issued license, permit, or stamp that establishes proof of actual purchase.

“Restricted nonpermit-tag” means a tag issued for a supplemental hunt as established under R12-4-115.

“Solicitation” means any activity that may be considered or interpreted as promoting, selling, or transferring products, services, memberships, or causes, or participation in an event or activity of any kind, including organizational, educational, public affairs, or protest activities, including the distribution or posting of advertising, handbills, leaflets, circulars, posters, or other printed materials for these purposes.

“Solicitation material” means advertising, circulars, flyers, handbills, leaflets, posters, or other printed information.

“Sponsor” means the person or persons conducting a solicitation or event.

“Stamp” means a form of authorization in addition to a license that authorizes the license holder to take wildlife specified by the stamp.

“Tag” means the Department authorization a person is required to obtain before taking certain wildlife as established under A.R.S. Title 17 and 12 A.A.C. 4.

“Waterdog” means the larval or metamorphosing stage of a salamander.

“Wildlife area” means an area established under 12 A.A.C. 4, Article 8.

B. If the following terms are used in a Commission Order, the following definitions apply:

“Antlered” means having an antler fully erupted through the skin and capable of being shed.

“Antlerless” means not having an antler, antlers, or any part of an antler erupted through the skin.

“Bearded turkey” means a turkey with a beard that extends beyond the contour feathers of the breast.

“Buck antelope” means a male pronghorn antelope.

“Adult bull ~~buffalo~~ bison” means a male ~~buffalo~~ bison of any age or any ~~buffalo~~ bison designated by a Department employee during an adult bull ~~buffalo~~ bison hunt.

“Adult cow ~~buffalo~~ bison” means a female ~~buffalo~~ bison of any age or any ~~buffalo~~ bison designated by a Department employee during an adult cow ~~buffalo~~ bison hunt.

“Bull elk” means an antlered elk.

“Designated” means the gender, age, or species of ~~an animal~~ wildlife or the specifically identified ~~animal~~ wildlife the Department authorizes to be taken and possessed with a valid tag.

“Ram” means any male bighorn sheep.

“Rooster” means a male pheasant.

“Yearling ~~buffalo~~ bison” means any ~~buffalo~~ bison less than three years of age or any ~~buffalo~~ bison designated by a Department employee during a yearling ~~buffalo~~ bison hunt.

ARTICLE 2. LICENSES; PERMITS; STAMPS; TAGS

R12-4-216. Crossbow Permit

A. For the purposes of this Section, “healthcare provider” means a person who is licensed to practice by the federal government, any state, or U.S. territory with one of the following credentials:

- Medical Doctor,
- Doctor of Osteopathy,
- Doctor of Chiropractic,
- Nurse Practitioner, or
- Physician Assistant.

B. A crossbow permit allows a person to use ~~a crossbow or any bow to be drawn and held with an assisting device~~; the following devices during an archery-only season, as prescribed under R12-4-318, when authorized under R12-4-304 as lawful for the species hunted;

1. A crossbow as defined under R12-4-101.
2. Any bow to be drawn and held with an assisting device, or
3. Pre-charged pneumatic weapons, as defined under R12-4-301, using arrows or bolts and with a capacity of holding and firing only one arrow or bolt at a time.

C. The crossbow permit does not exempt the permit holder from any other applicable method of take or licensing requirement. The permit holder shall be responsible for compliance with all applicable regulatory requirements.

D. The crossbow permit does not expire, unless:

1. The medical certification portion of the application indicates the person has a temporary physical disability; then the crossbow permit shall be valid only for the period of time indicated on the crossbow permit as specified by the healthcare provider,
2. The permit holder no longer meets the criteria for obtaining the crossbow permit, or
3. The Commission revokes the person’s hunting privileges under A.R.S. § 17-340. A person whose crossbow permit is revoked by the Commission may petition the Commission for a rehearing as established under R12-4-607.



- E. An applicant for a crossbow permit shall apply by submitting an application to the Department. The application form is furnished by the Department and is available at any Department office and online at www.azgfd.gov. A crossbow permit applicant shall provide all of the following information on the application:
1. The applicant's:
 - a. Name;
 - b. Date of birth;
 - c. Physical description, to include the applicant's eye color, hair color, height, and weight;
 - d. Department identification number, when applicable;
 - e. Residency status;
 - f. Mailing address, when applicable;
 - g. Physical address;
 - h. Telephone number, when available; and
 - i. E-mail address, when available;
 2. Affirmation that:
 - a. The applicant meets the requirements of this Section, and
 - b. The information provided on the application is true and accurate, and
 3. Applicant's signature and date.
 4. The certification portion of the application shall be completed by a healthcare provider. The healthcare provider shall:
 - a. Certify the applicant has one or more of the following physical limitations:
 - i. An amputation involving body extremities required for stable function to use conventional archery equipment;
 - ii. A spinal cord injury resulting in a disability to the lower extremities, leaving the applicant nonambulatory;
 - iii. A wheelchair restriction;
 - iv. A neuromuscular condition that prevents the applicant from drawing and holding a bow;
 - v. A failed functional draw test that equals 30 pounds of resistance and involves holding it for four seconds;
 - vi. A failed manual muscle test involving the grading of shoulder and elbow flexion and extension or an impaired range-of-motion test involving the shoulder or elbow; or
 - vii. A combination of comparable physical disabilities resulting in the applicant's inability to draw and hold a bow.
 - b. Indicate whether the disability is temporary or permanent and, when temporary, specify the expected duration of the physical limitation; and
 - c. Provide the healthcare provider's:
 - i. Typed or printed name,
 - ii. License number,
 - iii. Business address,
 - iv. Telephone number, and
 - v. Signature and date;
 5. A person who holds a valid Challenged Hunter Access/Mobility Permit (CHAMP) and who is applying for a crossbow permit is exempt from the requirements of subsection (E)(4) and shall indicate "CHAMP" in the space provided for the medical certification on the crossbow permit application.
- F. All information and documentation provided by the applicant is subject to Department verification. The Department shall return the original or certified copy of a document to the applicant after verification.
- G. The Department shall deny a crossbow permit when the applicant:
1. Fails to meet the criteria prescribed under this Section,
 2. Fails to comply with the requirements of this Section, or
 3. Provides false information during the application process.
- H. The Department shall provide written notice to the applicant stating the reason for the denial. The applicant may appeal the denial to the Commission as prescribed under A.R.S. Title 41, Chapter 6, Article 10.
- I. The applicant claiming a temporary or permanent disability is responsible for all costs associated with obtaining the medical documentation, re-evaluation of the information, or a second medical opinion.
- J. When acting under the authority of a crossbow permit, the crossbow permit holder shall possess the permit, and exhibit the permit upon request to any peace officer, wildlife manager, or game ranger.
- K. A crossbow permit holder shall not:
1. Transfer the permit to another person, or
 2. Allow another person to use or possess the permit.

ARTICLE 3. TAKING AND HANDLING OF WILDLIFE

R12-4-301. Definitions

In addition to the definitions provided under A.R.S. § 17-101 and R12-4-101, the following definitions apply to this Article unless otherwise specified:

"Administer" means to ~~pursue, capture, or otherwise restrain wildlife in order to directly~~ apply a drug directly to wildlife by injection, inhalation, ingestion, or any other means.

"Aircraft" means any contrivance used for flight in the air or any lighter-than-air contrivance, including unmanned aircraft systems also known as drones.

"Artificial ~~lures and flies and lures~~" means man-made devices intended as visual attractants ~~for to catch fish and~~ Artificial flies and lures does not include living or dead organisms or edible parts of those organisms, natural or prepared food stuffs, ~~artificial salmon eggs, artificial corn, or artificial marshmallows~~ chemicals or organic materials intended to create a scent, flavor, or chemical stimulant to the device regardless of whether it is added or applied during or after the manufacturing process.



“Barbless hook” means any ~~fishhook~~ fish hook manufactured without barbs or on which the barbs have been completely closed or removed.

“Body-gripping trap” means a device designed to capture an animal by gripping the animal's body.

“Cervid” means ~~any member of the deer family (Cervidae); which includes caribou, elk, moose, mule deer, reindeer, wapiti, and whitetail deer.~~

“Confinement trap” means a device designed to capture wildlife alive and hold it without harm.

“Crayfish net” means a net that does not exceed 36 inches on a side or in diameter and is retrieved by means of a hand-held line.

“Deadly weapon” has the same meaning as provided under A.R.S. § 13-3101.

“Device” has the same meaning as provided under A.R.S. § 17-101.

“Dip net” means any net, excluding the handle, that is no greater than ~~3~~ three feet in the greatest dimension, that is hand-held, non-motorized, and the motion of the net is caused by the physical effort of the ~~individual person.~~

“Drug” means any chemical substance, other than food or mineral supplements, ~~which~~ that affects the structure or biological function of wildlife.

“Edible portions of game meat” means, for:

Upland game birds, migratory game birds and wild turkey: breast.

Bear, bighorn sheep, bison, deer, elk, javelina, mountain lion, and pronghorn antelope: front quarters, hind quarters, loins (backstraps), neck meat, and tenderloins.

Game fish: fillets of the fish.

“Evidence of legality” means the wildlife is accompanied by the applicable license, tag, stamp, or permit required by law and is identifiable as the “legal wildlife” prescribed by Commission Order, which may include evidence of species, gender, antler or horn growth, maturity, and size.

“Foothold trap” means a device designed to capture an animal by the leg or foot.

“Hybrid device” means a device with a combination of components from two or more lawful devices and is used for the take of wildlife, such as but not limited to a firearm, pneumatic weapon, or slingshot that shoots arrows or bolts.

“Instant kill trap” means a device designed to render an animal unconscious and insensitive to pain quickly with inevitable subsidence into death without recovery of consciousness.

“Land set” means any trap used on land rather than in water.

“Live-action trail camera” means an unmanned device capable of transmitting images, still photographs, video, or satellite imagery, wirelessly to a remote device such as but not limited to a computer, smart phone, or tablet. This does not include a trail camera that only records photographic or video data and stores the data for later use, provided the device is not capable of transmitting data wirelessly.

“Minnow trap” means a trap with dimensions that do not exceed 12 inches in depth, 12 inches in width, and 24 inches in length.

“Muzzleloading handgun” means a firearm intended to be fired from the hand, incapable of firing fixed ammunition, ~~having a single barrel,~~ and loaded ~~through the muzzle~~ with black powder or synthetic black powder and a single projectile.

“Muzzleloading rifle” means a firearm intended to be fired from the shoulder, incapable of firing fixed ammunition, having a single barrel ~~and single chamber,~~ and loaded through the muzzle with black powder or synthetic black powder and a single projectile.

“Muzzleloading shotgun” means a firearm intended to be fired from the shoulder, incapable of firing fixed ammunition, having a single or double smooth barrel and loaded through the muzzle with black powder or synthetic black powder and using ball shot as a projectile.

“Nonprofit organization” means ~~an organization that is recognized as nonprofit under Section 501(c) of the U.S. Internal Revenue Code.~~

“Paste-type bait” means a partially liquefied substance used as a lure for animals.

“Person” means ~~any individual, corporation, partnership, limited liability company, non-governmental organization or club, licensed animal shelter, government entity other than the Department, and any officer, employee, volunteer, member or agent of a person.~~

“Pneumatic weapon” means a device that fires a projectile by means of air pressure or compressed gas. This does not include tools that are common in the construction and art trade such as, but not limited to, nail and rivet guns.

“Pre-charged pneumatic weapon” means an air gun or pneumatic weapon that is charged from ~~an external~~ a high compression source such as an air compressor, air tank, or internal external hand pump.

“Prohibited possessor” has the same meaning as provided under A.R.S. § 13-3101.

“Prohibited weapon” has the same meaning as provided under A.R.S. § 13-3101.

“Rifle” means a firearm intended to be fired from the shoulder that uses the energy from an explosive in a fixed cartridge to fire a single projectile through a rifled bore for each single pull of the trigger. This does not include a pre-charged pneumatic weapon.

“Shotgun” means a firearm intended to be fired from the shoulder and that uses the energy from an explosive in a fixed shotgun shell to fire either ball shot or a single projectile through a smooth bore or rifled barrel for each pull of the trigger.



“Sight-exposed bait” means a carcass, or parts of a carcass, lying openly on the ground or suspended in a manner so that it can be seen from above by a bird. This does not include a trap flag, dried or bleached bone with no attached tissue, or less than two ounces of paste-type bait.

“Simultaneous fishing” means taking fish by using only two lines at one time and not more than two hooks or two artificial flies or lures ~~or flies~~ per line.

“Single-point barbless hook” means a fishhook with a single point, manufactured without barbs, or on which the barbs have been completely closed or removed. This does not include a treble fishhook.

“Sinkbox” means a low-floating device with a depression that affords a hunter a means of concealment beneath the surface of the water.

“Smart device” means any device equipped with a target-tracking system or an electronically-controlled, electronically-assisted, or computer-linked trigger or release. This includes but is not limited to smart rifles.

“Trap flag” means an attractant made from materials other than animal parts that is suspended at least three feet above the ground.

“Water set” means any trap used and anchored in water rather than on land.

R12-4-302. Use of Tags

- A. In addition to meeting requirements prescribed under A.R.S. § 17-331, ~~an individual~~ a person who takes wildlife shall have in possession any tag required for the particular season or hunt area.
- B. A tag obtained in violation of statute or rule is invalid and shall not be used to take, transport, or possess wildlife.
- C. ~~An individual~~ A person who lawfully possesses both a nonpermit-tag and a hunt permit-tag shall not take a genus or species in excess of the bag limit established by Commission Order for that genus or species.
- D. ~~An individual~~ A person shall:
 1. Take and tag only the wildlife identified on the tag; ~~and,~~
 2. Use a tag only in the season and hunt for which the tag is valid, as specified by Commission Order.
- E. Except as permitted under R12-4-217, ~~an individual~~ a person shall not:
 1. Allow their tag to be attached to wildlife killed by another ~~individual~~ person,
 2. Allow their tag to be possessed by another ~~individual who is in a hunt area~~ person while taking wildlife,
 3. Allow wildlife killed by that person to be tagged with another person's tag.
 - 3-4. Attach their tag to wildlife killed by another ~~individual~~ person,
 4. ~~Attach a tag issued to another individual to wildlife,~~ or
 5. Possess a tag issued to another ~~individual~~ person while ~~in a hunt area~~ taking wildlife.
- F. Except as permitted under R12-4-217, immediately after ~~an individual~~ a person kills wildlife, the ~~individual~~ person shall attach the tag to the wildlife carcass in the manner indicated on the tag.
- G. ~~An individual~~ A person who lawfully takes wildlife with a valid tag and authorizes another ~~individual~~ person to possess, transport, or ship the tagged portion of the carcass shall complete the Transportation and Shipping Permit portion of the original tag authorizing the take of that ~~animal~~ wildlife.
- H. If a tag is cut, notched, mutilated, or the Transportation and Shipping Permit portion of the tag is signed or filled out, the tag is no longer valid for the take of wildlife.

R12-4-303. Unlawful Devices, Methods, and Ammunition

- A. In addition to the prohibitions prescribed under A.R.S. §§ 17-301 and 17-309, the following devices, methods, and ammunition are unlawful for taking ~~any~~ wildlife in this state:
 1. ~~An individual~~ A person shall not use any of the following to take wildlife:
 - a. Fully automatic firearms, including firearms capable of selective automatic fire; ~~or,~~
 - b. Tracer; ~~or armor-piercing; or full-jacketed~~ ammunition designed for military use.
 - c. Any smart device as defined under R12-4-301.
 - d. Any self-guided projectiles.
 2. A person shall not take big game using full-jacketed or total-jacketed bullets that are not designed to expand upon impact.
 - 2-3. ~~An individual~~ A person shall not use or possess any of the following while taking wildlife:
 - a. Poisoned projectiles or projectiles that contain explosives or a secondary propellant;
 - b. Pitfalls of greater than 5-gallon size, explosives, poisons, or stupefying substances, except as permitted under A.R.S. § 17-239 or as allowed by a scientific collecting permit issued under A.R.S. § 17-238;
 - c. Any lure, attractant, or cover scent containing any cervid urine; ~~or~~
 - d. Electronic night vision equipment, electronically enhanced light-gathering devices, thermal imaging devices or laser sights projecting a visible light; except for devices such as laser range finders projecting a non-visible light, scopes with self-illuminating reticles, and fiber optic sights with self-illuminating sights or pins that do not project a visible light onto an animal.
 - 3-4. ~~An individual~~ A person shall not by any means:
 - a. Hold wildlife at bay other than during daylight hours, unless authorized by Commission Order.
 - b. Injure, confine, ~~or place,~~ or use a tracking device in or on wildlife for the purpose of taking or aiding ~~another individual to~~ in the take of wildlife.
 - c. Place any substance, device, or object in, on, or by any water source to prevent wildlife from using that water source.
 - d. Place any substance in a manner intended to attract bears.
 - e. Use a manual or powered jacking or prying device to take reptiles or amphibians.
 - f. Use dogs to pursue, tree, corner or hold at bay any wildlife for a hunter, unless that hunter is present for the entire hunt.



- g. ~~Take migratory game birds, except Eurasian Collared collared-doves, using a shotgun larger than 10 gauge, a shotgun of any description capable of holding more than three shells unless it is plugged with a one-piece filler that cannot be removed without disassembling the shotgun so that its total capacity does not exceed three shells, electronically amplified bird calls, or baits, as prohibited under 50 CFR 20.21, revised October 1, 2009. The material incorporated by reference in this Section does not include any later amendments or editions. The incorporated material is available at any Department office, online from the Government Printing Office web site www.gpoaccess.gov, or may be ordered from the Superintendent of Documents, U.S. Government Printing Office, 732 N. Capitol St. N.W., Stop IDCC, Washington, D.C. 20401;~~
 - i. Using a shotgun larger than 10 gauge, a shotgun of any description capable of holding more than three shells unless it is plugged with a one-piece filler that cannot be removed without disassembling the shotgun so that its total capacity does not exceed three shells;
 - ii. Using electronically amplified bird calls or baits;
 - iii. By means or aid of any motordriven land, water, or air conveyance, or any sailboat used for the purpose of or resulting in the concentrating, driving, rallying, or stirring up of any migratory bird.
 - iv. Activities described under subsections (g)(i) through (g)(iii) are prohibited under 50 C.F.R. 20.21, revised October 1, 2015. The material incorporated by reference in this Section does not include any later amendments or editions. The incorporated material is available at any Department office, online from the Government Printing Office website www.gpoaccess.gov, or may be ordered from the Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197-9000.
- h. ~~Discharge a pneumatic weapon .30 caliber or larger~~ any of the following devices while taking wildlife within one-fourth mile (440 yards) of an occupied farmhouse or other residence, cabin, lodge or building without permission of the owner or resident;
 - i. Arrow or bolt,
 - ii. Hybrid device, or
 - iii. Pneumatic weapon .35 caliber or larger.
- 5. A person shall not use a live-action trail camera, or images from a live-action trail camera, for the purpose of:
 - a. Taking or aiding in the take of wildlife, or
 - b. Locating wildlife for the purpose of taking or aiding in the take of wildlife.
- 6. A person shall not use images of wildlife produced or transmitted from a satellite or other device that orbits the earth for the purpose of:
 - a. Taking or aiding in the take of wildlife, or
 - b. Locating wildlife for the purpose of taking or aiding in the take of wildlife.
 - c. This subsection does not prohibit the use of mapping systems or programs.
- 4.7. ~~An individual~~ A person shall not use edible or ingestible substances to aid in taking big game. The use of edible or ingestible substances to aid in taking big game is unlawful when:
 - a. ~~An individual~~ A person places edible or ingestible substances for the purpose of attracting or taking big game, or
 - b. ~~An individual~~ A person knowingly takes big game with the aid of edible or ingestible substances placed for the purpose of attracting wildlife to a specific location.
- 5.8. Subsection ~~(A)(4)~~ (A)(6) does not limit Department employees or Department agents in the performance of their official duties.
- 6.9. For the purposes of subsection ~~(A)(4)~~ (A)(6), edible or ingestible substances do not include any of the following:
 - a. Water.
 - b. Salt.
 - c. Salt-based materials produced and manufactured for the livestock industry.
 - d. Nutritional supplements produced and manufactured for the livestock industry and placed during the course of livestock or agricultural operations.

B. It is unlawful for a person who is a prohibited possessor to take wildlife with a deadly weapon or prohibited weapon.

BC. Wildlife taken in violation of this Section is unlawfully taken.

CD. This Section does not apply to any activity allowed under A.R.S. § 17-302, to ~~an individual~~ a person acting within the scope of their official duties as an employee of the state or United States, or as authorized by the Department.

R12-4-304. Lawful Methods for Taking Wild Mammals, Birds, and Reptiles

A. A hybrid device is lawful for the take of wildlife provided all components of the device are authorized for the take of that species under this Section.

B. An individual A person may only use the following methods to take big game when authorized by Commission Order and subject to the restrictions under R12-4-303 and R12-4-318.

- 1. To take antelope:
 - a. Centerfire rifles;
 - b. Muzzleloading rifles;
 - e. All other rifles using black powder or synthetic black powder;
 - d. Centerfire handguns;
 - e. Handguns using black powder or synthetic black powder;
 - f. Shotguns shooting slugs, only;
 - g. Pre-charged pneumatic weapons .35 caliber or larger;
 - h. Bows with a standard pull of 30 or more lbs, using arrows with broadheads no less than 7/8 inch in width with metal cutting edges; and
 - i. Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection (A)(1)(h) to be drawn and held with an assisting device.



21. To take bear:
- Centerfire rifles;
 - Muzzleloading rifles;
 - All other rifles using black powder or synthetic black powder;
 - Centerfire handguns;
 - ~~Handguns using black powder or synthetic black powder~~ Muzzleloading handguns;
 - Shotguns shooting slugs, only;
 - Pre-charged pneumatic weapons .35 caliber or larger;
 - Pre-charged pneumatic weapons using arrows or bolts with broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges and capable of firing a minimum of 250 feet per second;
 - ~~h.i.~~ Bows with a standard pull of 30 or more ~~lbs~~ pounds, using arrows with broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges;
 - ~~i.j.~~ Crossbows with a minimum draw weight of 125 ~~lbs~~ pounds, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges or bows as described in subsection ~~(A)(2)(h)~~ (B)(1)(i) to be drawn and held with an assisting device; and
 - ~~j.k.~~ Pursuit with dogs only between August 1 and December 31, provided the ~~individual person~~ individual person shall immediately kill or release the bear after it is treed, cornered, or held at bay. For the purpose of this subsection, "release" means the ~~individual person~~ individual person removes the dogs from the area so the bear can escape on its own after it is treed, cornered, or held at bay.
32. To take bighorn sheep:
- Centerfire rifles;
 - Muzzleloading rifles;
 - All other rifles using black powder or synthetic black powder;
 - Centerfire handguns;
 - ~~Handguns using black powder or synthetic black powder~~ Muzzleloading handguns;
 - Shotguns shooting slugs, only;
 - Pre-charged pneumatic weapons .35 caliber or larger;
 - Pre-charged pneumatic weapons using arrows or bolts with broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges and capable of firing a minimum of 250 feet per second;
 - ~~h.i.~~ Bows with a standard pull of 30 or more ~~lbs~~ pounds, using arrows with broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges; and
 - ~~i.j.~~ Crossbows with a minimum draw weight of 125 ~~lbs~~ pounds, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges or bows as described in subsection ~~(A)(3)(h)~~ (B)(2)(i) to be drawn and held with an assisting device.
43. To take ~~buffalo~~ bison:
- ~~State-wide~~ Statewide, except for the ~~game~~ management units identified under subsection ~~(A)(4)(b)~~ (B)(3)(b):
 - Centerfire rifles;
 - Muzzleloading rifles;
 - All other rifles using black powder or synthetic black powder;
 - Centerfire handguns no less than .41 Magnum or centerfire handguns with an overall cartridge length of no less than two inches;
 - Pre-charged pneumatic weapons 40 caliber or larger a minimum of 500 foot pounds of energy;
 - Pre-charged pneumatic weapons using arrows or bolts with broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges and capable of firing a minimum of 250 feet per second; and
 - ~~vii.~~ Bows with a standard pull of 40 or more ~~lbs~~ pounds, using arrows with broadheads of no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges; ~~and~~
 - ~~viii.~~ Crossbows with a minimum draw weight of 125 ~~lbs~~ pounds, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges or bows as described in subsection ~~(A)(4)(a)~~ (B)(3)(a)(vi) to be drawn and held with an assisting device.
 - In ~~game management units~~ Management Units 5A and 5B:
 - Centerfire rifles,
 - Muzzleloading rifles, and
 - All other rifles using black powder or synthetic black powder.
54. To take deer:
- Centerfire rifles;
 - Muzzleloading rifles;
 - All other rifles using black powder or synthetic black powder;
 - Centerfire handguns;
 - ~~Handguns using black powder or synthetic black powder~~ Muzzleloading handguns;
 - Shotguns shooting slugs, only;
 - Pre-charged pneumatic weapons .35 caliber or larger;
 - Pre-charged pneumatic weapons using arrows or bolts with broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges and capable of firing a minimum of 250 feet per second;
 - ~~h.i.~~ Bows with a standard pull of 30 or more ~~lbs~~ pounds, using arrows with broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges; and



- i-j. Crossbows with a minimum draw weight of 125 lbs pounds, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges or bows as described in subsection (A)(5)(h) (B)(4)(i) to be drawn and held with an assisting device.
- 65. To take elk:
 - a. Centerfire rifles;
 - b. Muzzleloading rifles;
 - c. All other rifles using black powder or synthetic black powder;
 - d. Centerfire handguns;
 - e. ~~Handguns using black powder or synthetic black powder~~ Muzzleloading handguns;
 - f. Shotguns shooting slugs, only;
 - g. Pre-charged pneumatic weapons 40 caliber or larger and capable of firing a minimum of 500 foot pounds of energy;
 - h. Pre-charged pneumatic weapons using arrows or bolts with broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges and capable of firing a minimum of 250 feet per second;
 - gi. Bows with a standard pull of 30 or more ~~lbs pounds,~~ using arrows with broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges; and
 - hj. Crossbows with a minimum draw weight of 125 ~~lbs pounds,~~ using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges or bows as described in subsection (A)(6)(g) (B)(5)(h) to be drawn and held with an assisting device.
- 76. To take javelina:
 - a. Centerfire rifles;
 - b. Muzzleloading rifles;
 - c. All other rifles using black powder or synthetic black powder;
 - d. Centerfire handguns;
 - e. ~~Handguns using black powder or synthetic black powder~~ Muzzleloading handguns;
 - f. Shotguns shooting slugs, only;
 - g. Pre-charged pneumatic weapons .35 caliber or larger;
 - h. Pre-charged pneumatic weapons using arrows or bolts with broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges and capable of firing a minimum of 250 feet per second;
 - hi. Bows with a standard pull of 30 or more ~~lbs pounds,~~ using arrows with broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges;
 - ij. Crossbows with a minimum draw weight of 125 ~~lbs pounds,~~ using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges or bows as described in subsection (A)(7)(h) (B)(6)(i) to be drawn and held with an assisting device;
 - jk. .22 rimfire magnum rifles; and
 - kl. 5 mm rimfire magnum rifles.
- 87. To take mountain lion:
 - a. Centerfire rifles;
 - b. Muzzleloading rifles;
 - c. All other rifles using black powder or synthetic black powder;
 - d. Centerfire handguns;
 - e. ~~Handguns using black powder or synthetic black powder~~ Muzzleloading handguns;
 - f. Shotguns shooting slugs or shot;
 - g. Pre-charged pneumatic weapons .35 caliber or larger;
 - h. Pre-charged pneumatic weapons using arrows or bolts with broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges and capable of firing a minimum of 250 feet per second;
 - hi. Bows with a standard pull of 30 or more ~~lbs pounds,~~ using arrows with broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges;
 - ij. Crossbows with a minimum draw weight of 125 ~~lbs pounds,~~ using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges or bows as described in subsection (A)(8)(h) (B)(7)(i) to be drawn and held with an assisting device;
 - j-k. Artificial light, during seasons with day-long hours, provided the light is not attached to or operated from a motor vehicle, motorized watercraft, watercraft under sail, or floating object towed by a motorized watercraft or a watercraft under sail; and
 - k-l. Pursuit with dogs, provided the ~~individual person~~ shall immediately kill or release the mountain lion after it is treed, cornered, or held at bay. For the purpose of this subsection, "release" means the ~~individual person~~ removes the dogs from the area so the mountain lion can escape on its own after it is treed, cornered, or held at bay.
- 8. To take pronghorn antelope:
 - a. Centerfire rifles;
 - b. Muzzleloading rifles;
 - c. All other rifles using black powder or synthetic black powder;
 - d. Centerfire handguns;
 - e. Muzzleloading handguns;
 - f. Shotguns shooting slugs, only;
 - g. Pre-charged pneumatic weapons .35 caliber or larger;
 - h. Pre-charged pneumatic weapons using arrows or bolts with broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges and capable of firing a minimum of 250 feet per second;



- i. Bows with a standard pull of 30 or more pounds, using arrows with broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges; and
 - j. Crossbows with a minimum draw weight of 125 pounds, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges or bows as described in subsection (B)(8)(i) to be drawn and held with an assisting device.
9. To take turkey:
- a. Shotguns shooting shot;
 - b. Bows with a standard pull of 30 or more ~~lbs~~ pounds, using arrows with broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges; and
 - c. Crossbows with a minimum draw weight of 125 ~~lbs~~ pounds, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges or bows as described in subsection ~~(A)(9)(b)~~ (B)(9)(b) to be drawn and held with an assisting device.
 - d. Pre-charged pneumatic weapons using arrows or bolts with broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges and capable of firing a minimum of 250 feet per second;
- BC.** ~~An individual~~ A person may only use the following methods to take small game, when authorized by Commission Order and subject to the restrictions under R12-4-303 ~~and~~ R12-4-318, ~~and~~ R12-4-422.
- 1. To take cottontail rabbits and tree squirrels:
 - a. Firearms,
 - b. Bow and arrow,
 - c. Crossbow,
 - d. Pneumatic weapons,
 - e. Slingshots,
 - f. Hand-held projectiles,
 - g. Falconry, and
 - h. Dogs.
 - 2. To take all upland game birds and Eurasian ~~Collared~~ collared-dove:
 - a. Bow and arrow;
 - b. Falconry;
 - c. Pneumatic weapons;
 - d. Shotguns shooting shot, only;
 - e. Handguns shooting shot, only;
 - f. Crossbow;
 - g. Slingshot;
 - h. Hand-held projectiles; and
 - i. Dogs.
 - 3. To take migratory game birds, except Eurasian ~~Collared~~ collared-dove:
 - a. Bow and arrow;
 - b. Crossbow;
 - c. Falconry;
 - d. Dogs;
 - e. Shotguns shooting shot:
 - i. Ten gauge or smaller, except that lead shot shall not be used or possessed while taking ducks, geese, swans, mergansers, common moorhens, or coots; and
 - ii. Incapable of holding more than a total of three shells; as prescribed under 50 ~~CFR~~ C.F.R. 20.21, published October 1, ~~2009~~ 2015. The material incorporated by reference in this subsection does not include any later amendments or editions. The material is available at any Department office, online from the Government Printing Office ~~web site~~ website www.gpoaccess.gov, or may be ordered from the Superintendent of Documents, ~~U.S. Government Printing Office, 732 N. Capitol St. N.W., Stop: IDCC, Washington, D.C. 20401~~ P.O. Box 979050, St. Louis, MO 63197-9000.
- CD.** ~~An individual~~ A person may take waterfowl from any watercraft, except a sinkbox, subject to the following conditions:
- 1. The motor is shut off, the sail is furled, as applicable, and any progress from a motor or sail has ceased;
 - 2. The watercraft may be:
 - a. Adrift as a result of current or wind action;
 - b. Beached;
 - c. Moored;
 - d. Resting at anchor; or
 - e. Propelled by paddle, oars, or pole; and
 - 3. The ~~individual~~ person may only use the watercraft under power to retrieve dead or crippled waterfowl; shooting is prohibited while the watercraft is underway under power.
- DE.** ~~An individual~~ A person may take predatory and ~~fur-bearing~~ fur-bearing animals by using the following methods, when authorized by Commission Order and subject to the restrictions under R12-4-303 and R12-4-318:
- 1. Firearms;
 - 2. Pre-charged pneumatic weapons .22 caliber or larger;
 - 3. Bow and arrow;
 - 4. Crossbow;
 - 5. Traps not prohibited under R12-4-307;



- 6. Artificial light while taking raccoon provided the light is not attached to or operated from a motor vehicle, motorized watercraft, watercraft under sail, or floating object towed by a motorized watercraft or a watercraft under sail;
- 7. Artificial light while taking coyote during seasons with day-long hours, provided the light is not attached to or operated from a motor vehicle, motorized watercraft, watercraft under sail, or floating object towed by a motorized watercraft or a watercraft under sail; and
- 8. Dogs.

EE. ~~An individual~~ A person may take nongame mammals and birds by any method authorized by Commission Order and not prohibited under R12-4-303 ~~or, R12-4-318, and R12-4-422,~~ subject to the following restrictions. ~~An individual~~ A person:

- 1. Shall not take nongame mammals and birds using foothold traps;
- 2. Shall check pitfall traps of any size daily, release non-target species, remove pitfalls when no longer in use, and fill any holes;
- 3. Shall not use firearms at night; and
- 4. May use artificial light while taking nongame mammals and birds, if the light is not attached to or operated from a motor vehicle, motorized watercraft, watercraft under sail, or floating object towed by a motorized watercraft or a watercraft under sail.

FG. ~~An individual~~ A person may take reptiles by any method not prohibited under R12-4-303 or R12-4-318 subject to the following restrictions. ~~An individual~~ A person:

- 1. Shall check pitfall traps of any size daily, release non-target species, remove pitfalls when no longer in use, and fill any holes;
- 2. Shall not use firearms at night; and
- 3. May use artificial light while taking reptiles provided the light is not attached to or operated from a motor vehicle, motorized watercraft, watercraft under sail, or floating object towed by a motorized watercraft or a watercraft under sail.

R12-4-305. Possessing, Transporting, Importing, Exporting, and Selling Carcasses or Parts of Wildlife

A. ~~An individual~~ A person shall ensure that evidence of legality remains with the carcass or parts of a carcass of any ~~wild mammal, bird, or reptile~~ wildlife that the ~~individual~~ person possesses, transports, or imports until arrival at the ~~individual's~~ person's permanent abode, a commercial processing plant, or the place where the wildlife is to be consumed.

B. In addition to the requirement ~~in~~ under subsection (A), ~~an individual~~ a person possessing or transporting the following wildlife shall ensure each:

- 1. Big game animal, sandhill crane, and pheasant has the required valid tag attached ~~as prescribed under R12-4-302~~ in the manner indicated on the tag;
- 2. Migratory game bird, except sandhill cranes, has one fully feathered wing attached;
- 3. Sandhill crane and Eurasian-collared dove has either the fully feathered head or one fully feathered wing attached; ~~and~~
- 4. Quail has attached a fully feathered head, or a fully feathered wing, or a leg with foot attached, when the current Commission Order has established separate bag or possession limits for any species of quail; and
- 5. Freshwater fish has the head, tail, or skin attached so the species can be identified and the total number and required length determined.

C. ~~An individual~~ A person who has lawfully taken wildlife that requires a valid tag when prescribed by the Commission may authorize its transportation or shipment by completing and signing the Transportation and Shipping Permit portion of the valid tag for that animal. A separate Transportation and Shipping Permit issued by the Department is necessary to transport or ship to another state or country any big game taken with a resident license. Under A.R.S. § 17-372(B), ~~an individual~~ a person may ship other lawfully taken wildlife by common carrier after obtaining a valid Transportation and Shipping Permit issued by the Department. The ~~individual~~ person shall provide the following information ~~on the permit form~~:

- 1. Number and description of the wildlife to be transported or shipped;
- 2. Name, address, license number, and license class of the ~~individual~~ person who took the wildlife;
- 3. Tag number;
- 4. Name and address of the ~~individual~~ person receiving a portion of the carcass of the wildlife as authorized under subsection (D), if applicable;
- 5. Address of destination where the wildlife is to be transported or shipped; and
- 6. Name and address of transporter or shipper.

D. ~~An individual~~ A person who lawfully takes wildlife under a tag may authorize another individual to possess the head or carcass of the wildlife by separating and attaching the tag as prescribed under R12-4-302.

E. ~~An individual~~ A person who receives a portion of the wildlife shall provide the identity of the ~~individual~~ person who took and gave the portion of the wildlife upon request to any peace officer, wildlife manager, or game ranger.

F. ~~An individual~~ A person shall not possess the horns of a bighorn sheep, taken by a hunter in this state, unless the horns are marked or sealed as ~~prescribed~~ established under R12-4-308.

G. Except as provided under R12-4-307, before ~~an individual~~ a person may sell, offer for sale, or export the raw pelt or unskinned carcass of a bobcat taken in this state, the ~~individual~~ person shall:

- 1. Present the bobcat for inspection at any Department office, and
- 2. Purchase a bobcat seal by paying the fee established under R12-4-102 at any Department office or other location as determined and published by the Department. Department personnel or an authorized agent shall attach and lock the bobcat seal only to a pelt or unskinned carcass presented with a validated transportation tag.

H. ~~An individual~~ A person who takes bear or mountain lion under A.R.S. § 17-302 ~~during a closed season~~ may retain the carcass of the wildlife if the ~~individual~~ person has a valid hunting license and the carcass is immediately tagged with a nonpermit-tag or a valid hunt permit-tag as required under R12-4-114 and R12-4-302, unless provided the individual person has already taken not reached the applicable bag limit for that big game animal. An animal retained under this subsection shall count ~~towards~~ toward the applicable bag limit for bear or mountain lion as authorized by Commission Order. The ~~individual~~ person shall comply with inspection and reporting requirements established under R12-4-308.

I. ~~An individual~~ A person may possess, transport, or import only the following portions of a cervid lawfully taken in another state or country:



1. Boneless portions of meat, or meat that has been cut and packaged either personally or commercially;
 2. Clean hides and capes with no skull or soft tissue attached, except as required for proof of legality;
 3. Clean skulls with antlers, clean skull plates, or antlers with no meat or soft tissue attached, this includes velvet antlers;
 4. Finished taxidermy mounts or products; and
 5. Upper canine teeth with no meat or tissue attached.
- J.** A private game farm license holder may transport a cervid lawfully killed or slaughtered at the license holder's game farm to a licensed meat processor.
- K.** ~~An individual~~ A person may possess or transport only the following portions of a cervid lawfully killed or slaughtered at a private game farm authorized under R12-4-413:
1. Boneless portions of meat, or meat that has been cut and packaged either personally or commercially;
 2. Clean hides and capes with no skull or soft tissue attached;
 3. Clean skulls with antlers, clean skull plates, or antlers with no meat or soft tissue attached, this includes velvet antlers;
 4. Finished taxidermy mounts or products; and
 5. Upper canine teeth with no meat or tissue attached.
- L.** ~~An individual~~ A person who obtains ~~buffalo bison~~ meat as authorized under R12-4-306 may sell the meat.
- M.** Except for cervids, which are subject to requirements established under subsections (I), (J), and (K), ~~an individual~~ a person may import into this state the carcasses or parts of wildlife, including aquatic wildlife, lawfully taken in another state or country if transported and exported in accordance with the laws of the state or country of origin.
- N.** ~~An individual in possession of or transporting the carcass of any freshwater fish taken within this state shall ensure that the head, tail, or skin is attached so that the species can be identified, numbers counted, and any required length determined.~~
- ON.** ~~An individual~~ A person shall not transport live crayfish from the site where taken, except as permitted under R12-4-316.
- PO.** ~~An individual~~ A person in possession of a common carp (*Cyprinus carpio*), buffalofish (*Ictiobus* spp.), or crayfish (families *Astacidae*, *Cambaridae*, and *Parastacidae*) carcass taken under Commission Order may sell the carcass.

R12-4-306. Buffalo Bison Hunt Requirements

- A.** When authorized by Commission Order, the Department shall conduct a hunt to harvest ~~buffalo bison~~ bison from the state's ~~buffalo bison~~ bison herds.
- B.** A hunter with a ~~buffalo bison~~ bison permit-tag or nonpermit-tag shall, when required:
1. Provide a signed written acknowledgment that the hunter received, read, understands, and agrees to comply with the requirements of this Section.
 2. Hunt in the order scheduled.
 2. ~~Be accompanied by an authorized Department employee, when required, and~~
 3. Be accompanied by an authorized Department employee who:
 - a. Shall designate the bison to be harvested, and
 - b. May assist in taking the bison if the hunter fails to dispatch a wounded bison within a reasonable period of time.
 - 3.4. ~~Take only the buffalo bison designated by the Department employee, when required.~~
- C.** ~~For the House Rock Herd (Units 12A, 12B, and 13A): when required by the Department, a hunter with a nonpermit tag shall:~~
1. ~~Hunt in the order scheduled.~~
 2. ~~Be accompanied by a Department employee who:~~
 - a. ~~Shall designate the buffalo to be harvested, and~~
 - b. ~~May assist in taking the buffalo if the hunter fails to dispatch a wounded buffalo within a reasonable period.~~
- D.** ~~For the Raymond Herd (Units 5A and 5B):~~
1. ~~A hunter with a permit tag shall:~~
 - a. ~~Hunt in the order scheduled, and~~
 - b. ~~Be accompanied by an authorized Department employee who:~~
 - i. ~~Shall designate the buffalo to be harvested, and~~
 - ii. ~~May assist in taking the buffalo if the hunter fails to dispatch a wounded buffalo within a reasonable period.~~
 2. ~~When required by the Department, a hunter with a nonpermit tag shall:~~
 - a. ~~Hunt in the order scheduled,~~
 - b. ~~Be accompanied by a Department employee who:~~
 - i. ~~Shall designate the buffalo to be harvested.~~
 - ii. ~~May assist in taking the buffalo if the hunter fails to dispatch a wounded buffalo within a reasonable period.~~
- EC.** A hunter issued a ~~buffalo bison~~ bison permit-tag or ~~non permit~~ nonpermit-tag shall check out no more than three days after the end of the hunt, regardless of whether the hunter ~~was successful, unsuccessful,~~ harvested a bison, did not harvest a bison, or did not participate in a ~~buffalo the bison~~ bison hunt.
1. House Rock Herd (Units 12A, 12B, and 13A): a hunter may check out either in person, electronically, or by telephone ~~at the House Rock Wildlife Area headquarters, with the Department's Flagstaff regional office or Jacob Lake Check station, when open during deer season, or the Department's Flagstaff regional office.~~
 2. Raymond Herd (Units 5A and 5B):
 - a. A ~~successful~~ hunter ~~shall~~ may check out ~~either~~ in person, electronically, or by telephone ~~at with the Department's Flagstaff regional office, or when required, with the Raymond Wildlife Area headquarters or the Department's Flagstaff regional office. The hunter shall present the buffalo harvested bison to the Department for the purpose of gathering biological data.~~
 - b. ~~An unsuccessful hunter shall check out by telephone at the Raymond Wildlife Area headquarters or the Department's Flagstaff regional office~~ A hunter may be required to present the harvested bison to the Department for the purpose of gathering biological data when the bison was taken in Units 5A or 5B and a Department employee did not accompany the hunter during the bison hunt.
 3. At the time of ~~check out~~ check out, the hunter shall provide all of the following information:



- a. Hunter's name,
 - b. Hunter's contact number,
 - c. Tag number,
 - d. Sex of ~~buffalo~~ bison taken,
 - e. Age of the ~~buffalo~~ bison taken: adult or yearling,
 - f. Number of days hunted, and
 - g. Number of ~~buffalo~~ bison seen while hunting.
4. ~~When accompanied by an An~~ authorized Department employee who accompanies the hunter, ~~the employee~~ shall conduct the ~~check-out~~ check out at the end of the hunt.

FD. Failure to comply with the requirements of this Section shall result in the invalidation of the hunter's permit-tag or nonpermit-tag, consistent with the written acknowledgment signed and agreed to by the hunter.

R12-4-307. Trapping Regulations, Licensing; Methods; Tagging of Bobcat Pelts

- A. An Arizona trapping license permits ~~an individual~~ a person to trap predatory and fur-bearing animals. ~~The Department shall issue a registration number to a trapper and enter the number on the trapping license at the time the trapper purchases the license. The trapper registration number is not transferable.~~
- B. A trapping license is required for any ~~individual~~ person ~~14 10~~ years of age and older. ~~An individual~~ A person under the age of ~~14 10~~ is not required to purchase a trapping license, but shall apply for and obtain a registration number. The trapper registration number is not transferable.
- C. ~~An individual~~ A person born on or after January 1, 1967 shall successfully complete a Department-approved trapping education course before applying for a trapping license.
- D. ~~An individual~~ A person applying for a trapping registration number or trapping license shall pay the applicable fees established under R12-4-102.
- E. ~~An individual~~ A person applying for a trapping registration number or trapping license shall apply using a form furnished by the Department. The form is available at any Department office and online at www.azgfd.gov. The ~~individual~~ person shall provide all of the following information on the form:
 - 1. ~~Applicant's:~~
 - a. ~~Full name, address, and telephone number;~~
 - b. ~~Date of birth and physical description;~~
 - 2. ~~Identification number assigned by the Department;~~
 - 1. The applicant's personal information:
 - a. Name;
 - b. Date of birth;
 - c. Physical description, to include the applicant's eye color, hair color, height, and weight;
 - d. Department identification number;
 - e. Residency status and number of years of residency immediately preceding application, when applicable;
 - f. Mailing address, when applicable;
 - g. Physical address;
 - h. Telephone number, when available; and
 - i. E-mail address, when available;
 - 3-2. Category of license:
 - a. Resident,
 - b. Nonresident, or
 - c. Juvenile Youth, and
 - 43. The applicant's signature and date.
- F. A trapper may only trap predatory and fur-bearing animals during trapping seasons established by Commission Order.
- G. A trapper shall:
 - 1. Inspect traps daily;
 - 2. Kill or release all predatory and fur-bearing animals;
 - 3. Possess a choke restraint device that enables the trapper to release a javelina from a trap when trapping in a javelina hunt unit; as designated by Commission Order;
 - 4. Possess a device that is designed or manufactured to restrain a trapped animal while it is being removed from a trap when its release is required ~~by~~ under this Section; and
 - 5. Release, without additional injury, all animals that cannot lawfully be taken by trap.
 - 6. Subsections (G)(3) and (G)(4) do not apply when the trapper is using a confinement trap.
- H. A trapper shall not:
 - 1. Bait a confinement trap with:
 - a. A live animal;
 - b. Any edible parts of small game, big game, or game fish; or
 - c. Any part of any game bird or nongame bird.
 - 2. Set any trap within:
 - a. One-half mile (880 yards) of any of the following areas developed for public use:
 - i. Boat ramp or launching area,
 - ii. Camping area,
 - iii. Picnic area, ~~or~~
 - iv. Roadside rest area, or
 - v. Developed wildlife viewing platform.



- b. One-half mile of any occupied ~~residence~~ farmhouse or other residence, cabin, lodge or building without permission of the owner or resident.
 - c. One-hundred yards of an interstate highway or any other highway maintained by the Arizona Department of Transportation.
 - d. Fifty feet of any trail maintained for public use by a government agency.
 - e. Seventy-five feet of any other road as defined under A.R.S. § 17-101.
 - f. Subsections (H)(2)(b), (H)(2)(c), (H)(2)(d), and (H)(2)(e) do not apply when the trapper is using a confinement trap.
3. Set a foothold trap within 30 feet of sight-exposed bait.
4. Use any:
- a. Body-gripping or other instant kill trap with an open jaw spread that exceeds 5 inches for any land set or 10 inches for any water set;
 - b. Foothold trap with an open jaw spread that exceeds 7 1/2 inches for any water set;
 - c. Snare, unless authorized under subsection (I);
 - d. Trap with an open jaw spread that exceeds 6 1/2 inches for any land set; or
 - e. Trap with teeth.
- I. A trapper who uses a foothold trap to take wildlife with a land set shall use commercially manufactured traps that meet the following specifications:
- 1. A padded or rubber-jawed trap or an unpadded trap with jaws permanently offset to a minimum of 3/16 inch and a device that allows for pan tension adjustment;
 - 2. A foothold trap that captures wildlife by means of an enclosed bar or spring designed to prevent the capture of non-targeted wildlife or domestic animals; or
 - 3. A powered cable device with an inside frame hinge width no wider than 6 inches, a cable loop stop size of at least 2 inches in diameter to prevent capture of small non-target species, and a device that allows for a pan tension adjustment.
- J. A trapper who uses a foothold trap to take wildlife with a land set shall ensure that the trap has an anchor chain equipped with at least two swivels as follows:
- 1. An anchor chain 12 inches or less in length shall have a swivel attached at each end.
 - 2. An anchor chain greater than 12 inches in length shall have one swivel attached at the trap and one swivel attached within 12 inches of the trap. The anchor chain shall be equipped with a shock-absorbing spring that requires less than 40 pounds of force to extend or open the spring.
- K. A trapper shall ensure that each trap has either the name and address or the registration number of the trapper marked on a metal tag attached to the trap. The registration number assigned by the Department is the only acceptable registration number.
- L. A trapper shall immediately attach a valid bobcat transportation tag to the pelt or unskinned carcass of a bobcat taken in this state. The trapper shall validate the transportation tag by providing all of the following information on the bobcat transportation tag:
- 1. Current trapping license number,
 - 2. ~~Game management~~ Management unit where the bobcat was taken,
 - 3. Sex of the bobcat, and
 - 4. Method by which the bobcat was taken.
- M. The Department shall provide transportation tags with each trapping license. Additional transportation tags are available at any Department office at no charge.
- N. A trapper shall ensure that all bobcats taken in this state have a bobcat seal attached and locked either through the mouth and an eye opening or through both eye openings no later than ~~10 days after the close of trapping season~~ April 1 of each year.
- 1. When available, bobcat seals are issued on a first-come, first-served basis at Department offices and other locations at those times and places as determined and published by the Department.
 - 2. The trapper shall pay the bobcat seal fee established under R12-4-102.
 - 3. Department personnel or an authorized agent shall attach and lock a bobcat seal only to a pelt or unskinned carcass presented with a validated transportation tag and a complete lower jaw identified with labels provided with the transportation tag. Department personnel or authorized agents shall collect the transportation tags and jaws before attaching the bobcat seal.
- O. Department personnel shall attach a bobcat seal to a bobcat pelt seized under A.R.S. § 17-211(E)(4) before disposal by the Department to the public.
- P. A licensed trapper shall file the annual report prescribed under A.R.S. § 17-361(D). The report form is available at any Department office and online at www.azgfd.gov.
- 1. The trapper shall submit the report to Arizona Game and Fish Department, ~~Game~~ Terrestrial Wildlife Branch, 5000 W. Carefree Highway, Phoenix, AZ 85086 by April 1 of each year.
 - 2. A report is required even when trapping activities were not conducted. ~~The report form is available at any Department office and online at www.azgfd.gov.~~
 - 3. The Department shall deny a trapping license to any trapper who fails to submit an annual report until the trapper complies with reporting requirements.
- Q. Persons suffering property loss or damage due to wildlife and who take responsive measures as permitted under A.R.S. §§ 17-239 and 17-302 are exempt from this Section. This exemption does not authorize any form of trapping prohibited under A.R.S. § 17-301.

R12-4-308. Wildlife Inspections, Check Stations, and Roadblocks

- A. The Department has the authority to establish mandatory wildlife check stations.
- 1. The Department shall publish in the Commission Order establishing the season the:
 - a. Location,
 - b. Check in requirements, and
 - c. ~~Check out~~ Check out requirements for that specific season.
 - 2. The Department shall ensure a wildlife check station with a published:



- a. Check in requirement is open:
 - i. 8:00 a.m. the day before the season until 8:00 p.m. the first day of the season, and
 - ii. 8:00 a.m. to 8:00 p.m. during each day of the season.
- b. ~~Check out~~ Check out requirement is open:
 - i. 8:00 a.m. to 8:00 p.m. during each day of the season, and
 - ii. Until 12:00 ~~noon~~ p.m. on the day after the close of the season.
- 3. A hunter shall:
 - a. Check in at a wildlife check station in person before hunting when the Department includes a check in requirement in the Commission Order for that season;
 - b. Check out at a wildlife check station in person after hunting when the Department includes a ~~check out~~ check out requirement in the Commission Order for that season and shall:
 - i. Present for inspection any wildlife taken; and
 - ii. Display any license, tag, or permit required for taking or transporting wildlife.
- B. The Department may conduct inspections of lawfully taken wildlife at the Department's Phoenix and regional offices or designated locations during the posted business hours.
 - 1. A bighorn sheep hunter shall check out either in person or by designee within three days after the close of the season. The hunter or designee shall submit the intact horns and skull for inspection and photographing. A Department representative shall affix a mark or seal to one horn of each bighorn sheep lawfully taken under Commission Order. It is unlawful for any person to remove, alter, or obliterate the mark or seal.
 - 2. A ~~successful hunter who harvests a~~ bear or mountain lion ~~hunter~~ shall:
 - a. Report information about the kill to the Department either in person or by telephone within 48 hours of taking the wildlife. The report shall include the:
 - i. Name of the hunter,
 - ii. Hunter's hunting license number,
 - iii. Sex of the wildlife taken,
 - iv. Management unit where the wildlife was taken,
 - v. Telephone number where the hunter can be reached for additional information, and
 - vi. Any additional information required by the Department.
 - b. Present either in person or by designee the skull, hide, and attached proof of sex for inspection within 10 days of taking the wildlife. If a hunter freezes the skull or hide before presenting it for inspection, the hunter shall prop the jaw open to allow access to the teeth and ensure that the attached proof of sex is identifiable and accessible.
 - 3. For seasons other than bear, bighorn sheep, or mountain lion, ~~where a hunter who harvests wildlife for which~~ a harvest objective is established, ~~a successful hunter~~ shall report information about the kill either in person or by telephone within 48 hours of taking the wildlife. The report shall include the information required under subsection (B)(2)(a).
- C. The Director may establish vehicle roadblocks at specific locations when necessary to ensure compliance with applicable wildlife laws. Any occupant of a vehicle at a roadblock shall, upon request, present for inspection all wildlife in possession, and ~~produce and display any license, tag, stamp, or permit required for taking or transporting wildlife~~ provide evidence of legality as defined under R12-4-301.
- D. This Section does not limit the game ranger or wildlife manager's authority to conduct stops, searches, and inspections authorized under A.R.S. §§ 17-211(E), 17-250(A)(4), and 17-331, or to establish voluntary wildlife survey stations to gather biological information.

R12-4-309. Authorization for Use of Drugs on Wildlife

- A. A person shall not administer any drug to any wildlife under the jurisdiction of the state, including but not limited to drugs used for fertility control, disease prevention or treatment, immobilization, or growth stimulation without written authorization from the Department or as otherwise provided under subsection (E). This authorization does not:
 - 1. Exempt a person from any state or federal statute, rule, or regulation, or any municipal or county code or ordinance; or
 - 2. Authorize a person to engage in any activity using federally protected wildlife.
- B. A person requesting written authorization for the use of drugs on wildlife shall submit the request in writing to the Department at 5000 W. Carefree Hwy Highway, Phoenix, AZ 85086 and at least 120 days before the anticipated start date of the activity ~~and provide~~. The written request shall include all of the following:
 - 1. A plan that includes:
 - a. The purpose and need for the proposed activity;
 - b. A clear statement of the objectives; for fertility control the statement shall include the target wildlife population goals or densities and the anticipated time-frame for meeting these objectives;
 - c. A description of the agent, drug, or method ~~including federal approvals or permits obtained, as applicable,~~ and any mandated labeling restrictions or limitations designed to reduce or minimize detrimental effects to wildlife and humans;
 - ~~d. Required approvals, including, but not limited to, any federal or state agency approvals for specific use;~~
 - ~~e.d.~~ Citations of published scientific literature documenting field studies on the efficacy and safety for both target and non-target species, including predators, scavengers, and humans;
 - ~~f.e.~~ A description of the activity area;
 - ~~g.f.~~ A description of the target species population and current status;
 - ~~h.g.~~ A description of the field methodology for delivery that includes the following, as applicable:
 - i. Timing,
 - ii. Sex and number of animals to be treated,
 - iii. Percentage of the population to be treated,
 - iv. Calculated population effect, and



- v. Short and long term monitoring and evaluation procedures.
 - 2. Documentation regarding the experience and credentials of the applicant or the applicant's agents as it applies to the requested activity;
 - 3. ~~Written endorsement from the agency or institution; required when the applicant is a government agency, university, or other institution; and~~
 - 4.3. ~~Written permission from landowners or lessees in all locations where the drug will be administered; and~~
 - 4. Written endorsement from the agency or institution; required when the applicant is a government agency, university, or other institution. The person signing the written endorsement shall have the authority to execute the written endorsement on behalf of the agency or institution.
- C. The Department shall notify the applicant of the Department's decision to grant or deny the request within 90 days. The Department has the authority to place conditions on the written authorization regarding:
- 1. Locations and time-frames,
 - 2. Drugs and methodology,
 - 3. Limitations,
 - 4. Reporting requirements, and
 - 5. Any other conditions deemed necessary by the Department.
- D. A person with authorization shall:
- 1. Carry written authorization while engaged in the activity and exhibit it upon request to any peace officer, wildlife manager, or game ranger;
 - 2. Allow Department personnel to be present to monitor activities for compliance, public safety, and proper treatment of animals;
 - 3. Adhere to all drug label restrictions and precautions;
 - 4. Provide an annual and final report:
 - a. The annual report ~~must~~ shall include the number of animals treated, the level of treatment effect obtained to date, and any problems including mortalities or morbidities of target animals. The person shall submit the annual report to the Department by January 31 of each year or as otherwise specified in the written authorization.
 - b. The final report ~~must~~ shall include the end results, including the number of wildlife treated and treatment effects on target and non-target wildlife, including mortalities, morbidities, and reproductive rate changes. The person shall submit the final report to the Department no later than 90 days after the completion of the project for which the permit was issued.
 - 5. Comply with all conditions and requirements set forth in the written authorization.
- E. This Section does not prohibit the treatment of wildlife by a licensed veterinarian or holder of a special license in accordance with ~~R12-4-407(A)(2) R12-4-407(B)(2)~~ and (8), ~~R12-4-428(B)(13), R12-4-413(K)(5), R12-4-420(J)(3)~~, activities as authorized under R12-4-418, R12-4-420, R12-4-421, and R12-4-423, ~~an individual~~ a person exempt from special licensing under R12-4-407(A)(4) and (5), or reasonable lethal removal activities for wildlife control as authorized under A.R.S. § 17-239(A).
- F. This Section does not limit:
- 1. Department employees or Department agents in the performance of their official duties related to wildlife management,
 - 2. The practices of aquaculture facilities administered by the ~~US~~ U.S. Fish and Wildlife Service, and commercial aquaculture facilities operating under a valid license from the Arizona Department of Agriculture, or
 - 3. The use of supplements or drugs as a part of conventional livestock operations where those supplements may incidentally be consumed by wildlife.
- G. The Department shall take possession of and dispose of any remaining wildlife drugs administered in violation of this Section and any devices and paraphernalia used to administer those drugs, as authorized under A.R.S. §§ 17-211(E), 17-231(A), and 17-240(B).
- H. Require the person with authorization to indemnify the Department against any injury or damage resulting from the use of animal drugs.

R12-4-310. Fishing Permits

- A. The Department may issue a fishing permit to state, county, or municipal agencies or departments and to nonprofit organizations ~~licensed by or contracted with the Department of Economic Security or Department of Health Services~~, whose primary purpose is to provide ~~physical or mental rehabilitation or training~~ treatment and care for ~~individuals~~ persons with physical, developmental, or mental disabilities.
- B. The permit:
- 1. Is valid for ~~the any~~ two days specified on the permit within a 30 day period;
 - 2. Authorizes ~~up to 20 individuals~~ persons with physical, developmental, or mental disabilities to fish without a fishing license upon any public waters except that fishing in the waters of the Colorado River is restricted to fishing from the Arizona shoreline only, unless the persons fishing under the authority of the permit also possess a valid Colorado River stamp from the adjacent state; and
 - 3. Does not exempt ~~individuals~~ persons fishing under the authority of the permit from compliance with other statutes, Commission Orders, and rules not contained in this Section.
- C. An applicant for a fishing permit shall submit a properly completed application to the Department. The application is furnished by the Department and is available from any Department office and online at www.azgfd.gov.
- 1. The applicant shall provide all of the following information:
 - a. The name, address, and telephone number of the agency, department, or nonprofit organization requesting the permit;
 - b. The name, position title, and telephone number of the ~~individuals~~ persons responsible for supervising the ~~individuals~~ persons fishing under the authority of the permit;
 - c. The total number of ~~individuals~~ persons who will be fishing under the authority of the permit;
 - d. The dates ~~of the two days~~ for which the permit will be ~~valid~~ used; and
 - e. The location for which the permit will be valid.



- 2. In addition to the information required under subsection (C)(1), nonprofit organizations shall also submit ~~documentation that they are licensed by or have a contract with the Department of Economic Security or the Department of Health Services for the purpose of providing rehabilitation or treatment services to individuals or groups with physical, developmental, or mental disabilities;~~
 - a. A copy of the organization's articles of incorporation and evidence that the organization has tax-exempt status under Section 501(c) of the Internal Revenue Code, unless a current and correct copy is already on file with the Department; and
 - b. Document identifying the organization's mission.
- D. The Department shall ~~issue either grant~~ or deny the fishing permit ~~to an applicant within 30 calendar days of receiving an application within the applicable overall time-frame established under R12-4-106.~~
- E. The fishing permit holder shall provide instruction on fish identification, fishing ethics, safety, and techniques to the individuals persons who will be fishing under authority of the permit. ~~The Department shall provide the lesson plan for this instruction to the permit holder curriculum outline provided by the Department.~~
- F. Each individual person fishing ~~without a license~~ under the sole authority of the fishing permit may take only one-half the regular bag limit established by Commission Order for any species, unless the regular bag limit is one, in which case the permit authorizes the regular bag limit.
- G. The permit holder shall submit a report to the Department ~~not no~~ later than 30 days after the end of the authorized fishing dates. The report form is furnished by the Department and is available at any Department office. The permit holder shall report all of the following information on the form:
 - 1. The fishing permit number and the information contained in the permit;
 - 2. The total number of ~~individuals persons~~ who fished and total hours fished;
 - 3. The total number of fish caught, kept, and released, by species.
- H. The Department may deny future fishing permits to a permit holder who failed to submit the report required under subsection (G) until the permit holder complies with reporting requirements.

R12-4-311. Exemptions from Requirement to Possess an Arizona Fishing License or Hunting License While Taking Wildlife

In addition to the exemptions prescribed under A.R.S. § 17-335, R12-4-206(E), R12-4-207(E), and R12-4-209(E) and provided the person's fishing ~~and~~, hunting, or trapping license privileges are not currently revoked by the Commission:

- 1. A fishing license is not required when a person is:
 - a. Fishing from artificial ponds, tanks, and lakes contained entirely on private lands that are not:
 - i. Open to the public, and
 - ii. Managed by the Department.
 - b. Taking ~~terrestrial mollusks or crustaceans~~ from private property nonnative terrestrial mollusks, such as but not limited to brown garden snails (*Helix aspersa*) and decollata snails (*Rumina decollata*), or crustaceans, such as crayfish.
 - c. Fishing in Arizona on any designated Saturday occurring during National Fishing and Boating Week, except in waters of the Colorado River forming the common boundaries between Arizona and California, Nevada, or Utah where fishing without a license is limited to the shoreline, unless the state with concurrent jurisdiction removes licensing requirements on the same day.
 - d. Participating in an introductory fishing education program sanctioned by the Department, during scheduled program hours, only. A sanctioned program shall have a Department employee, ~~sport fishing contractor~~, or authorized volunteer instructor present during scheduled program hours. For the purposes of this subsection, "authorized volunteer instructor" means a person who has successfully passed the Department's required background check, or provided documentation of the person's application for a fingerprint clearance card, and sport fishing education workshop.
- 2. A hunting license is not required when a person is participating in an introductory hunting event organized, sanctioned, or sponsored by the Department. The person may hunt small game, ~~fur-bearing fur-bearing~~, predator, and designated mammals during scheduled event hours, only. To hunt migratory game birds, the individual person shall have any stamps required by federal regulation. The introductory hunting event shall have a Department employee, certified hunter education instructor, or authorized volunteer present during scheduled hunting hours. For the purposes of this subsection, "authorized volunteer" means a person who has successfully passed the Department's required background check, or provided documentation of the person's application for a fingerprint clearance card, and Department event best practices training ~~or provide documentation of the person's application for a fingerprint clearance card~~. This subsection does not apply to any event that requires ~~participants~~ a participant to obtain a permit-tag or nonpermit-tag.

R12-4-313. Lawful Methods of ~~Taking~~ Take and Seasons for Aquatic Wildlife

- A. ~~An individual may take aquatic wildlife as defined under A.R.S. § 17-101, subject to the restrictions prescribed under R12-4-303, R12-4-317, and of this Section. Aquatic, a person may take aquatic wildlife may be taken during the day or night and may be taken using artificial light as prescribed under A.R.S. § 17-301. When a fish die-off is imminent or when otherwise deemed appropriate, the Commission may designate a special season by Commission Order to allow fish to be taken by hand or by any hand-held, non-motorized implement that does not discharge a projectile.~~
- B. ~~The Commission may, through Commission Order, prescribe legal sizes for possession of aquatic wildlife.~~
- CB.** An individual A person who possesses a valid Arizona fishing license may take aquatic wildlife by angling or simultaneous fishing as defined under R12-4-301 with any bait, artificial ~~lure fly~~, or ~~fly lure~~ subject to the following restrictions, ~~an individual~~:
 - 1. ~~Shall not possess aquatic wildlife other than aquatic wildlife prescribed by Commission Order;~~
 - 2. ~~Shall not use~~ Except for sunfish of the genus *Lepomis*, the flesh of game fish may not be used as bait, except sunfish of the genus *Lepomis*;
 - 3. ~~May use live~~ Live baitfish, as defined under R12-4-101, may only be used in designated areas designated prescribed by Commission Order; and designated areas may subsequently be closed or restricted by Commission Order.



43. ~~Shall Waterdogs may not use waterdogs~~ be used as live bait in that portion of Santa Cruz County lying east and south of State Highway 82 or that portion of Cochise County lying west of the San Pedro River and south of State Highway 82.
4. ~~Shall not use more than two lines at any one time.~~
5. The Commission may further restrict the lawful methods of take on particular waters by designating one or more of the following special seasons by Commission Order:
- An "artificial flies and lures" season in which only artificial flies and lures may be used in designated areas.
 - A "barbless hooks" season in which only the use of barbless or single-point barbless hooks may be used in designated areas.
 - An "immediate kill or release" season in which a person must kill and retain the designated species as part of the person's bag limit or immediately release the wildlife.
 - A "catch and immediate release" in which a person must immediately release the designated species, or
 - An "immediate kill" season in which a person must immediately kill and retain the designated species as part of the person's bag limit.
- DC.** ~~In addition to angling, an individual a person who possesses a valid Arizona fishing license~~ may also take the following aquatic wildlife using the following methods, ~~subject to the restrictions established under R12-4-303, R12-4-317, and this Section:~~
- A hybrid device is lawful for the take of aquatic wildlife provided all components of the device are authorized for the take of that species under this subsection.
 - Carp (*Cyprinus carpio*), buffalofish, mullet, tilapia, goldfish, and shad may be taken by:
 - Bow and arrow,
 - Crossbow,
 - Snare,
 - Gig,
 - Spear or spear gun, or
 - Snagging,
 - A person shall not use any of the methods of take listed under subsection (C)(2) within 200 yards of a designated swimming area as indicated by way of posted signs or notices.
 - Except for snagging, ~~an individual a person~~ shall not use any of the methods of take listed under subsection ~~(D)(1)~~ (C)(2) within 200 yards of any boat dock or ~~designated swimming area~~ fishing pier.
 - Striped bass may be taken by spear or spear gun in waters designated by Commission Order.
 - ~~Live baitfish may be taken for personal use as bait by:~~
 - ~~A cast net not to exceed a radius of 4 feet measured from the horn to the leadline;~~
 - ~~A minnow trap, as defined under R12-4-301;~~
 - ~~A seine net not to exceed 10 feet in length and 4 feet in width; or~~
 - ~~A dip net.~~
 - Catfish may be taken by bow and arrow or crossbow in waters designated by Commission Order.
 - Amphibians, soft-shelled turtles, mollusks, and crustaceans may be taken by minnow trap, crayfish net, hand, or with any hand-held, non-motorized implement that does not discharge a projectile, unless otherwise permitted under this Section.
 - In addition to the methods described under subsection ~~(D)(6)~~ (C)(7), bullfrogs may be taken by:
 - Bow and arrow,
 - Crossbow,
 - Pneumatic weapon, or
 - Slingshot.
 - Live baitfish may be taken for personal use as bait by:
 - A cast net not to exceed a radius of 4 feet measured from the horn to the leadline;
 - A minnow trap, as defined under R12-4-301;
 - A seine net not to exceed 10 feet in length and 4 feet in width; or
 - A dip net.
 - ~~8,10~~In addition to the methods described under subsection ~~(D)(6)~~ (C)(7), crayfish may be taken with the following devices:
 - A trap not more than 3 feet in the greatest dimension,
 - A dip net as defined under R12-4-301, or
 - A seine net not larger than 10 feet in length and 4 feet in width.
- E.** ~~An individual who uses a crayfish net and minnow trap shall:~~
- ~~Attach a water resistant identification tag to the trap when it is unattended. The tag shall include the individual's:~~
 - ~~Name,~~
 - ~~Address, and~~
 - ~~Fishing license number.~~
 - ~~Raise and empty the trap daily.~~
11. The Commission may further restrict the lawful methods of take on particular waters by designating one or more of the following special seasons by Commission Order:
- A "snagging" season in which a person may use this method only at times and locations designated by Commission Order, or
 - A "spear or spear gun" season in which a person may use this method only at times and locations designated by Commission Order.
- D.** Aquatic wildlife taken in violation of this Section is unlawfully taken.
- R12-4-314. Repealed Possession, Transportation, or Importation of Aquatic Wildlife**
- A.** The Commission may prescribe legal sizes for possession of aquatic wildlife through Commission Order.



- B.** A person who possesses a valid Arizona fishing license may possess live aquatic wildlife lawfully taken on the waters where taken, but the person shall not transport the aquatic wildlife alive from the waters where taken except that:
 - 1. A person may transport live baitfish listed in subsection (C)(1);
 - 2. A person may transport live waterdogs except in the portion of Santa Cruz County lying east and south of State Highway 82 or the portion of Cochise County lying west of the San Pedro River and south of State Highway 82; and
 - 3. Any crayfish taken on waters within Yuma or La Paz Counties may be transported alive for use as live bait in that portion of La Paz County west of Highway 95 and south of Interstate 10, Yuma County, and on the Colorado River from the Palo Verde Diversion Dam downstream to the Southern international boundary with Mexico.
- C.** A person who possesses a valid Arizona fishing license may import, transport, or possess live baitfish, crayfish, or waterdogs for personal use as live bait only as follows:
 - 1. A person may possess or transport only the following live baitfish for personal use as live bait:
 - a. Fathead minnow (*Pimephales promelas*),
 - b. Golden shiners (*Notemigonus crysoleucas*),
 - c. Goldfish (*Carassius auratus*),
 - d. Longfin Dace (*Agosia chrysogaster*),
 - e. Sonora Sucker (*Catostomus insignis*),
 - f. Speckled Dace (*Rhynichthys osculus*), and
 - g. Desert Sucker (*Catostomus clarki*).
 - 2. A person may import for personal use live baitfish listed in subsection (C)(1) from:
 - a. California or Nevada, or
 - b. From any other state with accompanying documentation certifying that the fish are free of Furunculosis.
 - 3. A person may import, transport, or possess live waterdogs for personal use as bait, except in the portion of Santa Cruz County lying east and south of State Highway 82 or the portion of Cochise County lying west of the San Pedro River and south of State Highway 82.
 - 4. A person shall not import, transport, or move live crayfish between waters for personal use as live bait except as allowed in 12 A.A.C. 4, Article 4, or except as allowed in subsection (B)(3).
- D.** A person shall attach water-resistant identification to any unattended live boxes or stringers holding fish and ensure the identification bears the person's:
 - 1. Name,
 - 2. Address, and
 - 3. Fishing license number.
- E.** A person who uses a crayfish net or a minnow trap shall raise and empty the trap daily and shall attach water-resistant identification to any unattended traps and ensure the identification bears the person's:
 - 1. Name,
 - 2. Address, and
 - 3. Fishing license number.
- F.** A person shall not knowingly disturb the crayfish net, live box, minnow trap, or stringer of another unless authorized to do so by the owner.

R12-4-315. Possession of Live Fish; Unattended Live Boxes and Stringers Repealed

- A.** An individual may possess fish taken alive as provided under R12-4-313 on the waters where taken, except when the take or possession is expressly prohibited under R12-4-313 or R12-4-317, but the individual shall not transport the fish alive from the waters where taken except as authorized under R12-4-316.
- B.** An individual shall attach water resistant identification to any unattended live boxes or stringers holding fish and ensure the identification bears the individual's:
 - 1. Name,
 - 2. Address, and
 - 3. Fishing license number.

R12-4-316. Possession, Transportation, or Importation of Live Baitfish, Crayfish, or Waterdogs Repealed

- A.** An individual may possess live baitfish, crayfish, or waterdogs for use as live bait only as established under R12-4-317 and this Section.
- B.** An individual may possess or transport the following live baitfish for personal use as live bait as established under R12-4-317:
 - 1. Fathead minnow (*Pimephales promelas*),
 - 2. Mosquitofish (*Gambusia affinis*),
 - 3. Threadfin shad (*Dorosoma petenense*),
 - 4. Golden shiners (*Notemigonus crysoleucas*), and
 - 5. Goldfish (*Carassius auratus*).
- C.** An individual who possesses a valid Arizona fishing license may:
 - 1. Import, transport, or possess live waterdogs for personal use as bait, except in the portion of Santa Cruz County lying east and south of State Highway 82 or the portion of Cochise County lying west of the San Pedro River and south of State Highway 82.
 - 2. Import live baitfish listed under subsection (B) from California or Nevada without accompanying documentation certifying the fish are free of disease.
 - 3. Import live baitfish listed under subsection (B) from any other state with accompanying documentation certifying that the fish are free of Furunculosis.
- D.** An individual may:
 - 1. Trap or capture live crayfish as provided under R12-4-313.



2. Use live crayfish as bait only in the body of water where trapped or captured, not in an adjacent body of water, except for the portion of La Paz County west of Highway 95 and south of Interstate 10, Yuma County, and on the Colorado River from the Palo Verde Diversion Dam downstream to the Southern international boundary with Mexico.

E. An individual shall not:

1. Import, transport, move between waters, or possess live crayfish for personal use as live bait except as allowed in 12 A.A.C. 4, Article 4, and except for the portion of La Paz County west of Highway 95 and south of Interstate 10, Yuma County, and on the Colorado River from the Palo Verde Diversion Dam downstream to the southern international boundary with Mexico.
2. Transport crayfish alive from the site where taken except for the portion of La Paz County west of Highway 95 and south of Interstate 10, Yuma County, and on the Colorado River from the Palo Verde Diversion Dam downstream to the southern international boundary with Mexico.
3. Import, transport, move between waters, or possess live red shiner (*Cyprinella lutrensis*) for personal use.

R12-4-317. Seasons for Lawfully Taking Fish, Mollusks, Crustaceans, Amphibians, and Aquatic Reptiles Repealed

A. Methods of lawfully taking aquatic wildlife during seasons designated by Commission Order as “general” seasons are designated under R12-4-313.

B. Other seasons designated by Commission Order have specific requirements and lawful methods of take more restrictive than those for general seasons, as prescribed under this Section. While taking aquatic wildlife under R12-4-313 an individual participating in:

1. An “artificial lures and flies only” season shall use only artificial lures and flies as defined under R12-4-301. The Commission may further restrict “artificial lures and flies only” season to the use of barbless or single barbless hooks as defined under R12-4-301.
2. A “live baitfish” season shall not possess or use any species of fish as live bait at, in, or upon any waters unless that species is specified as a live baitfish for those waters by Commission Order. Live baitfish shall not be transported from the waters where taken except as authorized under R12-4-316.
3. An “immediate kill or release” season shall kill and retain the designated species as part of the bag limit or immediately release the wildlife. Further fishing is prohibited after the legal bag limit is killed.
4. A “catch and immediate release” season shall immediately release the designated species.
5. An “immediate kill” season shall immediately kill and retain the designated species as part of the bag limit.
6. A “snagging” season shall use this method only at times and locations designated by Commission Order.
7. A “spear or spear gun” season shall use this method only at times and locations designated by Commission Order.

C. A “special” season may be designated by Commission Order to allow fish to be taken by hand or by any hand held, non-motorized implement that does not discharge a projectile. The “special” season may apply to any waters where a fish die-off is imminent due either to poor or low water conditions, Department fish renovation activities, or as designated by Commission Order.

R12-4-318. Seasons for Lawfully Taking Wild Mammals, Birds, and Reptiles

A. Methods of lawfully taking wild mammals, birds, and reptiles during seasons designated by Commission Order as “general” seasons are designated under R12-4-304.

1. Lawful devices are defined under R12-4-101 and R12-4-301.
2. Lawful devices are listed under this Section by the range of effectiveness, from greatest range to least range.
3. A hybrid device may be used in a general season, provided:
 - a. All components of the hybrid device are designated as lawful for a given species under R12-4-304, and
 - b. No components are prohibited under R12-4-303.

B. Methods of lawfully taking big game during seasons designated by Commission Order as “special” are designated under R12-4-304. “Special” seasons are open only to a person who possesses a special big game license tag authorized under A.R.S. § 17-346 and R12-4-120.

C. When designated by Commission Order, the following seasons have specific requirements and lawful methods of take more restrictive than those for general and special seasons, as ~~prescribed~~ established under this Section. While taking the species authorized by the season, a person participating in:

1. A “CHAMP” season shall be a challenged hunter access/mobility permit holder as established under R12-4-217.
2. A “youth-only hunt” shall be under the age of 18. A youth hunter whose 18th birthday occurs during a “youth-only hunt” for which the youth hunter has a valid permit or tag may continue to participate for the duration of that “youth-only hunt.”
3. A “pursuit-only” season may use dogs to pursue bears, mountain lions, or raccoons as designated by Commission Order, but shall not kill or capture the quarry. A person participating in a “pursuit-only” season shall possess and, at the request of Department personnel, produce an appropriate and valid hunting license and any required tag for taking the animal pursued, even though there shall be no kill.
4. A “restricted season” may use any lawful method authorized for a specific species under R12-4-304, except dogs may not be used to pursue the wildlife for which the season was established.
5. An “archery-only” season shall not use any other weapons, including crossbows or bows with a device that holds the bow in a drawn position except as authorized under R12-4-216. A person participating in an “archery-only” season may use one or more of the following methods or devices if authorized under R12-4-304 as lawful for the species hunted:
 - a. Bows and arrows, and
 - b. Falconry.
6. A “handgun, archery, and muzzleloader (HAM)” season may use one or more of the following methods or devices if authorized under R12-4-304 as lawful for the species hunted:
 - a. ~~Bows and arrows,~~
 - b. ~~Crossbows or bows to be drawn and held with an assisting device,~~
 - e. ~~Handguns, and~~
 - d. ~~Muzzle-loading rifles as defined under R12-4-301.~~



- a. Muzzleloading rifles.
 - b. Handguns.
 - c. Muzzleloading handguns.
 - d. Bows and arrows.
 - e. Crossbows or bows to be drawn and held with an assisting device, and
 - f. Pre-charged pneumatic weapons capable of holding and discharging a single projectile .35 caliber or larger.
7. A “muzzleloader” season may use one or more of the following methods or devices if authorized under R12-4-304 as lawful for the species hunted:
- a- ~~Bows and arrows;~~
 - b- ~~Crossbows or bows to be drawn and held with an assisting device; and~~
 - e- ~~Muzzleloading rifles or handguns, as defined under R12-4-301.~~
 - a. Muzzleloading rifles or muzzleloading handguns.
 - b. Bows and arrows, and
 - c. Crossbows or bows to be drawn and held with an assisting device.
8. A “limited weapon” season may use one or more of the following methods or devices for taking wildlife, if authorized under R12-4-304 as lawful for the species hunted:
- a- ~~Any trap except foothold traps;~~
 - b- ~~Bows and arrows;~~
 - e- ~~Capture by hand;~~
 - d- ~~Crossbows or bows to be drawn and held with an assisting device;~~
 - e- ~~Dogs;~~
 - f- ~~Falconry;~~
 - g- ~~Hand-propelled projectiles;~~
 - h- ~~Nets;~~
 - i- ~~Pneumatic weapons discharging a single projectile .25 caliber or smaller, or~~
 - j- ~~Slingshots.~~
 - a. Bows and arrows.
 - b. Crossbows or bows to be drawn and held with an assisting device.
 - c. Pneumatic weapons capable of holding and discharging a single projectile .25 caliber or smaller.
 - d. Hand-propelled projectiles.
 - e. Any trap except foothold traps.
 - f. Slingshots.
 - g. Dogs.
 - h. Falconry.
 - i. Nets, or
 - j. Capture by hand.
9. A “limited weapon hand or hand-held implement” season may use one or more of the following methods or devices for taking wildlife, if authorized under R12-4-304 as lawful for the species hunted:
- a. Catch-pole,
 - b. Hand,
 - c. Snake hook, or
 - d. Snake tongs.
10. A “limited weapon-pneumatic” season may use one or more of the following methods or devices for taking wildlife, if authorized under R12-4-304 as lawful for the species hunted:
- a- ~~Capture by hand;~~
 - b- ~~Dogs;~~
 - e- ~~Falconry;~~
 - d- ~~Hand-propelled projectiles;~~
 - e- ~~Nets;~~
 - f- ~~Pneumatic weapons discharging a single projectile .25 caliber or smaller, or~~
 - g- ~~Slingshots.~~
 - a. Pneumatic weapons discharging a single projectile .25 caliber or smaller.
 - b. Hand-propelled projectiles.
 - c. Slingshots.
 - d. Dogs.
 - e. Falconry.
 - f. Nets, or
 - g. Capture by hand.
11. A “limited weapon-rimfire” season may use one or more of the following methods or devices for taking wildlife, if authorized under R12-4-304 as lawful for the species hunted:
- a- ~~Any trap except foothold traps;~~
 - b- ~~Bows and arrows;~~
 - e- ~~Capture by hand;~~
 - d- ~~Crossbows or bows to be drawn and held with an assisting device;~~
 - e- ~~Dogs;~~
 - f- ~~Falconry;~~



- ~~g. Hand-propelled projectiles;~~
 - ~~h. Nets;~~
 - ~~i. Pneumatic weapons;~~
 - ~~j. Rifled firearms using rimfire cartridges;~~
 - ~~k. Shotgun shooting shot or slug, or~~
 - ~~l. Slingshots.~~
 - a. Rifled firearms using rimfire cartridges.
 - b. Shotgun shooting shot or slug.
 - c. Bows and arrows.
 - d. Crossbows or bows to be drawn and held with an assisting device.
 - e. Pneumatic weapons.
 - f. Hand-propelled projectiles.
 - g. Any trap except foothold traps.
 - h. Slingshots.
 - i. Dogs.
 - j. Falconry.
 - k. Nets, or
 - l. Capture by hand.
12. A "limited weapon-shotgun" season may use one or more of the following methods or devices for taking wildlife, if authorized under R12-4-304 as lawful for the species hunted:
- ~~a. Any trap except foothold traps;~~
 - ~~b. Bows and arrows;~~
 - ~~c. Capture by hand;~~
 - ~~d. Crossbows or bows to be drawn and held with an assisting device;~~
 - ~~e. Dogs;~~
 - ~~f. Falconry;~~
 - ~~g. Hand-propelled projectiles;~~
 - ~~h. Nets;~~
 - ~~i. Pneumatic weapons;~~
 - ~~j. Shotgun shooting shot or slug, or~~
 - ~~k. Slingshots.~~
 - a. Shotgun shooting shot or slug.
 - b. Muzzleloading shotgun.
 - c. Bows and arrows.
 - d. Crossbows or bows to be drawn and held with an assisting device.
 - e. Pneumatic weapons.
 - f. Hand-propelled projectiles.
 - g. Any trap except foothold traps.
 - h. Slingshots.
 - i. Dogs.
 - j. Falconry.
 - k. Nets, or
 - l. Capture by hand.
13. A "limited weapon-shotgun shooting shot" season may use one or more of the following methods or devices for taking wildlife, if authorized under R12-4-304 as lawful for the species hunted:
- ~~a. Any trap except foothold traps;~~
 - ~~b. Bows and arrows;~~
 - ~~c. Capture by hand;~~
 - ~~d. Crossbows or bows to be drawn and held with an assisting device;~~
 - ~~e. Dogs;~~
 - ~~f. Falconry;~~
 - ~~g. Hand-propelled projectiles;~~
 - ~~h. Nets;~~
 - ~~i. Pneumatic weapons;~~
 - ~~j. Shotgun shooting shot, or~~
 - ~~k. Slingshots.~~
 - a. Shotgun shooting shot.
 - b. Muzzleloading shotgun shooting shot.
 - c. Bows and arrows.
 - d. Crossbows or bows to be drawn and held with an assisting device.
 - e. Pneumatic weapons.
 - f. Hand-propelled projectiles.
 - g. Any trap except foothold traps.
 - h. Slingshots.
 - i. Dogs.
 - j. Falconry.



- k. Nets, or
 - l. Capture by hand.
14. A “falconry-only” season shall be a falconer licensed under R12-4-422 unless exempt under A.R.S. § 17-236(C) or R12-4-407. A falconer participating in a “falconry-only” season shall use no other method of take except falconry.
15. A “raptor capture” season shall be a falconer licensed under R12-4-422 unless exempt under R12-4-407.

R12-4-319. Use of Aircraft to Take Wildlife

- ~~A.~~ For the purposes of this Section, “locate” means any act or activity that does not take or harass wildlife and is directed at locating or finding wildlife in a hunt area.
- ~~BA.~~ An individual A person shall not take or assist in taking wildlife from or with the aid of aircraft, including drones.
- ~~CB.~~ Except in hunt units with Commission-ordered special seasons under R12-4-115 and R12-4-120 and hunt units with seasons only for mountain lion and no other concurrent big game season, ~~an individual~~ a person shall not locate or assist in locating wildlife from or with the aid of an aircraft, including drones, in a hunt unit with an open big game season. This restriction begins 48 hours before the opening of a big game season in a hunt unit and extends until the close of the big game season for that hunt unit.
- ~~DC.~~ An individual A person who possesses a special big game license tag for a special season under R12-4-115 or R12-4-120 or ~~an individual~~ a person who assists or will assist such a licensee shall not use an aircraft, including drones, to locate wildlife beginning 48 hours before and during a Commission-ordered special season.
- ~~ED.~~ This Section does not apply to any ~~individual~~ person acting within the scope of official duties as an employee or authorized agent of the state or the United States to manage or protect or aid in the management or protection of land, water, wildlife, livestock, domesticated animals, human life, or crops.
- ~~E.~~ For the purposes of this Section, “locate” means any act or activity that does not take or harass wildlife and is directed at locating or finding wildlife in a hunt area.

R12-4-320. Harassment of Wildlife

- A. In addition to the provisions established under A.R.S. § 17-301, it is unlawful to harass, molest, chase, rally, concentrate, herd, intercept, torment, or drive wildlife with or from any aircraft, including drones, as defined under R12-4-301, or with or from any motorized terrestrial or aquatic vehicle.
- B. This Section does not apply to ~~individual’s~~ person’s acting:
 1. In accordance with the provisions established under A.R.S. § 17-239; or
 2. Within the scope of official duties as an employee or authorized agent of the state or the United States to manage or protect or aid in the management or protection of land, water, wildlife, livestock, domesticated animals, human life, or crops.

R12-4-321. Restrictions for Taking Wildlife in City, County, or Town Parks and Preserves

- A. All city, county, and town parks and preserves are closed to hunting and trapping, unless open by Commission Order.
- B. Unless otherwise provided under Commission Order or rule, a city, county, or town may:
 1. Limit or prohibit any ~~individual~~ person from hunting ~~or trapping~~ within 1/4 one-fourth mile (440 yards) or trapping within one half mile (880 yards) of any:
 - a. Developed picnic area,
 - b. Developed campground,
 - c. Developed trailhead,
 - d. Developed wildlife viewing platform,
 - ee. Boat ramp,
 - df. Shooting range,
 - eg. Occupied structure, or
 - fh. Golf course.
 2. Require ~~an individual~~ a person entering a city, county, or town park or preserve, for the purpose of hunting, to declare the ~~individual’s~~ person’s intent to hunt within ~~when entering~~ the park or preserve, if the park or preserve has ~~an entry station in operation~~ a check in process established.
 3. Allow ~~an individual~~ a person to take wildlife in a city, county, or town park or preserve only during the posted park or preserve hours.
- ~~C.~~ The requirements of subsection (B)(1) do not apply to a reptile and amphibian limited weapon hand or hand-held implement season established by Commission Order.

R12-4-322. Pickup and Possession of Wildlife Carcasses or Parts

- A. For the purposes of this Section, the following definitions apply:
 1. “Fresh” means the majority of the wildlife carcass or part is not exposed dry bone and is comprised mainly of hair, hide, or flesh.
 2. “Not fresh” means the majority of the wildlife carcass or part is exposed dry bone due to natural processes such as scavenging, decomposition, or weathering.
- B. If not contrary to federal law or regulation, ~~an individual~~ a person may pick up and possess naturally shed antlers or horns or other wildlife parts that are not fresh without a permit or inspection by a Department law enforcement officer.
- C. If not contrary to federal law or regulation, ~~an individual~~ a person may only pick up and possess a fresh wildlife carcass or its parts under this Section if the ~~individual~~ person notifies the Department prior to pick up and possession and:
 1. The Department’s first report or knowledge of the carcass or its parts is voluntarily provided by the ~~individual~~ person wanting to possess the carcass or its parts;
 2. A Department law enforcement officer or an authorized Department employee or agent is able to observe the carcass or its parts at the site where the animal was found in the same condition and location as when the animal was originally found by the ~~individual~~ person wanting to possess the carcass or its parts; and



3. A Department law enforcement officer, using the officer's education, training, and experience, determines the animal died from natural causes. The Department may require the individual person to take the officer to the site where the animal carcass or parts were found when an adequate description or location cannot be provided to the officer.
- D. If a Department law enforcement officer determines that the individual person wanting to possess the carcass or its parts is authorized to do so under subsection (C), the officer may authorize possession of the carcass or its parts.
- E. Wildlife parts picked up and possessed from areas under control of jurisdictions that prohibit such activity, such as other states, reservations, or national parks, are illegal to possess in this state.
- F. This Section does not authorize the pickup and possession of a threatened or endangered species carcass or its parts.

R12-4-401. Live Wildlife Definitions

In addition to definitions provided under A.R.S. § 17-101, and for the purposes of this Article, the following definitions apply:

"Adoption" means the transfer of custody of live wildlife to a member of the public, initiated by either the Department or its authorized agent, when no special license is required.

"Agent" means the person identified on a special license and who assists a special license holder in performing activities authorized by the special license to achieve the objectives for which the license was issued. "Agent" has the same meaning as "sublicensee" and "subpermittee" as these terms are used for the purpose of federal permits.

"Aquarium trade" means the commercial industry and its customers who lawfully trade in aquatic live wildlife.

"Aversion training" means behavioral training in which an aversive stimulus is paired with an undesirable behavior in order to reduce or eliminate that behavior.

"Captive live wildlife" means live wildlife held in captivity, physically restrained, confined, impaired, or deterred to prevent it from escaping to the wild or moving freely in the wild.

"Captive-reared" means wildlife born, bred, raised, or held in captivity.

~~"Cervid" means a mammal classified as a Cervidae or member of the deer family found anywhere in the world as defined in the taxonomic classification from the Integrated Taxonomic Information System, available online at www.itis.gov.~~

"Circus" means a scheduled event where a variety of entertainment is the principal business, primary purpose, and attraction.

"Circus" does not include animal displays or exhibits held as an attraction for a secondary commercial endeavor.

"Commercial purpose" means the bartering, buying, leasing, loaning, offering to sell, selling, trading, exporting or importing of wildlife or their parts for monetary gain.

"Domestic" means an animal species that does not exist in the wild, and includes animal species that have only become feral after they were released by humans who held them in captivity or individuals or populations that escaped from human captivity.

"Educational display" means a display of captive live wildlife to increase public understanding of wildlife biology, conservation, and management without requiring or soliciting payment from an audience or an event sponsor. For the purposes of this Article, "to display for educational purposes" refers to display as part of an educational display.

"Educational institution" means any entity that provides instructional services or education-related services to persons.

"Endangered or threatened wildlife" means wildlife listed under 50 C.F.R. 17.11, revised October 1, 2013, which is incorporated by reference. A copy of the list is available at any Department office, online at www.gpoaccess.gov, or may be ordered from the U.S. Government Printing Office, Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197-9000. This incorporation by reference does not include any later amendments or editions of the incorporated material.

"Evidence of lawful possession" means any license or permit authorizing possession of a specific live wildlife species or individual, or other documentation establishing lawful possession. Other forms of documentation may include, but are not limited to, a statement issued by the country or state of origin verifying a license or permit for that specific live wildlife species or individual is not required.

"Exhibit" means to display captive live wildlife in public or to allow photography of captive live wildlife for any commercial purpose.

"Exotic" means wildlife or offspring of wildlife not native to North America.

"Fish farm" means a commercial operation designed and operated for propagating, rearing, or selling aquatic wildlife for any purpose.

"Game farm" means a commercial operation designed and operated for the purpose of propagating, rearing, or selling terrestrial wildlife or the parts of terrestrial wildlife for any purpose stated under R12-4-413.

"Health certificate" means a certificate of an inspection completed by a licensed veterinarian verifying the animal examined appears to be healthy and free of infectious, contagious, and communicable diseases.

"Hybrid wildlife" means an offspring from two different wildlife species or genera. Offspring from a wildlife species and a domestic animal species are not considered wildlife.

"Live baitfish" means any species of live freshwater fish designated by Commission Order as lawful for use in taking aquatic wildlife under R12-4-313 and R12-4-317.

"Live bait" means aquatic live wildlife used or intended for use in taking aquatic wildlife.

"Migratory birds" mean all species listed under 50 C.F.R. 10.13 revised October 1, 2014, and no later amendments or editions. The incorporated material is available from the U.S. Government Printing Office, Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197-9000, and is on file with the Department.



- “Noncommercial purpose” means the use of products or services developed using wildlife for which no compensation or monetary value is received.
- “Nonhuman primate” means any nonhuman member of the order Primate of mammals including prosimians, monkeys, and apes.
- “Nonnative” means wildlife or its offspring that did not occur naturally within the present boundaries of Arizona before European settlement.
- ~~“Person” has the same meaning as defined under A.R.S. § 1-215.~~
- “Photography” means any process that creates durable images of wildlife or parts of wildlife by recording light or other electromagnetic radiation, either chemically by means of a light-sensitive material or electronically by means of an image sensor.
- “Rehabilitated wildlife” means live wildlife that is injured, orphaned, sick, or otherwise debilitated and is provided care to restore it to a healthy condition suitable for release to the wild or for lawful captive use.
- “Research facility” means any association, institution, organization, school, except an elementary or secondary school, or society that uses or intends to use live animals in research.
- “Restricted live wildlife” means wildlife that cannot be imported, exported, or possessed without a special license or lawful exemption.
- “Shooting preserve” means any operation where live wildlife is released for the purpose of hunting.
- “Special license” means any license issued under this Article, including any additional stipulations placed on the license authorizing specific activities normally prohibited under A.R.S. § 17-306 and R12-4-402.
- “Species of greatest conservation need” means any species listed in the Department’s Arizona’s State Wildlife Action Plan list Tier 1a and 1b published by the Arizona Game and Fish Department. The material is available for inspection at any Department office and online at www.azgfd.gov.
- “Stock” and “stocking” means to release live aquatic wildlife into public or private waters other than the waters where taken.
- “Taxa” means groups of animals within specific classes of wildlife occurring in the state with common characteristics that establish relatively similar requirements for habitat, food, and other ecological, genetic, or behavioral factors.
- “Unique identifier” means a permanent marking made of alphanumeric characters that identifies an individual animal, which may include, but is not limited to, a tattoo or microchip.
- “USFWS” means the United States Fish and Wildlife Service.
- “Volunteer” means a person who:
 - Assists a special license holder in conducting activities authorized under the special license,
 - Is under the direct supervision of the license holder at the premises described on the license,
 - Is not designated as an agent, and
 - Receives no compensation.
- “Wildlife disease” means any disease that poses a health risk to wildlife in Arizona.
- “Zoo” means any facility licensed by the Arizona Game and Fish Department under R12-4-420 or, for facilities located outside of Arizona, licensed or recognized by the applicable governing agency.
- “Zoonotic” means a disease that can be transmitted from animals to humans or, more specifically, a disease that normally exists in animals but that can infect humans.



NOTICES OF FINAL EXEMPT RULEMAKING

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

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

Questions about the interpretation of the final exempt rule should be addressed to the agency proposing them.

Refer to Item #5 to contact the person charged with the rulemaking.

NOTICE OF FINAL EXEMPT RULEMAKING TITLE 7. EDUCATION CHAPTER 2. STATE BOARD OF EDUCATION

[R18-217]

PREAMBLE

- | <u>1. Article, Part, or Section Affected (as applicable)</u> | <u>Rulemaking Action</u> |
|---|---------------------------------|
| R7-2-609 | Amend |
| R7-2-610.02 | Amend |
| R7-2-614 | Amend |
| R7-2-617 | Amend |
- 2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific), and the statute or session law authorizing the exemption:**
 Authorizing statute: A.R.S. § 15-203(A)(14)
 Implementing statute: A.R.S. §§ 15-203(A)(14); 15-501.01
 Exemption Statute: A.R.S. § 41-1005(F)
 - 3. The effective date of the rules and the agency's reason it selected the effective date:**
 September 24, 2018
 - 4. A list of all notices published in the Register as specified in R1-1-409(A) that pertains to the record of the exempt rulemaking:**
 Not applicable
 - 5. The agency's contact person who can answer questions about the rulemaking:**
 Name: Alicia Williams, Executive Director
 Address: State Board of Education
 1700 W. Washington, Suite 300
 Phoenix, AZ 85007
 Telephone: (602) 542-5057
 Fax: (602) 542-3046
 E-mail: inbox@azsbe.az.gov
 - 6. An agency's justification and reason why a rule should be made, amended, repealed, or renumbered to include an explanation about the rulemaking:**
 Changes from the 2018 Legislative Session require conforming rule changes. Laws 2018, Chapter 309, Chapter 315, and Chapter 297, made changes to the requirements for the Elementary Teaching Certificate, Subject Matter Expert Standard Teaching Certificate, Teaching Intern Certificate, Adult Education Certificate, and Foreign Teaching Certificate. The changes to R7-2-609, R7-2-610.02 and R7-2-614 make changes to comply with the legislation and also make technical changes.
 Modifications to R7-2-617 Other Professional Certificates are the result of interest from the field. Specifically, School Counselors sought a name change to update the terminology, clarify requirements for the certificate, and encourage specific types of continuing education to address the needs of students.
 - 7. A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**
 Not applicable
 - 8. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**
 Not applicable
 - 9. The summary of the economic, small business and consumer impact, if applicable:**
 The rules are not expected to have significant, if any, economic impact on small businesses.



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

Not applicable

11. A summary of the comments made regarding the rule and the agency response to them:

The Board's Certification Advisory Committee met as a public body on several occasions to review and recommend changes to the rules. The Board opened rulemaking at the June 25, 2018 Board Meeting, held a public hearing on July 30, 2018, provided an update to the Board at the August 27, 2018 Board Meeting and closed rulemaking at the September 24, 2018 Board Meeting. Public comments were accepted at the Board's email inbox during this time and at each Board meeting and public hearing.

The Board worked collaboratively in an iterative process with stakeholders, including the Arizona Department of Education, educator preparation programs, the Legislature, and individuals in the field to develop the rules. No official public comments were submitted to the Board, however there were several meetings that resulted in changes to the rule. Specifically: 1) specifying that individuals require a non-immigrating visa to qualify for the foreign teaching certificate; and 2) delaying the implementation of the required reading instruction hours for Elementary Certificates to allow applicants and educator preparation programs ample time to comply.

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

Not applicable

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

Not applicable

14. Was this rule previously made as an emergency rule? If so, please indicate the Register citation:

Not applicable

15. The full text of the rule follows:

**TITLE 7. EDUCATION
CHAPTER 2. STATE BOARD OF EDUCATION**

ARTICLE 6. CERTIFICATION

Section

- R7-2-609. Elementary Teaching Certificates
- R7-2-610.02. Subject Matter Expert Standard Teaching Certificate
- R7-2-614. Other Teaching Certificates
- R7-2-617. Other Professional Certificates

ARTICLE 6. CERTIFICATION

R7-2-609. Elementary Teaching Certificates

- A. Except as noted, all certificates are subject to the general certification provisions in R7-2-607 and the renewal requirements in R7-2-619.
- B. Standard Professional Elementary Certificate – grades K through eight. The requirements are:
 - 1. A bachelor's degree,
 - 2. One of the following:
 - a. Completion of a teacher preparation program in elementary education from an accredited institution or a Board-approved teacher preparation program, described in R7-2-604; or
 - b. Forty-five semester hours of education courses which teach the knowledge and skills described in R7-2-602, including at least eight semester hours of practicum in grades K through eight. Two years of verified teaching experience in grades Pre-kindergarten through eight may be substituted for the eight semester hours of practicum; or
 - c. A valid elementary certificate from another state.
 - 3. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment;
 - 4. A passing score on the ~~elementary education~~ subject knowledge portion of the Arizona Teacher Proficiency Assessment unless the applicant has a bachelor's, master's or doctoral degree in a relevant content area or otherwise qualifies for a waiver of the subject knowledge assessment;
 - 5. A valid fingerprint card issued by the Arizona Department of Public Safety; and
 - 6. Forty-five hours or three semester hours of instruction in research-based systematic phonics. An accredited institution or other provider may provide this instruction.
- C. Standard Professional Elementary Certificate – grades kindergarten through eight for applications received on and after August 1, 2018.
 - 1. The requirements include all of the following:
 - a. A bachelor's degree;
 - b. Completion of a teacher preparation program in elementary education from a Board-approved educator preparation program or from an accredited institution offering substantially similar training, addressing the following topics and any others as required by law:
 - i. At least forty-five hours or three semester hours of instruction in research-based systematic phonics, including language and literacy development;



- ii. For applications received on and after October 15, 2020, at least forty-five hours or three semester hours of instruction in research-based instructional strategies for delivering differentiated reading instruction, assessment, intervention and remediation to support readers of varying ages and ability levels, including students with dyslexia;
 - iii. Developmentally appropriate instructional delivery, facilitation and methodologies for teaching language, math, science, social studies and the arts;
 - iv. Instructional design and lesson planning, including modifications, and accommodations;
 - v. The learning environment, including classroom management;
 - vi. Assessing, monitoring and reporting progress;
 - vii. Teaching students with exceptionalities;
 - viii. Professional responsibility and ethical conduct; and
 - ix. Twelve weeks of capstone experience as described in R7-2-604 in grades kindergarten through eight, which may be completed during the valid period of a teaching intern or student teaching intern certificate. One year of verified full-time teaching experience in grades kindergarten through eight may be substituted for the capstone experience requirement. For individuals seeking dual certification, any capstone experience requirements may be met through separate eight-week capstone experiences in each of the certification areas sought.
 - c. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment;
 - d. A passing score on the ~~elementary education~~ subject knowledge portion of the Arizona Teacher Proficiency Assessment, unless the applicant has a bachelor's, master's or doctoral degree in a relevant content area or otherwise qualifies for a waiver of the subject knowledge assessment; and
 - e. A valid fingerprint card issued by the Arizona Department of Public Safety.
2. Applicants may meet the requirements in subsection (C)(1)(b) with the submission of an application for the Standard Professional Elementary certificate that includes evidence of two years of verified full-time teaching experience in grades kindergarten through eight, and Board-approved or accredited training or coursework which teaches the knowledge and skills described in R7-2-602 and subsections (C)(1)(b)(i) through (viii). ~~One year of verified full-time teaching experience in grades kindergarten through eight may be substituted for the capstone experience.~~

R7-2-610.02. Subject Matter Expert Standard Teaching Certificate

Subject Matter Expert Standard Teaching Certificate – grades six through 12

A. The requirements are:

- 1. ~~One~~ A bachelor's degree and one of the following:
 - a. Verified teaching experience for the last two consecutive years, and for a total of at least three years at one or more accredited postsecondary institutions in the relevant subject area of certification. An individual seeking certification pursuant to this subdivision is exempt from passing the professional knowledge portion of the Arizona Teacher Proficiency Assessment; or
 - b. A bachelor's, master's or doctoral degree from an accredited postsecondary institution in the specific subject area of certification that is directly relevant to a content area or subject matter taught in public schools; or
 - c. Verification of expertise through work experience of a minimum of five years in the relevant area of certification.
- 2. A passing score on the professional knowledge Arizona Teacher Proficiency Assessment within two years except as provided by subsection (A)(1)(a). If an applicant fails to meet this requirement within two years, the Department of Education or the Board shall temporarily suspend the standard certificate, but the suspension is not considered a disciplinary action and the individual shall be allowed to correct the deficiency within the remaining time of the standard certification.
- 3. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.

B. An individual who meets the requirements of this section is exempt from the competency requirements of the United States and Arizona Constitutions and the subject knowledge portion of the Arizona Teacher Proficiency Assessment.

R7-2-614. Other Teaching Certificates

A. Except as noted, all certificates are subject to the general certification provisions in R7-2-607.

B. Substitute Certificate -- PreK-12

- 1. The certificate is valid for six years and renewable by reapplication.
- 2. The certificate entitles the holder to substitute in the temporary absence of a regular contract teacher. A person holding only a substitute certificate shall not be assigned a contract teaching position.
- 3. An individual who holds a valid teaching or administrator certificate shall not be required to hold a substitute certificate to be employed as a substitute teacher.
- 4. A person holding only a substitute certificate shall be limited to teaching 120 days in the same school each school year.
- 5. The requirement for issuance is a bachelor's degree and a valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- 6. Substitute certificates previously issued as valid for life under this rule shall remain valid for life.
- 7. A person holding only a substitute certificate may be exempt from the limit on teaching 120 days in the same school each school year if the school district superintendent has provided verification to the Department of Education that the position is continuously advertised on a statewide basis at a minimum of three sites with at least one being a higher education institution and that a highly qualified and employable candidate was not found. An exemption from teaching 120 days shall not be granted to the same individual more than three times.

C. Emergency Substitute Certificate -- PreK-12

- 1. The certificate is valid for one school year or part thereof. The expiration date shall be the following July 1.
- 2. The certificate entitles the holder to substitute only in the district that verifies that an emergency employment situation exists.
- 3. The certificate entitles the holder to substitute in the temporary absence of a regular contract teacher. A person holding only an emergency substitute certificate shall not be assigned a contract teaching position.



- 4. The holder of an emergency substitute certificate shall be limited to 120 days of substitute teaching per school year.
- 5. The requirements for initial issuance are:
 - a. High school diploma, General Education diploma, or associate’s degree;
 - b. Verification from the school district superintendent that an emergency employment situation exists; and
 - c. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- 6. The requirements for each reissuance are:
 - a. Two semester hours of academic courses completed since the last issuance of the Emergency Substitute Certificate. District in-service programs designed for professional development may substitute for academic courses. Fifteen clock hours of in-service is equivalent to one semester hour. In-service hours shall be verified by the district superintendent or personnel director. Individuals who have earned 30 or more semester hours are exempt from this requirement,
 - b. Verification from the school district superintendent that an emergency employment situation exists, and
 - c. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- D. Emergency Teaching Certificate – birth through grade 12
 - 1. The emergency teaching certificate is valid one school year or part thereof. The expiration date shall be the following July 1. An emergency teaching certificate shall not be issued more than three times to an individual.-
 - 2. The emergency teaching certificate entitles the holder to enter into a teaching contract.
 - 3. Emergency teaching certificates shall be issued for early childhood, elementary and secondary certificates required by A.R.S. § 15-502(B), and required endorsements.
 - 4. The emergency teaching certificate entitles the holder to teach only in the district or charter school that verifies that an emergency employment situation exists.
 - 5. The requirements for initial issuance are:
 - a. A bachelor’s degree,
 - b. Verification from the school district superintendent or charter school administrator that an emergency employment situation exists, and
 - c. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- E. ~~Alternative Teaching Intern~~ Certificate -- PreK-12
 - 1. The certificate is valid for two years from the date of initial issuance and may be extended yearly for no more than two consecutive years at no cost to the applicant if the provisions in subsection (E)(5) are met.
 - 2. The alternative teaching ~~intern~~ certificate entitles the holder to enter into a teaching contract while completing the requirements for an Arizona teaching certificate. During the valid period of the ~~intern~~ alternative teaching certificate the holder may teach in a Structured English Immersion classroom, or in any subject area in which the holder has passed the appropriate Arizona Teacher Proficiency Assessment. Alternative Teaching Intern certificate holders who teach in a Structured English Immersion classroom shall hold a valid Provisional or full Structured English Immersion Endorsement, an English as a Second Language Endorsement, or a Bilingual Endorsement, if applicable. The candidate shall be enrolled in a Board authorized alternative path to certification program or a Board approved teacher educator preparation program.
 - 3. An individual is not eligible to hold the alternative teaching ~~intern~~ certificate more than once in a five year period.
 - 4. The requirements for initial issuance of the alternative teaching ~~intern~~ certificate are:
 - a. A bachelor’s degree or higher from an accredited institution;
 - b. Verification of enrollment in a Board approved alternative path to certification program, or a Board approved educator preparation program; and
 - c. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
 - 5. The requirements for the extension of the ~~intern~~ alternative teaching certificate are:
 - a. The alternative teaching ~~intern~~ certificate outlined in subsection (E)(4),
 - b. ~~Official transcripts documenting the completion of required coursework~~ Verification from the educator preparation program in which the alternative teaching certificate holder is enrolled, that the certificate holder has made adequate progress toward completion of the program,
 - c. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
 - 6. The holder of the alternative teaching ~~intern~~ certificate may apply for a Standard teaching certificate upon completion of the following:
 - a. Successful completion of a Board authorized alternative path to certification program or a Board-approved educator preparation program.
 - b. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment as applicable;
 - c. A passing score on one or more subject knowledge portions of the Arizona Teacher Proficiency Assessment that corresponds to the Board approved alternative path to certification program in which the applicant is enrolled, unless the applicant has a bachelor’s, master’s or doctoral degree in the corresponding content area;
 - d. The submission of an application for a Standard teaching certificate to the Department;
 - e. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
 - 7. Placement decisions of alternative teaching ~~intern~~ certificate holders shall only be based on agreements between the educator preparation provider, the provider’s partner organizations and the local education agency except as otherwise provided in ~~R7-2-614(E)~~ this subsection.
- F. ~~Standard Adult Education Certificates~~ Certificate
 - 1. ~~The adult education certificates are issued for individuals teaching in the areas of~~ holder is qualified to teach Adult Basic Education, Adult Secondary Education, English Language Acquisition for Adults, or Citizenship.
 - 2. ~~Standard Adult Education Certificate. The requirements are:~~
 - a. ~~The requirement for issuance is a~~ A valid fingerprint clearance card issued by the Arizona Department of Public Safety ~~and a bachelor’s degree or three years of experience as a teacher, tutor, or aide in an adult education program or in grades K~~



through 12. Up to two years of experience may be waived by postsecondary academic credit, with 30 semester hours equivalent to one year of experience.

- b. A bachelor's degree.
3. The renewal requirements are completion of a professional development program, described in R7-2-619(B).
- G. Junior Reserve Officer Training Corps Teaching Certificate – grades nine through twelve
 1. The standard certificate is valid at any local education agency which conducts an approved Junior Reserve Officer Training Corps program of the Air Force, Army, Navy, or Marine Corps.
 2. The requirements are:
 - a. Verification by the district of an approved Junior Reserve Officer Training Corps program of instruction in which the applicant will be teaching,
 - b. Verification by the district that the applicant meets the work experience required by the respective military service, and
 - c. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- H. Athletic coaching certificate – grades seven through twelve
 1. The standard certificate entitles the holder to perform coaching duties in interscholastic and extracurricular athletic activities. It is not required for teachers who hold a valid elementary, secondary or special education certificate.
 2. The requirements are:
 - a. Valid certification in first aid and Coronary and Pulmonary Resuscitation (CPR);
 - b. Completion of courses, Board-approved or accredited seminars or modules of study which shall include the following:
 - i. Methods of coaching,
 - ii. Anatomy and physiology,
 - iii. Sports psychology,
 - iv. Adolescent psychology,
 - v. The prevention and treatment of athletic injuries; and
 - vi. Signs of physical abuse, emotional abuse, sexual abuse, neglect, bullying, hazing and cyberbullying.
 - c. Two hundred fifty hours of verified coaching experience in the sport to be coached. Coaching experience may include experience as a head coach or assistant coach in a school program or in an organized athletic league; and
 - d. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
 4. Renewal requirements are:
 - a. Completion of a professional development program described in R7-2-619(B),
 - b. Valid certification in first aid and CPR.
- I. ~~Standard Foreign-International Teacher~~ Teaching Certificate
 1. ~~This~~ The International Teaching certificate is ~~required for a teacher or professor from any foreign country, state, territory or possession of the United States issued to teachers from foreign countries who are~~ contracted through the foreign teacher exchange program as authorized by federal statutes enacted by the Congress of the United States or other foreign teacher recruitment programs approved by the United States Department of State or the United States Citizenship and Immigration Services.
 2. This certificate is valid for ~~one year and may be extended yearly for up to two additional years upon request by the contracting governing board. The contracting teacher shall submit a letter of intent to hire to the Arizona Department of Education on official letterhead signed by the Superintendent or Director of Human Resources~~ the length of the certificate holder's visa, not to exceed twelve years.
 3. The requirements are:
 - a. Verification that ~~training and background comply with the comparable~~ the applicant has completed teacher preparation in the home country or country of legal residence that is comparable to the requirements to qualify for an Arizona teaching certificate as provided in R7-2-608, R7-2-609, R7-2-610, R7-2-610.01, R7-2-610.02, R7-2-611 and R7-2-613.
 - b. ~~Holds a~~ A valid fingerprint ~~Clearance Card~~ clearance card issued by the Arizona Department of Public Safety.
 - c. A valid non-immigrating visa issued by the United States Department of State or the United States Citizenship and Immigration Services for international teachers.
 - d. Verification that the applicant has been contracted by an Arizona school through a foreign teacher program.
 - e. ~~Demonstrates fluency in English as verified by the Test of English as a Foreign Language (TOEFL) or other English proficiency tests approved by the Board.~~
 - d. ~~The passing score by the Test of English as a Foreign Language (TOEFL) or other English proficiency tests approved by the Board shall be determined by the Board using the results of validity and reliability studies. The passing score for each assessment shall be reviewed by the Board at least every three years.~~
 4. ~~A prospective teacher seeking to instruct in a language other than English may furnish a letter for submission to the Arizona Department of Education, on official letterhead, signed by the dean or designee of the home university to verify mastery of the purposed language of instruction. The Arizona Department of Education shall review and may approve submissions for the prospective teacher's exemption to the American Council of the Teaching of Foreign Languages Exam. An individual with an international teaching certificate may qualify for a certificate to instruct students in a language other than English with submission of a letter from a department chair or dean of an accredited institution in another country or in the United States verifying that the applicant is proficient in the language.~~
 5. The international teaching certificate may be extended with the following:
 - a. Verification of an extended visa issued by the United State Department of State or the United States Citizenship and Immigration Services for international teachers. The certificate may be extended to the new expiration date of the visa not to exceed twelve years.
 - b. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- J. Native American Language Certificate
 1. The standard certificate is optional and issued to individuals to teach only a Native American language in grades preK-12.



- 2. The requirements are:
 - a. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
 - b. Language proficiency in a Native American Language. Proficiency shall be verified on official letterhead by a person, persons, or entity designated by the appropriate tribe.
- 3. The certificate may be renewed upon completion of professional development, as prescribed in R7-2-619(B).
- K. Student Teaching Intern Certificate – PreK-12. ~~This subsection becomes effective on February 1, 2017 for placements beginning in the 2017-2018 school year.~~
 - 1. The student teaching intern certificate is optional and is not a requirement for participation in a student teaching capstone experience.
 - 2. The certificate entitles the holder to perform teaching duties under the supervision of a program supervisor as defined in R7-2-604(14) and is only valid in the school district or charter school requesting the certificate.
 - 3. The certificate is valid for one year from date of initial issuance and may be extended for one year at no cost to the applicant if the provisions in subsection (K)(4) are met.
 - 4. The requirements are:
 - a. Verification of enrollment in the culminating student teaching capstone experience of a Board approved educator preparation program ~~(EPP)~~ pursuant to R7-2-604.01,
 - b. Verification documenting completed coursework with a minimum GPA of 3.0 on a 4.0 scale or the equivalent,
 - c. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment that corresponds to the teaching certificate the student teaching intern is pursuing,
 - d. A passing score on the subject knowledge portion of the Arizona Teacher Proficiency Assessment that corresponds to the teaching certificate the student teaching intern is pursuing,
 - e. A request for issuance of the student teaching intern certificate from the district superintendent or charter school superintendent and the EPP educator preparation program.
 - f. Verification from the educator preparation provider that a written supervision plan, approved by the Board, includes the following:
 - i. the educator preparation provider’s roles and responsibilities for the Program Supervisor, and
 - ii. the onsite mentorship and induction provided by the Local Education Agency ~~(LEA)~~.
 - h. A valid fingerprint card issued by the Arizona Department of Public Safety.
 - 5. Placement decisions of student teaching intern certificate holders shall only be based on collaborative agreements between the Board approved educator preparation provider and the LEA local education agency. Notwithstanding any other provision, a student teaching intern certificate holder may not teach in a special education classroom unless the certificate holder has a bachelor’s degree.
 - 6. The holder of the student teaching certificate may apply for an Arizona Teaching Certificate upon completion of the following:
 - a. Successful completion of a Board approved EPP educator preparation program.
 - b. The submission of an application, and all required documentation including an institutional recommendation, for the Arizona teaching certificate to the Department.
- L. Classroom-Based Standard Teaching Certificate
 - 1. The requirements are:
 - a. A bachelor’s degree
 - b. Successful completion of a Board-approved Classroom-Based Alternative Preparation Program;
 - c. Verification of satisfactory progress and achievement with students
 - d. Demonstration of subject knowledge proficiency with:
 - i. Verification of teaching courses relevant to a content area or subject matter for the last two consecutive years, and for a total of at least three years at one or more accredited postsecondary institutions; or
 - ii. A bachelor’s, master’s or doctoral degree from an accredited institution in the applicable subject area; or
 - iii. Verification of a minimum of five years of work experience in the applicable subject area of certification; or
 - iv. Three years of verified teaching experience in the same area of certification in which the individual is applying for certification; or
 - v. A passing score on the applicable subject knowledge portion of the Arizona Teacher Proficiency Assessment
 - e. Demonstration of professional knowledge proficiency with:
 - i. Three years of verified teaching experience in the same area of certification in which the individual is applying for certification; or
 - ii. A passing score on the applicable professional knowledge portion of the Arizona Teacher Proficiency Assessment
 - f. An individual seeking certification who was teaching courses or subjects tested by the statewide assessment must also provide:
 - i. Verified evidence of two years of full-time teaching; and
 - ii. Verified evidence that the individual’s students performed at grade level; or
 - iii. Verified evidence that the individual’s students achieved at least one year of academic growth at a rate equivalent to the state average for the students’ associated peer groups
 - g. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.

R7-2-617. Other Professional Certificates

- A. All certificates are subject to the general certification provisions in R7-2-607 and the renewal requirements in R7-2-619.
- B. Standard ~~Guidance~~ School Counselor Certificate - grades PreK-12.
 - 1. The school counselor certificate is optional but may be required by local governing boards.
 - 2. The requirements are:
 - ~~1-a.~~ A master’s or more advanced degree,



- 2-b. Completion of a graduate program in guidance and counseling. ~~A valid guidance counselor certificate from another state may substitute for this requirement.~~
- 3-c. A valid fingerprint clearance card issued by the Arizona Department of Public Safety, and
- 4-d. One of the following:
- a-i. Completion of a supervised counseling practicum in school counseling;
 - b-ii. Two years of verified, full-time experience as a school ~~guidance~~ counselor; or
 - e-iii. Three years of verified teaching experience.
3. The certificate may be renewed consistent with the provisions of R7-2-619 that may include continuing education in the area of college and career readiness.
- C. Standard School Psychologist Certificate - grades PreK-12
1. A standard school psychologist certificate is required for all personnel whose primary responsibility is in the role of a school psychologist providing services that include but are not limited to the duties of student psychoeducational assessment, therapeutic consultation and intervention, and involvement in the process of determination of student disabilities or disorders.
 2. The requirements are:
 - a. A master's or more advanced degree;
 - b. Completion of a graduate program in school psychology consisting of at least 60 graduate semester hours, or completion of a doctoral program in psychology and completion of a re-training program in school psychology from an accredited institution or Board approved program with a letter of institutional endorsement from the head of the school psychology program;
 - c. A supervised internship of at least 1200 clock hours with a minimum of 600 of those hours in a school setting. Three years experience as a certified school psychologist within the last 10 years may be substituted for the internship requirement; and
 - d. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
 3. Any of the following may be substituted for the requirement described in subsection (C)(3)(b):
 - a. Five years experience within the last 10 years working full time in the capacity of a school psychologist in a school setting serving any portion of grades kindergarten through 12; or
 - b. A Nationally Certified School Psychologist Credential; or
 - c. A diploma in school psychology from the American Board of School Psychology.
- D. Standard Speech-Language Pathologist Certificate - grades PreK-12
1. The standard speech-language pathologist certificate is required for school-based speech-language pathologists.
 2. The certificate may be renewed consistent with the provisions of R7-2-619 with relevant professional development in the field of speech pathology, or professional development in the areas of articulation, voice, fluency, language, low incidence disabilities, curriculum and instruction, professional issues and ethics, or service delivery models.
 3. The requirements are:
 - a. A master's or more advanced degree, from an accredited institution, in speech pathology or communication disorders;
 - b. A minimum of 250 clinical clock hours supervised by a university or a speech-language pathologist with a certificate of clinical competence;
 - c. A certificate of clinical competence, or a passing score on the national exam, or a passing score on the speech and language impaired special education portion of the Arizona Teacher Proficiency Assessment; and
 - d. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- E. Standard Speech-Language Technician - grades PreK-12
1. The standard speech-language technician certificate is required for school-based speech-language professionals.
 2. No new applications for a speech-language technician certificate will be accepted after June 30, 2014.
 3. The certificate may be renewed consistent with the provisions of R7-2-619 with professional development in the areas of articulation, voice, fluency, language disorders, low incidence disabilities, professional issues and ethics, or service delivery models.
 4. The requirements are:
 - a. A bachelor's degree from an accredited program in Speech-Language Pathology, Speech Hearing Sciences, or Communication Disorders;
 - b. A minimum of 50 hours of university supervised observation;
 - c. A minimum of 150 university clinical clock hours, or 150 clock hours supervised by a master's level licensed speech-language pathologist, or two years' experience as a school speech-language therapist or technician;
 - d. A passing score on the speech and language impaired special education portion of the Arizona Teacher Proficiency Assessment; and
 - e. A valid fingerprint clearance card issued by the Arizona Department of Public Safety.
- F. Standard School Social Worker Certificate - grades PreK-12
1. The standard School Social Worker certificate is optional but may be required by local governing boards.
 2. The requirements are:
 - a. Master's or more advanced degree in Social Work from an accredited institution or completion of a Board approved school social worker program;
 - b. A valid fingerprint clearance issued by the Arizona Department of Public Safety; and
 - c. One of the following:
 - i. Completion of at least 6 semester hours of practicum in Social Work in a school setting completed through an accredited institution; or
 - ii. One year of full time experience as a Social Worker in a setting which primarily serves children in preschool through grade 12.



3. ~~A valid, comparable School Social Worker certificate from another state may be substituted for the requirements of R7-617(F)(3) provided that the holder is in good standing with that state.~~



NOTICES OF EXEMPT RULEMAKING

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

It is not uncommon for an agency to be exempt from all steps outlined in the rulemaking process as specified in the Arizona Administrative Procedures Act (APA) or Arizona Revised Statutes, Title 41, Chapter 6, Articles 1 through 10.

An agency's exemption is either written in law by the Arizona State Legislature or under a referendum or initiative passed into law by Arizona voters; or a court has

determined that an agency, board or commission is exempt from the rulemaking process.

The Office makes a distinction between certain exemptions as provided in these laws, on a case by case basis, as determined by an agency. Other rule exemption types are published elsewhere in the *Register*.

Notices of Exempt Rulemaking as published here were made with no special conditions or restrictions; no public input; no public hearing; and no filing of a Proposed Exempt Rulemaking.

**NOTICE OF EXEMPT RULEMAKING
TITLE 9. HEALTH SERVICES
CHAPTER 25. DEPARTMENT OF HEALTH SERVICES
EMERGENCY MEDICAL SERVICES**

[R18-218]

PREAMBLE

- | | |
|--|---------------------------------|
| 1. <u>Article, Part or Section Affected (as applicable)</u> | <u>Rulemaking Action</u> |
| R9-25-502 | Amend |
| Table 5.1 | Amend |
| Table 5.2 | Repeal |
| Table 5.3 | Repeal |
| Table 5.4 | Repeal |
- 2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statutes (specific), and the statute or session law authorizing the exemption:**
 Authorizing statutes: A.R.S. §§ 36-136(F) and 36-2209(A)(2)
 Implementing statute: A.R.S. §§ 36-2205(A) and 36-2228
 Statute or session law authorizing the exemption: A.R.S. § 36-2205(B)
- 3. The effective date of the rules and the agency's reason it selected the effective date:**
 September 27, 2018
 This effective date reduces the regulatory burden on regulated entities as quickly as possible.
- 4. A list of all notices published in the Register as specified in R1-1-409(A) that pertain to the record of the exempt rulemaking:**
 Notice of Public Information: 24 A.A.R. 2323, August 17, 2018
- 5. The agency's contact person who can answer questions about the rulemaking:**
- | | |
|------------|--|
| Name: | Terry Mullins, Bureau Chief |
| Address: | Arizona Department of Health Services
Bureau of Emergency Medical Services and Trauma System
150 N. 18th Ave., Suite 540
Phoenix, AZ 85007-3248 |
| Telephone: | (602) 364-3150 |
| Fax: | (602) 364-3568 |
| E-mail: | Terry.Mullins@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 |



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

Arizona Revised Statutes (A.R.S.) § 36-2205(A) requires the Arizona Department of Health Services (Department) to establish protocols governing “medical treatments, procedures, medications and techniques which may be administered or performed by each class of emergency medical care technician.” These protocols have been adopted in 9 A.A.C. 25, Article 5. The Emergency Medical Services Council and the Medical Direction Commission, established by A.R.S. §§ 36-2203 and 36-2203.01, respectively, help develop and review these protocols as required in A.R.S. § 36-2204. In 9 A.A.C. 25, Article 5, the Department has adopted three Tables that identify: the minimum supply of allowed agents and what classes of EMCTs may administer each (Table 5.2); agents allowed to be administered by an EMCT during a hazardous material incident (Table 5.3); and agents that an EMCT may administer and monitor intake of during the transport of a patient from one health care facility to another (Table 5.4). Recently, drug manufacturers have limited the availability of many medications, leading to shortages and making it difficult for ambulance services and emergency medical services providers to obtain medications they are required by rule to have available. Having to conduct a rulemaking to revise lists of agents in rule does not allow the Department to respond in a timely manner to medication shortages, negatively affecting stakeholders and potentially endangering the public by limiting stakeholders’ choice of medications. After obtaining an exception from the rulemaking moratorium established by Executive Order 2018-02, the Department has addressed this on-going medication shortage issue by removing Tables 5.2, 5.3, and 5.4 from the rules. However, to protect the health and safety of patients, the Director will approve similar Tables and post them on a specific Department website, which can be updated in a more timely manner to reflect medication shortages, following recommendations by the Medical Direction Commission. The same web address is being used for other documents cited in the rules in 9 A.A.C. 25, and changes to provide this new web address as a reference and to correct cross-references are also being made.

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

The Department did not review or rely on any study related to this rulemaking package.

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 of this state:

Not applicable

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

Not applicable

10. A description of any changes between the proposed rulemaking, including any supplemental proposed rulemaking, and final rulemaking package (if applicable):

Not applicable

11. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments, if applicable:

Not applicable

12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules. When applicable, matters shall include, but not be limited to:

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

Not applicable

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

Not applicable

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

Not applicable

13. A list of any incorporated by reference material and its location in the rule:

None

14. Whether the rule was previously made, amended, repealed or renumbered as an emergency rule. If so, the agency shall state where the text changed between the emergency and the exempt rulemaking packages:

The rule was not previously made, amended, repealed, or renumbered as an emergency rule.

15. The full text of the rules follows:

**TITLE 9. HEALTH SERVICES
CHAPTER 25. DEPARTMENT OF HEALTH SERVICES
EMERGENCY MEDICAL SERVICES**

ARTICLE 5. MEDICAL DIRECTION PROTOCOLS FOR EMERGENCY MEDICAL CARE TECHNICIANS

Section
R9-25-502 Scope of Practice for EMCTs



Table 5.1	Arizona Scope of Practice Skills
Table 5.2	Eligibility for Authorization to Administer, Monitor, and Assist in Patient Self-administration of Agents by EMCT Classification; Administration Requirements; and Minimum Supply Requirements for Agents Repealed
Table 5.3	Agents Eligible for Authorization for Administration During a Hazardous Material Incident Repealed
Table 5.4	Eligibility for Authorization to Administer and Monitor Transport Agents During Interfacility Transports, by EMCT Classification; Administration Requirements Repealed

ARTICLE 5. MEDICAL DIRECTION PROTOCOLS FOR EMERGENCY MEDICAL CARE TECHNICIANS

R9-25-502. Scope of Practice for EMCTs

- A. An EMCT shall perform a medical treatment, procedure, or technique or administer a medication only:
 - 1. If the skill is within the EMCT’s scope of practice skills, as specified in Table 5.1;
 - 2. For an ALS skill:
 - a. If authorized for the EMCT by the EMCT’s administrative medical director, and
 - b. If the EMCT is able to receive on-line medical direction;
 - 3. For a STR skill:
 - a. If the EMCT has documentation of having completed training specific to the skill that is consistent with the knowledge, skills, and competencies established according to A.R.S. § 36-2204 and available through the Department at www.azdhs.gov www.azdhs.gov/ems-regulatory-references;
 - b. If authorized for the EMCT by the EMCT’s administrative medical director; and
 - c. If the EMCT is able to receive on-line medical direction;
 - 4. If the medication is listed as an agent in Table 5.2, Table 5.3, or Table 5.4 under a table of agents, established according to A.R.S. § 36-2204 and available through the Department at www.azdhs.gov/ems-regulatory-references, that the EMCT’s administrative medical director may authorize the EMCT to administer, monitor, or assist a patient in self-administration based on the classification for which the EMCT is certified;
 - 5. If the EMCT is authorized to administer the medication by the:
 - a. EMCT’s administrative medical director, if applicable; or
 - b. If the EMCT is an EMT with no administrative medical director, emergency medical services provider or ambulance service by which the EMCT is employed or for which the EMCT volunteers; and
 - 6. In a manner consistent with standards described in R9-25-408 and, if applicable, with the training in 9 A.A.C. 25, Article 3.
- B. An administrative medical director:
 - 1. Shall:
 - a. Ensure that an EMCT has completed training in administration or monitoring of an agent before authorizing the EMCT to administer or monitor the agent;
 - b. Ensure that an EMCT has competency in an ALS skill before authorizing the EMCT to perform the ALS skill;
 - c. Before authorizing an EMCT to perform a STR skill, ensure that the EMCT has:
 - i. Completed training specific to the skill, consistent with the knowledge, skills, and competencies established according to A.R.S. § 36-2204 and available through the Department at www.azdhs.gov www.azdhs.gov/ems-regulatory-references; and
 - ii. Demonstrated competency in the skill;
 - d. Periodically thereafter assess an EMCT’s competency in an authorized ALS skill and STR skill, according to policies and procedures required in ~~R9-25-201(C)(3)(b)(viii)~~ R9-25-201(E)(3)(b)(ix), to ensure continued competency;
 - e. Document the EMCT’s:
 - i. Completion of training in administration or monitoring of an agent required in subsection (B)(1)(a),
 - ii. Competency in performing an ALS skill required in subsection (B)(1)(b),
 - iii. Specific training required in subsection (B)(1)(c)(i) and competency required in subsection (B)(1)(c)(ii); and
 - iv. Periodic reassessment required in subsection (B)(1)(d); and
 - f. Maintain documentation of an EMCT’s completion of training in administration or monitoring of an agent and competency in performing an authorized ALS skill or STR skill; and
 - 2. May authorize an EMCT to perform all of the ALS skills in Table 5.1 for the applicable level of EMCT or restrict the EMCT to a subset of the ALS skills in Table 5.1 for the applicable level of EMCT.

Table 5.1. Arizona Scope of Practice Skills

KEY:

- ✓ = Arizona Scope of Practice skill
- STR = STR skill
- * = Already intubated

Airway/Ventilation/Oxygenation	EMT	AEMT	EMT-I(99)	Paramedic
Airway - esophageal	STR	✓	✓	✓
Airway - supraglottic	STR	✓	✓	✓
Airway - nasal	✓	✓	✓	✓
Airway - oral	✓	✓	✓	✓
Automated transport ventilator	STR	STR	✓	✓
Bag-valve-mask (BVM)	✓	✓	✓	✓
BiPAP/CPAP				✓
Chest decompression - needle			✓	✓
Chest tube placement - assist only				STR



	Chest tube monitoring and management				STR
	Cricoid pressure (Sellick's maneuver)	✓	✓	✓	✓
	Cricothyrotomy- needle			STR	✓
	Cricothyrotomy- percutaneous			STR	✓
	Cricothyrotomy- surgical			STR	STR
	Demand valve- manually triggered ventilation	✓	✓	✓	✓
	End tidal CO2 monitoring/capnography			✓	✓
	Gastric decompression - NG tube			✓	✓
	Gastric decompression - OG tube			✓	✓
	Head-tilt chin lift	✓	✓	✓	✓
	Intubation - nasotracheal			STR	✓
	Intubation - orotracheal	STR	STR	✓	✓
	Jaw-thrust	✓	✓	✓	✓
	Jaw-thrust – modified (trauma)	✓	✓	✓	✓
	Medication Assisted Intubation (paralytics)				STR
	Mouth-to-barrier	✓	✓	✓	✓
	Mouth-to-mask	✓	✓	✓	✓
	Mouth-to-mouth	✓	✓	✓	✓
	Mouth-to-nose	✓	✓	✓	✓
	Mouth-to-stoma	✓	✓	✓	✓
	Obstruction - direct laryngoscopy			✓	✓
	Obstruction - manual	✓	✓	✓	✓
	Oxygen therapy - humidifiers	✓	✓	✓	✓
	Oxygen therapy - nasal cannula	✓	✓	✓	✓
	Oxygen therapy - non-rebreather mask	✓	✓	✓	✓
	Oxygen therapy - partial rebreather mask	✓	✓	✓	✓
	Oxygen therapy - simple face mask	✓	✓	✓	✓
	Oxygen therapy - venturi mask	✓	✓	✓	✓
	PEEP - therapeutic			✓	✓
	Pulse oximetry	✓	✓	✓	✓
	Suctioning - upper airway	✓	✓	✓	✓
	Suctioning - tracheobronchial		✓*	✓	✓
	Cardiovascular/Circulation	EMT	AEMT	EMT-I (99)	Paramedic
	Cardiac monitoring - multiple lead (interpretive)			✓	✓
	Cardiac monitoring - single lead (interpretive)			✓	✓
	Cardiac - multiple lead acquisition (non-interpretive)	STR	STR	✓	✓
	Cardiopulmonary resuscitation	✓	✓	✓	✓
	Cardioversion - electrical			✓	✓
	Carotid massage – (≤17 years)			STR	STR
	Defibrillation - automatic/semi-automatic	✓	✓	✓	✓
	Defibrillation - manual			✓	✓
	Hemorrhage control - direct pressure	✓	✓	✓	✓
	Hemorrhage control - tourniquet	✓	✓	✓	✓
	Internal; cardiac pacing - monitoring only			✓	✓
	Mechanical CPR device	STR	STR	STR	STR
	Transcutaneous pacing - manual			✓	✓
	Immobilization	EMT	AEMT	EMT-I (99)	Paramedic
	Spinal immobilization - cervical collar	✓	✓	✓	✓
	Spinal immobilization - long board	✓	✓	✓	✓
	Spinal immobilization - manual	✓	✓	✓	✓
	Spinal immobilization - seated patient (KED, etc.)	✓	✓	✓	✓
	Spinal immobilization - rapid manual extrication	✓	✓	✓	✓
	Extremity stabilization - manual	✓	✓	✓	✓
	Extremity splinting	✓	✓	✓	✓
	Splint- traction	✓	✓	✓	✓
	Mechanical patient restraint	✓	✓	✓	✓
	Emergency moves for endangered patients	✓	✓	✓	✓
	Medication administration - routes	EMT	AEMT	EMT-I (99)	Paramedic
	Aerosolized/nebulized (beta agonist)	STR	✓	✓	✓



Assisting patient with his/her own prescribed medications (aerosolized/nebulized)	✓	✓	✓	✓
Assisting patient with his/her own prescribed medications (Aspirin or Nitroglycerin)	✓	✓	✓	✓
Assisting patient with his/her own prescribed medications (auto-injector)	✓	✓	✓	✓
Assisting patient with his/her own prescribed medications (hydrocortisone sodium succinate)		✓	✓	✓
Auto-injector	STR	✓	✓	✓
Buccal	STR	✓	✓	✓
Endotracheal tube			✓	✓
Inhaled self-administered (nitrous oxide)		✓	✓	✓
Intradermal			STR	STR
Intramuscular (including patient-assisted hydrocortisone)		✓	✓	✓
Intranasal	STR	✓	✓	✓
Intravenous push		✓	✓	✓
Intravenous piggyback			✓	✓
Intraosseous		STR	✓	✓
Nasogastric				✓
Oral	✓	✓	✓	✓
Rectal		STR	✓	✓
Small volume nebulizer	STR	✓	✓	✓
Subcutaneous		✓	✓	✓
Sublingual		✓	✓	✓
IV initiation/maintenance fluids	EMT	AEMT	EMT-I (99)	Paramedic
Access indwelling catheters and implanted central IV ports				✓
Central line - monitoring				✓
Intraosseous - initiation		✓	✓	✓
Intravenous access		✓	✓	✓
Intravenous initiation - peripheral	STR	✓	✓	✓
Intravenous- maintenance of non-medicated IV fluids or capped access	✓	✓	✓	✓
Intravenous- maintenance of medicated IV fluids			✓	✓
Umbilical initiation				STR
Miscellaneous	EMT	AEMT	EMT-I (99)	Paramedic
Assisted delivery (childbirth)	✓	✓	✓	✓
Assisted complicated delivery (childbirth)	✓	✓	✓	✓
Blood glucose monitoring	✓	✓	✓	✓
Blood pressure- automated	✓	✓	✓	✓
Blood pressure- manual	✓	✓	✓	✓
Eye irrigation	✓	✓	✓	✓
Eye irrigation (Morgan lens)				STR
Thrombolytic therapy- initiation				STR
Urinary catheterization				STR
Venous blood sampling			✓	✓
Blood chemistry analysis				STR
Use/monitoring of agents specified in Table 5.4 a table of agents, established according to A.R.S. § 36-2204 and available through the Department at www.azdhs.gov/ems-regulatory-references , that an administrative medical director may authorize for administration or monitoring during interfacility transports			STR	STR
Use/monitoring of infusion pump for agent administration during interfacility transports			STR	STR

Table 5.2. Eligibility for Authorization to Administer, Monitor, and Assist in Patient Self-administration of Agents by EMCT Classification; Administration Requirements; and Minimum Supply Requirements for Agents Repealed

KEY:

A – Authorized to administer the agent

SVN – Agent shall be administered by small volume nebulizer

MDI – Agent shall be administered by metered dose inhaler

* – Authorized to assist in patient self-administration

[] – Minimum supply required if an EMS provider chooses to make the optional agent available for EMCT administration

AGENT	MINIMUM SUPPLY	EMT	AEMT	EMT-I (99)	Paramedic
Adenosine	18 mg	-	-	A	A



Albuterol Sulfate SVN or MDI (sulfite free)	10 mg	A	A	A	A
Amiodarone or Lidocaine	300 mg or 3 prefilled syringes, total of 300 mg and 1 g vials or premixed infusion, total of 2 g	-	-	-	A
Aspirin	324 mg	A	A	A	A
Atropine Sulfate	1 prefilled syringe, total of 1 mg	-	-	A	A
Atropine Sulfate	Optional [8 mg multidose vial (1)]	-	-	A	A
Atropine Sulfate Auto-Injector	None	A	A	A	A
Atropine Sulfate and Pralidoxime Chloride (Combined) Auto-Injector	None	A	A	A	A
Calcium Chloride	1 g	-	-	-	A
Calcium Gluconate, 2.5% topical gel	Optional [50 g]	A	A	A	A
Chareoal, Activated (without sorbitol)	Optional [50 g]	A	A	A	A
Cyanokit	Optional [5 g]	-	-	-	A
Dexamethasone	Optional [8 mg]	-	-	A	A
Dextrose	50 g	-	A	A	A
Dextrose, 5% in H ₂ O	Optional [250 mL bag (1)]	A	A	A	A
Diazepam or Lorazepam or Midazolam	20 mg 8 mg 10 mg	-	-	A	A
Diazepam Rectal Delivery Gel	Optional [20 mg]	-	-	A	A
Diltiazem or Verapamil HCl	25 mg 10 mg	-	-	-	A
Diphenhydramine HCl	50 mg	-	-	A	A
Dopamine HCl	400 mg	-	-	-	A
Epinephrine Auto-Injector	Optional {1 adult auto-injector and 1 pediatric auto-injector}	A	A	A	A
Epinephrine HCl, 1 mg/mL (formerly 1:1,000)	2 mg	-	A	A	A
Epinephrine HCl, 1 mg/mL (formerly 1:1,000)	Optional [30 mg multidose vial (1)]	-	A	A	A
Epinephrine HCl, 0.1 mg/mL (formerly 1:10,000)	5 mg	-	-	A	A
Etomidate	Optional [40 mg]	-	-	-	A
Furosemide or Bumetanide	Optional [100 mg] Optional [4 mg]	-	-	A	A
Glucagon	1 mg	-	A	A	A
Glucose, oral	Optional [30 gm]	A	A	A	A
Hemostatic Agents	Optional	A	A	A	A
Hydrocortisone Sodium Succinate	Optional	-	*	*	*
Immunizing Agent	Optional	-	-	A	A
Ipratropium Bromide 0.02% SVN or MDI	5 mL	-	-	A	A
Ketamine	Optional [200 mg]	-	-	-	A
Lactated Ringers	1 L bag (2)	A	A	A	A
Lidocaine 2%, Preservative-free (IO Insertion)	Optional [100 mg]	-	A	A	A
Magnesium Sulfate	5 g	-	-	-	A
Methylprednisolone Sodium Succinate	250 mg	-	-	A	A
Morphine Sulfate or Fentanyl	20 mg 200 meg	-	A	A	A
Nalmefene HCl	Optional [4 mg]	-	A	A	A
Naloxone HCl	10 mg	-	A	A	A
Naloxone HCl	Optional [Prefilled atomizers or auto- injectors; 2 doses]	A	A	A	A
Nitroglycerin Sublingual Spray or Nitroglycerin Tablets	1 bottle 1 bottle	*	A	A	A
		*	A	A	A



Normal Saline	1 L bag (2) Optional [250 mL bag (1)] Optional [50 mL bag (2)]	A	A	A	A
Ondansetron HCl	Optional [4 mg]	-	-	A	A
Oxygen	13 cubic feet	A	A	A	A
Oxytocin	Optional [10 units]	-	-	A	A
Phenylephrine Nasal Spray 0.5%	Optional [1 bottle]	-	-	A	A
Pralidoxime Chloride Auto-Injector	None	A	A	A	A
Proparacaine Ophthalmic	Optional [1 bottle]	-	-	A	A
Rocuronium	Optional [100 mg]	-	-	-	A
Sodium Bicarbonate 8.4%	Optional [100 mEq]	-	-	A	A
Succinylcholine	Optional [400 mg]	-	-	-	A
Thiamine HCl	Optional [100 mg]	-	-	A	A
Tuberculin PPD	Optional [5 mL]	-	-	A	A
Vasopressin	Optional [40 units]	-	-	-	A

Table 5.3. ~~Agents Eligible for Authorization for Administration During a Hazardous Material Incident~~ Repealed

KEY:

[] = Minimum supply required if an EMS provider chooses to make the optional agent available for Paramedic administration

Drug Preparation	Minimum Supply
Activated Charcoal	Optional [as determined by administrative medical director]
Albuterol	Optional [as determined by administrative medical director]
Amyl Nitrite Inhalants	Optional [as determined by administrative medical director]
Atropine	Optional [as determined by administrative medical director]
Atrovent	Optional [as determined by administrative medical director]
Calcium Carbonate	Optional [as determined by administrative medical director]
Calcium Gluconate	Optional [as determined by administrative medical director]
CyanoKit (Hydroxocobalamin)	Optional [as determined by administrative medical director]
Dextrose 50%	Optional [as determined by administrative medical director]
Diazepam	Optional [as determined by administrative medical director]
DuoDote Auto-Injector	Optional [as determined by administrative medical director]
Glucagon	Optional [as determined by administrative medical director]
Methylene Blue	Optional [as determined by administrative medical director]
Neosynephrine	Optional [as determined by administrative medical director]
Propranolol	Optional [as determined by administrative medical director]
Protopam Chloride (pralidoxime)	Optional [as determined by administrative medical director]
Pyridoxine	Optional [as determined by administrative medical director]
Sodium Chloride .95	Optional [as determined by administrative medical director]
Sterile Water	Optional [as determined by administrative medical director]
Tetracaine	Optional [as determined by administrative medical director]

Table 5.4. ~~Eligibility for Authorization to Administer and Monitor Transport Agents During Interfacility Transports, by EMCT Classification; Administration Requirements~~ Repealed

KEY:

- TA = Transport agent for an EMCT with the specified certification
- IP = Agent shall be administered by infusion pump
- SVN = Agent shall be administered by small volume nebulizer

AGENT	MINIMUM SUPPLY	EMT	AEMT	EMT-I (99)	Paramedic
Amiodarone IP	None	-	-	-	TA
Antibiotics	None	-	-	TA	TA
Blood	None	-	-	-	TA
Calcium Chloride	None	-	-	-	TA
Colloids-	None	-	-	TA	TA



13, 2018. The addition of a “Method 6, Pick (n) with Minor Pool and Carryover with ‘Unique Winning Ticket’ Provision” is critical to the wagering handle of horse racing to benefit licensees and the public and to increase state revenue in this racing season of the current fiscal year.

4. A list of all notices published in the Register as specified in R1-1-409(A) that pertain to the record of the exempt rulemaking:

None

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

Name: Rudy J. Casillas, Racing Director
Address: Arizona Department of Gaming, Racing Division
1110 W. Washington, Suite 450
Phoenix, AZ 85007
Telephone: (602) 771-4263
Fax: (602) 255-3883
Email: rcasillas@azgaming.gov
Website: www.azgaming.gov

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

Under A.A.C. R19-2-201, the Division periodically reviews its major sources of income, including the wagering options. New wagering options can engender increased revenue streams projected for the current and future fiscal years. The amendment is designed to allow the Division to meet its mission and goals of effectively regulating the racing industry throughout the next fiscal years.

The Division is initiating this exempt rulemaking, to encourage revenue growth to support the Division’s mission under the requirements of Title 5, Chapter 2, Article 2 of the Arizona Revised statutes. The legislature recognized the value to horse racing of the new jackpot style of wagering in Section 10 of HB2589, effective on August 14, 2018, by reiterating the exemption for the Division from rulemaking requirements of title 41, chapter 6, for the purpose of adopting a unique pari-mutuel wager.

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

None

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 of this state:

Not applicable

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

The rule is designed to introduce a new “jackpot” style of wagering to the horse racing industry in Arizona. It is designed to reverse waning interest in the sport of horse racing by influencing the wagering public to reconsider horse racing venues as acceptable entertainment. The harm sought to be avoided is continued decline in the interest in horse racing. Dramatic increases in wagering handles have been demonstrated in the jurisdictions in which this style of wagering was introduced. The economic impact of this rule amendment will result in an increase of the racing handle by encouraging development and growth of a new player/bettor base. This increase will benefit racing permittees holding racing meetings within the State of Arizona. It will benefit horsemen by providing increased purses, which, in turn, may incent additional participation in Arizona racing by out-of-state breeders, owners, and trainers. It will benefit the state by increased tax revenues. Lastly, it will benefit the players/bettors, by providing an inexpensive way to participate in the sport of horseracing, with the opportunity to win a large jackpot.

10. A description of any changes between the proposed rulemaking, including any supplemental proposed rulemaking, and the final rulemaking package if applicable:

None

11. An agency’s summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments, if applicable:

None

12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules. When applicable, matters shall include, but not be limited to:

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

Not applicable

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

Not applicable

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

Not applicable



13. A list of any incorporated by reference material and its location in the rule:

None

14. Whether the rule was previously made, amended, repealed, or renumbered as an emergency rule. If so, the agency shall state where the text changed between the emergency and the exempt rulemaking packages:

Not applicable

15. The full text of the rule follows:

**TITLE 19. ALCOHOL, HORSE AND DOG RACING, LOTTERY, AND GAMING
CHAPTER 2. ARIZONA RACING COMMISSION**

ARTICLE 5. PARI-MUTUEL WAGERING

Section

R19-2-523. Calculation of Payoffs and Distribution of Pools

ARTICLE 5. PARI-MUTUEL WAGERING

R19-2-523. Calculation of Payoffs and Distribution of Pools

- A.** No change
 - 1. No change
 - 2. No change
 - 3. No change
 - a. No change
 - b. No change
 - 4. No change
- B.** No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - 3. No change
 - a. No change
 - b. No change
- C.** No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - 3. No change
 - a. No change
 - b. No change
 - 4. No change
 - a. No change
 - b. No change
- D.** No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - g. No change
 - 3. No change
 - a. No change
 - b. No change
 - c. No change
 - 4. No change
 - a. No change
 - b. No change



- c. No change
 - 5. No change
 - a. No change
 - b. No change
- E. No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - 3. No change
 - a. No change
 - b. No change
 - 4. No change
 - 5. No change
 - 6. No change
 - 7. No change
 - 8. No change
- F. No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - 3. No change
 - a. No change
 - b. No change
 - 4. No change
 - 5. No change
 - 6. No change
- G. No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. Method 6, Pick (n) with Minor Pool and Carryover with “Unique Winning Ticket” Provision (referred to as the “Unique Pick” for purposes of this rule only): The Unique Pick net pool and carryover, if any, shall be distributed to the sole holder of a unique winning ticket that selected the first-place finisher in every one of the Unique Pick contests, based upon the official order of finish. If there is no sole holder of a unique winning ticket selecting the first-place finisher in every one of the Unique Pick contests, or if there are no wagers selecting the first-place finisher of all Unique Pick contests, the minor share of the Unique Pick net pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Unique Pick contests, and the major share shall be added to the carryover. Where there is no correct selection of the first-place finisher in at least one of the Unique Pick contests, based upon the official order of finish, the day’s net pool shall be refunded and the previous carryover pool amount, if any, shall be carried over to the next scheduled corresponding pool.
 - i. Request for Mandatory Distribution. In lieu of the event of a sole jackpot winner, the permittee may request permission to distribute the Unique Pick jackpot pursuant to subsections (G)(8) and (9) of this rule.
 - ii. Unique Pick Jackpot Identification. Permittees must clearly identify one of the following methods that will be relied upon for determining the existence of a Unique Pick winning ticket. The first method is when there is one and only one winning ticket that correctly selected the first place finisher in each of the Unique Pick contests, based upon the official order of finish, to be verified by the unique serial number assigned by the tote company that issued the winning ticket. The second method is when the total amount wagered on one and only one winning combination selecting the first-place finisher in each of the Unique Pick contests, based up on the official order of finish, is equal to no more than the minimum allowable wager.
 - 3. No change
 - a. No change
 - b. No change
 - 4. No change
 - 5. No change
 - a. No change



- b. No change
- c. No change
- d. No change
- 6. No change
- 7. No change
- 8. No change
- 9. No change
 - a. No change
 - b. No change
 - c. No change
- 10. No change
- 11. No change
- 12. No change
- 13. No change

- H.** No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - 3. No change
 - a. No change
 - b. No change
 - 4. No change
 - a. No change
 - b. No change
 - 5. No change
 - 6. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - 7. No change
 - 8. No change
 - 9. No change
 - 10. No change
 - a. No change
 - b. No change
 - c. No change
 - 11. No change
 - 12. No change
 - 13. No change
 - 14. No change

- I.** No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - 3. No change
 - a. No change
 - b. No change
 - c. No change
 - 4. No change
 - 5. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change

- J.** No change
 - 1. No change



- 2. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
- 3. No change
 - a. No change
 - b. No change
 - c. No change
- 4. No change
- 5. No change
- 6. No change
- 7. No change
- 8. No change
- 9. No change
- 10. No change
- K.** No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - 3. No change
 - a. No change
 - b. No change
 - 4. No change
 - 5. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
- L.** No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - 3. No change
 - 4. No change
 - a. No change
 - b. No change
 - 5. No change
 - 6. No change
- M.** No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - 3. No change
 - 4. No change
 - a. No change
 - b. No change
 - c. No change
 - 5. No change
 - a. No change
 - b. No change
 - 6. No change
 - 7. No change
- N.** No change



- 1. No change
- 2. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
- 3. No change
 - a. No change
 - b. No change
 - c. No change
- 4. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
- 5. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
- 6. No change
 - a. No change
 - b. No change
 - c. No change
- 7. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
- 8. No change
- 9. No change
- 10. No change
- 11. No change
- 12. No change
- O.** No change
 - 1. No change
 - 2. No change
 - 3. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - 4. No change
 - 5. No change
 - a. No change
 - b. No change
 - 6. No change
 - 7. No change
 - 8. No change
 - 9. No change
 - 10. No change
 - a. No change
 - b. No change
 - 11. No change
 - 12. No change
 - 13. No change
 - 14. No change
 - 15. No change
 - a. No change
 - b. No change



- c. No change
- d. No change
- e. No change
- 16. No change
- 17. No change
 - a. No change
 - b. No change
 - c. No change
- 18. No change
- 19. No change
- 20. No change
- P.** No change
 - 1. No change
 - 2. No change
 - 3. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - 4. No change
 - 5. No change
 - a. No change
 - b. No change
 - 6. No change
 - 7. No change
 - 8. No change
 - 9. No change
 - 10. No change
 - 11. No change
 - a. No change
 - b. No change
 - 12. No change
 - 13. No change
 - 14. No change
 - 15. No change
 - 16. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - 17. No change
 - 18. No change
 - a. No change
 - b. No change
 - c. No change
 - 19. No change
 - 20. No change
 - 21. No change
- Q.** No change
 - 1. No change
 - 2. No change
 - 3. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - 4. No change
 - 5. No change
 - a. No change
 - b. No change
 - 6. No change
 - 7. No change
 - 8. No change



- 9. No change
- 10. No change
- 11. No change
 - a. No change
 - b. No change
- 12. No change
- 13. No change
- 14. No change
- 15. No change
- 16. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
- 17. No change
- 18. No change
 - a. No change
 - b. No change
 - c. No change
- 19. No change
- 20. No change
- 21. No change
- R.** No change
 - 1. No change
 - 2. No change
 - 3. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - 4. No change
 - a. No change
 - b. No change
 - 5. No change
 - a. No change
 - b. No change
 - 6. No change
 - 7. No change
 - 8. No change
 - 9. No change
 - 10. No change
 - 11. No change
 - 12. No change
 - 13. No change
 - 14. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - 15. No change
 - a. No change
 - b. No change
 - c. No change
 - 16. No change
 - 17. No change



Phone: 1-888-808-5828 (toll-free)
Access Code: 803 713 080

Date: Tuesday, November 20, 2018
Time: 9:30 a.m.

Location: 515 N. 51st Ave., Suite 140
Phoenix, AZ 85043

Details: Visitor parking is available on the northeast corner of the building by entrance to Suite 140.

Date: Tuesday, November 20, 2018
Time: 2:30 p.m.

Location: 400 W. Congress Street, Suite 158
Tucson, AZ 85701

Details: Visitor parking is available on the west side of the parking lot.

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

None

NOTICE OF RULEMAKING DOCKET OPENING
DEPARTMENT OF HEALTH SERVICES
COMMUNICABLE DISEASES AND INFESTATIONS

[R18-222]

1. Title and its heading:

9, Health Services

Chapter and its heading:

6, Department of Health Services - Communicable Diseases and Infestations

Articles and their headings:

12, Tuberculosis Control

Section numbers:

R9-6-1201 through R9-6-1204 (The Department may add, delete, or modify other Sections, as necessary.)

2. The subject matter of the proposed rules:

Arizona Revised Statutes (A.R.S.) § 36-136(I)(1) requires the Arizona Department of Health Services (Department) to make rules defining and prescribing "reasonably necessary measures for detecting, reporting, preventing, and controlling communicable and preventable diseases." A.R.S. § 36-721 requires the Director to make rules to prescribe reasonable and necessary measures regarding standards of medical care for persons afflicted with tuberculosis. A.R.S. § 36-721 further requires the submission of tuberculosis reports and statistics from counties. The Department has adopted rules to implement these statutes in Arizona Administrative Code (A.A.C.) Title 9, Chapter 6, Article 12. As part of the five-year-review report for 9 A.A.C. 6, Article 12, the Department identified that the rules, which were last revised effective January 5, 2008, contain references to outdated forms and obsolete medical guidelines that do not adequately protect the health and safety of tuberculosis afflicted persons. In addition, the rules are unclear as to what is required of a local health agency when reporting to the Department, and the formatting used is outdated and may be confusing. The requirements for when an inmate has a positive result on a repeat test for tuberculosis are also unclear, which may lead to cases being inadequately diagnosed and treated. After receiving an exception from the Governor's rulemaking moratorium established by Executive Order 2018-02, the Department is revising the rules by expedited rulemaking to make these changes to reduce a regulatory burden while achieving the same regulatory objective, comply with statutory requirements, and help eliminate confusion on the part of the public. The proposed amendments will conform to rulemaking format and style requirements of the Governor's Regulatory Review Council and the Office of the Secretary of State. The Department may add, delete, or modify other Sections, as necessary.

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

None

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

Name: Eugene Livar, Interim Bureau Chief
Address: Arizona Department of Health Services
Public Health Preparedness
150 N. 18th Ave., Suite 100
Phoenix, AZ 85007-3248

Telephone: (602) 364-3846
Fax: (602) 364-3267
E-mail: Eugene.Livar@azdhs.gov

or

Name: Robert Lane, Chief
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:

To be announced in the Notice of Proposed Expedited Rulemaking

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

To be announced in the Notice of Proposed Expedited Rulemaking

**NOTICE OF RULEMAKING DOCKET OPENING
 DEPARTMENT OF HEALTH SERVICES
 HEALTH CARE INSTITUTIONS: LICENSING**

[R18-223]

- | | |
|--|---|
| 1. <u>Title and its heading:</u> | 9, Health Services |
| <u>Chapter and its heading:</u> | 10, Department of Health Services - Health Care Institutions: Licensing |
| <u>Articles and their headings:</u> | 3, Behavioral Health Inpatient Facilities
5, Recovery Care Centers
6, Hospices
7, Behavioral Health Residential Facilities
8, Assisted Living Facilities
9, Outpatient Surgical Centers
10, Outpatient Treatment Centers
11, Adult Day Health Care Facilities
13, Behavioral Health Specialized Transitional Facility
14, Substance Abuse Transitional Facilities
16, Behavioral Health Respite Homes
17, Unclassified Health Care Institutions
18, Adult Behavioral Health Therapeutic Homes |
| <u>Section numbers:</u> | R9-10-323, R9-10-517, R9-10-617, R9-10-721, R9-10-819,
R9-10-917, R9-10-1030, R9-10-1116, R9-10-1316, R9-10-1415,
R9-10-1610, R9-10-1712, and R9-10-1810 (<i>The Department may add, delete, or modify other Sections, as necessary.</i>) |

2. The subject matter of the proposed rules:
 In order to ensure public health, safety, and welfare, Arizona Revised Statutes (A.R.S.) §§ 36-405 and 36-406 require the Arizona Department of Health Services (Department) to adopt rules establishing minimum standards and requirements for construction, modification, and licensure of health care institutions. The Department has adopted rules to implement these statutes in Arizona Administrative Code Title 9, Chapter 10. As part of the five-year review of rules in 9 A.A.C. 10, Article 1, the Department identified an issue with the use of the defined term “pest control program.” The definition states that a pest control program “means activities that minimize the presence of insects and vermin in a health care institution to ensure that a patient’s health and safety is not at risk,” and the rules governing several classes and sub-classes of health care institutions require the health care institution to implement and document a pest control program. However, A.A.C. R3-8-201(C)(4), which was adopted in A.A.C. Title 3 in 2017, states that “An individual may not provide pest management services at a school, child care facility, health care institution, or food-handling establishment unless the individual is a certified applicator in the certification category for which services are being provided.” After receiving an exception from the rulemaking moratorium established by Executive Order 2018-02, the Department is initiating a rulemaking to clarify that the implemented pest control program in a health care institution must comply with requirements in A.A.C. R3-8-201(C)(4). The proposed amendments will conform to rulemaking format and style requirements of the Governor’s Regulatory Review Council and the Office of the Secretary of State.

3. A citation to all published notices relating to the proceeding:
 None

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

Name:	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, Chief
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. No oral proceedings have been scheduled 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
ARIZONA CORPORATION COMMISSION
TRANSPORTATION

[R18-221]

1. Title and its heading: 14, Public Service Corporations; Corporations and Associations; Securities Regulation

Chapter and its heading: 5, Corporation Commission - Transportation

Article and its heading: 2, Pipeline Safety

Section numbers: R14-5-201, R14-5-202 and R14-5-204

2. The subject matter of the proposed rule:

The proposed rules will conform to the most recent amendments of the Federal Pipeline Safety Regulations, which is required by the Commission's Agreement with the United States Department of Transportation, Office of Pipeline Safety, and required for the Commission's Pipeline Safety Group to receive Federal funds for Pipeline Safety Programs.

The agency docket number, if applicable:

RG-00000A-18-0290

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

Notice of Proposed Rulemaking: 24 A.A.R. 2907, October 19, 2018 (in this issue)

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

Name: M. Regina Huerta, Staff Attorney
Address: Arizona Corporation Commission, Legal Division
1200 W. Washington
Phoenix, AZ 85007
Telephone: (602) 542-3402
Fax: (602) 542-4870
E-mail: MHuerta@azcc.gov

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

The Commission has scheduled the following oral proceeding for public comments:

Date: November 19, 2018
Time: 10:00 a.m.
Location: Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007
Nature: Public Comment Hearing

Written comments can be submitted on or before November 19, 2018, to the Commission's Docket Control at the address listed above. Please reference Docket No. RG-00000A-18-0290 on all documents.

Oral comments may be provided at the proceedings on November 19, 2018, at 10:00 a.m.

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

Hearing Division shall issue a Recommended Opinion and Order by November 27, 2018, or as soon as practicable, thereafter, so that the Commission may consider it at its Open Meeting scheduled for December 11-12, 2018.



GOVERNOR EXECUTIVE ORDER

Executive Order 2018-02 is being reproduced in each issue of the *Administrative Register* as a notice to the public regarding state agencies' rulemaking activities.

This order will appear in the *Register* until its expiration on December 31, 2018, and has been reproduced in its entirety as submitted.

EXECUTIVE ORDER 2018-02**Internal Review of Administrative Rules; Moratorium to Promote Job Creation and Customer-Service-Oriented Agencies**

[M18-46]

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

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

WHEREAS, in 2015 the State of Arizona implemented a moratorium on all new regulatory rulemaking by State agencies through executive order, and renewed the moratorium in 2016 and 2017; and

WHEREAS, in 2017 the State of Arizona eliminated or repealed 676 needless regulations; and

WHEREAS, estimates show these eliminations saved job creators more than \$48 million in operating costs; and

WHEREAS, 161,000 private sector jobs have been added to Arizona since January 2015; and

WHEREAS, all government agencies of the State of Arizona should continue to promote customer-service-oriented principles for the people that it serves; and

WHEREAS, each State agency shall continue 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; and

WHEREAS, each State agency should evaluate its administrative rules using any available and reliable data and performance metrics; and

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

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:

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 federal court 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. A State agency subject to this Order, shall not publicize any directives, policy statements, documents or forms on its website unless such are explicitly authorized by Arizona Revised Statutes or Arizona Administrative Code.
4. A State agency subject to this Order, shall coordinate with the Office of Economic Opportunity to prepare a statement of estimated regulatory costs analyzing the economic impact of agency rules, including an analysis of the effort of such rules on the creation and retention of jobs within the State of Arizona.
5. A State agency subject to this Order, shall review the agency's rules related to license reciprocity and identify opportunities to decrease burdens for qualified professionals who relocate to Arizona, whether administrative or legislative, and report these opportunities to the office of the Governor no later than July 1, 2018.



6. A State agency subject to this Order, shall review the agency’s rules to identify opportunities for veterans by recognizing the skills, credentials, and training received during military service in place of some or all of the training requirements for a specific license, and include additional opportunities in the report to the office of the Governor no later than July 1, 2018.
7. 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.
8. 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.
9. This Executive Order expires on December 31, 2018.

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 Twelfth day of February in the Year Two Thousand and Eighteen and of the Independence of the United States of America the Two Hundred and Thirty-Sixth.

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

**2018 Arizona Administrative Register
Volume 24 Page Guide**

Issue 1, Jan. 5, 2018.....1-88	Issue 2, Jan. 12, 2018.....89-132	Issue 3, Jan. 19, 2018.....133-160
Issue 4, Jan. 26, 2018.....161-234	Issue 5, Feb. 2, 2018.....235-298	Issue 6, Feb. 9, 2018.....299-332
Issue 7, Feb. 16, 2018.....333-372	Issue 8, Feb. 23, 2018.....373-430	Issue 9, March 2, 2018.....431-490
Issue 10, March 9, 2018.....491-524	Issue 11, March 16, 2018.....525-590	Issue 12, March 23, 2018.....591-652
Issue 13, March 30, 2018.....653-717	Issue 14, April 6, 2018.....718-778	Issue 15, April 13, 2018.....779-808
Issue 16, April 20, 2018.....809-1120	Issue 17, April 27, 2018.....1121-1320	Issue 18, May 4, 2018.....1321-1410
Issue 19, May 11, 2018.....1411-1494	Issue 20, May 18, 2018.....1495-1538	Issue 21, May 25, 2018.....1539-1604
Issue 22, June 1, 2018.....1605-1638	Issue 23, June 8, 2018.....1639-1670	Issue 24, June 15, 2018.....1671-1702
Issue 25, June 22, 2018.....1703-1780	Issue 26, June 29, 2018.....1781-1846	Issue 27, July 6, 2018.....1847-1896
Issue 28, July 13, 2018.....1897-2002	Issue 29, July 20, 2018.....2003-2052	Issue 30, July 27, 2018.....2053-2146
Issue 31, Aug. 3, 2018.....2147-2254	Issue 32, Aug. 10, 2018.....2055-2294	Issue 33, Aug. 17, 2018.....2295-2344
Issue 34, Aug. 24, 2018.....2345-2382	Issue 35, Aug. 31, 2018.....2383-2454	Issue 36, Sept. 7, 2018.....2455-2524
Issue 37, Sept. 14, 2018.....2525-2590	Issue 38, Sept. 21, 2018.....2591-2658	Issue 39, Sept. 28, 2018.....2659-2726
Issue 40, Oct. 5, 2018.....2727-2796	Issue 41, Oct. 12, 2018.....2797-2888	

RULEMAKING ACTIVITY INDEX

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

THIS INDEX INCLUDES RULEMAKING ACTIVITY THROUGH ISSUE 41 OF VOLUME 24.

<p>Accountancy, Board of</p> <p>R4-1-226.01. PM-1707</p> <p>R4-1-343. PM-1707</p> <p>R4-1-453. PM-1707</p> <p>Acupuncture Board of Examiners</p> <p>R4-8-101. PM-2529</p> <p>R4-8-103. PM-2529</p> <p>R4-8-105. PM-2529</p> <p>Table 1. PM-2529</p> <p>R4-8-106. PM-2529</p> <p>R4-8-203. PM-2529</p> <p>R4-8-204. PM-2529</p> <p>R4-8-206. PM-2529</p> <p>R4-8-207. PM-2529</p> <p>R4-8-301. PM-2529</p> <p>R4-8-303. PM-2529</p> <p>R4-8-304. PM-2529</p> <p>R4-8-408. PM-2529</p> <p>R4-8-601. PM-2529</p> <p>R4-8-602. PM-2529</p> <p>R4-8-701. PN-2529</p> <p>R4-8-702. PR-2529</p> <p>R4-8-704. PR-2529</p> <p>R4-8-706. PR-2529</p> <p>Administration, Department of</p> <p>R2-1-601. FR-625</p> <p>R2-1-602. FR-625</p> <p>R2-1-603. FR-625</p> <p>R2-1-801. FM-625</p> <p>R2-1-802. FM-625</p> <p>R2-1-803. FM-625</p> <p>R2-1-804. FM-625</p>	<p>R2-1-805. FR-625; FR-625; FR-625</p> <p>R2-1-901. FR-625</p> <p>R2-1-902. FR-625</p> <p>R2-1-903. FR-625</p> <p>R2-1-904. FR-625</p> <p>R2-1-905. FR-625</p> <p>Administration, Department of - Benefit Services Division</p> <p>R2-6-105. PM-2349</p> <p>Administration, Department of - Public Buildings Maintenance</p> <p>R2-11-112. EXP-2563</p> <p>R2-11-206. EXP-2563</p> <p>R2-11-207. EXP-2563</p> <p>R2-11-208. EXP-2563</p> <p>Agriculture, Department of - Animal Services Division</p> <p>R3-2-203. FXM-2219</p> <p>R3-2-701. FXM-2219</p> <p>R3-2-810. FXM-2219</p> <p>Agriculture, Department of - Citrus Fruit and Vegetable Division</p> <p>R3-10-101. FXN-2227</p> <p>R3-10-102. FXN-2227</p> <p>Agriculture, Department of - Environmental Services Division</p> <p>R3-3-702. FXM-2222</p> <p>Agriculture, Department of -</p>	<p>Office of Commodity Development and Promotion</p> <p>R3-6-102. FXM-2226</p> <p>Agriculture, Department of - Plant Services Division</p> <p>R3-4-301. FXM-2223</p> <p>Agriculture, Department of - Weights and Measures Services Division</p> <p>R3-7-101. PM-595; FM-2666</p> <p>R3-7-701. PM-595; FM-2666</p> <p>R3-7-702. PM-595; FM-2666</p> <p>R3-7-708. PM-595; FM-2666</p> <p>R3-7-749. PM-595; FM-2666</p> <p>R3-7-751. PM-595; FM-2666</p> <p>R3-7-752. PM-595; FM-2666</p> <p>R3-7-755. PM-595; FM-2666</p> <p>R3-7-757. PM-595; FM-2666</p> <p>R3-7-759. PM-595; FM-2666</p> <p>Table 1. PM-595; FM-2666</p> <p>Table 2. PM-595; FM-2666</p>
--	--	--

Arizona Health Care Cost Containment System - Administration

R9-22-202. PM-337
 R9-22-303. PR-337;
 PM-2663
 R9-22-703. PM-337
 R9-22-712.05. FM-185;
 PM-2061
 R9-22-712.35. PM-1712;
 FM-2851
 R9-22-712.61. PM-1712;
 FM-2851
 R9-22-712.71. PM-1712;
 FM-2851
 R9-22-718. PM-345;
 FM-1515
 R9-22-721. PM-2066
 R9-22-730. FXM-2229
 R9-22-1202. PM-337
 R9-22-1302. PM-1716;
 FM-2855
 R9-22-1303. PM-1716;
 FM-2855
 R9-22-1305. PM-1716;
 FM-2855
 R9-22-1306. PR-1716;
 FR-2855
 R9-22-1501. PM-337
 R9-22-1910. PR-337
 R9-22-2101. PM-1722;
 FM-2861

Arizona Health Care Cost Containment System - Arizona Long-term Care System

R9-28-401.01. PM-348
 R9-28-408. FM-667
 R9-28-703. FM-191
 R9-28-801. FM-670
 R9-28-801.01. FR-670
 R9-28-802. FM-670
 R9-28-803. FM-670
 R9-28-806. FM-670
 R9-28-807. FM-670

Arizona Health Care Cost Containment System - Medicare Cost Sharing Program

R9-29-210. PM-351

Behavioral Health Examiners, Board of

R4-6-101. PM-1609
 R4-6-211. PM-1609
 R4-6-212. PM-1609
 R4-6-212.01. PM-1609
 R4-6-215. PM-1609
 R4-6-301. PM-1609
 R4-6-304. PM-1609
 R4-6-306. PM-1609
 R4-6-402. PM-1609
 R4-6-502. PM-1609
 R4-6-602. PM-1609
 R4-6-704. PM-1609
 R4-6-1101. PM-1609

Boxing and Mixed Martial Arts Commission, State

R4-3-101. FR-435
 R4-3-102. FR-435
 R4-3-103. FR-435
 R4-3-104. FR-435
 R4-3-105. FR-435
 R4-3-201. FR-435
 R4-3-202. FR-435
 R4-3-203. FR-435
 R4-3-301. FR-435
 R4-3-302. FR-435
 R4-3-303. FR-435
 R4-3-304. FR-435
 R4-3-305. FR-435
 R4-3-306. FR-435
 R4-3-307. FR-435
 R4-3-308. FR-435
 R4-3-309. FR-435
 R4-3-310. FR-435
 R4-3-401. FR-435
 R4-3-402. FR-435
 R4-3-403. FR-435
 R4-3-404. FR-435
 R4-3-405. FR-435
 R4-3-406. FR-435
 R4-3-407. FR-435
 R4-3-408. FR-435
 R4-3-409. FR-435
 R4-3-410. FR-435
 R4-3-411. FR-435
 R4-3-412. FR-435
 R4-3-412.01. FR-435
 R4-3-413. FR-435
 R4-3-414. FR-435
 Table 1. FR-435

Child Safety, Department of - Adoption Agency Licensing

R21-9-202. PN-738
 R21-9-207. PN-738

Clean Elections Commission, Citizens

R2-20-106. FXM-107
 R2-20-109. FXM-109
 R2-20-111. FXM-111

Constable Ethics, Standards and Training Board

R13-14-101. FN-1518
 R13-14-102. FN-1518
 R13-14-103. FN-1518
 R13-14-201. FN-1518
 R13-14-202. FN-1518
 R13-14-203. FN-1518
 R13-14-204. FN-1518
 R13-14-205. FN-1518
 R13-14-301. FN-1518
 R13-14-302. FN-1518

Corporation Commission, Arizona - Fixed Utilities

R14-2-107. PM-1643;
 FM-2750

R14-2-108. PN-1643;
 FN-2750
 R14-2-803. PM-1617;
 FM-2468

Criminal Justice Commission, Arizona

R10-4-101. FM-377
 R10-4-102. FM-377
 R10-4-103. FM-377
 R10-4-104. FM-377
 R10-4-106. FM-377
 R10-4-107. FM-377
 R10-4-108. FM-377
 R10-4-109. FM-377
 R10-4-110. FM-377
 R10-4-201. FM-377
 R10-4-202. FM-377
 R10-4-203. FM-377
 R10-4-204. FM-377
 R10-4-402. PM-2259
 R10-4-403. PM-2259
 R10-4-404. PM-2259
 R10-4-406. PM-2259

Department Dissolved (previously Department of Weights and Measures)

R20-2-205. EXP-1125

Dispensing Opticians, Board of

R4-20-102. PM-2299
 R4-20-103. PR-2299
 R4-20-104. PR-2299
 R4-20-105. PR-2299
 R4-20-106. PR-2299
 R4-20-107. PM-2299
 R4-20-109. PM-2299
 R4-20-110. PM-2299
 R4-20-112. PM-2299
 R4-20-113. PM-2299
 R4-20-115. PM-2299
 R4-20-119. PM-2299
 R4-20-123. PR-2299
 R4-20-124. PR-2299
 R4-20-125. PR-2299
 R4-20-126. PR-2299
 Table 1. PM-2299

Economic Security, Department of

R6-1-201. F#-1415;
 FN-1415;
 FM-1415
 R6-1-202. F#-1415;
 FM-1415
 R6-1-203. F#-1415;
 FN-1415;
 FM-1415

Economic Security, Department of - Developmental Disabilities

R6-6-301. F#-2013;
 FN-2013
 R6-6-302. F#-2013;
 FM-2013

R6-6-303.	FR-2013; F#-2013; FM-2013	R6-3-55460.	FM-1417	R18-2-1602.	EXP-2500
R6-6-304.	FN-2013	Education, State Board of		R18-2-1603.	EXP-2500
R6-6-305.	FN-2013	R7-2-301.	FXM-691	R18-2-1604.	EXP-2500
R6-6-306.	FN-2013	R7-2-302.	FXM-691	R18-2-1605.	EXP-2500
R6-6-307.	FN-2013	R7-2-401.	FXM-140	R18-2-1606.	EXP-2500
R6-6-308.	FN-2013	R7-2-604.03.	FXM-195	R18-2-1607.	EXP-2500
R6-6-309.	FN-2013	R7-2-604.04.	FXM-195	R18-2-1608.	EXP-2500
R6-6-501.	FR-2013	R7-2-604.05.	FXN-195	R18-2-1609.	EXP-2500
R6-6-502.	FR-2103	R7-2-606.	FXM-1427	Equalization, State Board of	
R6-6-503.	FR-2013	R7-2-607.	FXM-195	R16-4-101.	PN-619
R6-6-504.	FR-2013	R7-2-608.	FXM-195	R16-4-102.	PN-619
R6-6-505.	FR-2013	R7-2-609.	FXM-195	R16-4-103.	PN-619
Economic Security, Department of - Food Stamps Program		R7-2-609.01.	FXN-791	R16-4-104.	PN-619
R6-14-301.	EN-2081	R7-2-610.	FXM-195	R16-4-105.	PN-619
R6-14-302.	EN-2081	R7-2-610.01.	FXN-195	R16-4-106.	PN-619
R6-14-303.	EN-2081	R7-2-610.02.	FXN-195	R16-4-107.	PN-619
R6-14-304.	EN-2081	R7-2-611.	FXM-195; FXM-1427	R16-4-108.	PN-619
R6-14-305.	EN-2081	R7-2-612.	FXM-195; FXM-694	R16-4-109.	PN-619
R6-14-306.	EN-2081	R7-2-612.01.	FXM-694	R16-4-110.	PN-619
R6-14-307.	EN-2081	R7-2-613.	FXM-195	R16-4-111.	PN-619
R6-14-308.	EN-2081	R7-2-614.	FXM-195	R16-4-112.	PN-619
R6-14-401.	EN-2081	R7-2-616.	FXM-195	R16-4-113.	PN-619
R6-14-402.	EN-2081	R7-2-617.	FXM-195	R16-4-114.	PN-619
R6-14-403.	EN-2081	R7-2-619.	FXM-195	R16-4-115.	PN-619
R6-14-404.	EN-2081	R7-2-621.	FXM-195	R16-4-116.	PN-619
R6-14-405.	EN-2081	R7-2-810.	FXN-146	R16-4-117.	PN-619
R6-14-406.	EN-2081	Environmental Quality, Department of - Air Pollution Control		Game and Fish Commission	
R6-14-407.	EN-2081	R18-2-220.	PM-2615	R12-4-101.	PM-529; SPM-1936
R6-14-408.	EN-2081	R18-2-731.	PM-501; FM-1864	R12-4-216.	PM-529; SPM-1936
R6-14-409.	EN-2081	R18-2-901.	PM-501; FEM-1564; FM-1864	R12-4-301.	PM-529; SPM-1936
R6-14-410.	EN-2081	R18-2-1001.	PM-2801	R12-4-302.	PM-529; SPM-1936
R6-14-411.	EN-2081	R18-2-1002.	PN-2801	R12-4-303.	PM-529; SPM-1936
R6-14-412.	EN-2081	R18-2-1003.	PM-2801	R12-4-304.	PM-529; SPM-1936
R6-14-413.	EN-2081	R18-2-1005.	PM-2801	R12-4-305.	PM-529; SPM-1936
R6-14-414.	EN-2081	R18-2-1006.	PM-2801	R12-4-306.	PM-529; SPM-1936
R6-14-415.	EN-2081	R18-2-1007.	PM-2801	R12-4-307.	PM-529; SPM-1936
R6-14-416.	EN-2081	R18-2-1008.	PM-2801	R12-4-308.	PM-529; SPM-1936
R6-14-417.	EN-2081	R18-2-1009.	PM-2801	R12-4-309.	PM-529; SPM-1936
R6-14-501.	EN-2081	R18-2-1010.	PM-2801	R12-4-310.	PM-529; SPM-1936
R6-14-502.	EN-2081	R18-2-1011.	PM-2801	R12-4-311.	PM-529; SPM-1936
R6-14-503.	EN-2081	R18-2-1012.	PM-2801	R12-4-313.	PM-529; SPM-1936
R6-14-504.	EN-2081	R18-2-1013.	PR-2801	R12-4-314.	PN-529; SPM-1936
R6-14-505.	EN-2081	R18-2-1016.	PM-2801	R12-4-315.	PR-529; SPM-1936
R6-14-506.	EN-2081	R18-2-1017.	PM-2801	R12-4-316.	PR-529; SPM-1936
R6-14-507.	EN-2081	R18-2-1018.	PM-2801	R12-4-317.	PR-529; SPM-1936
Economic Security, Department of - Social Services		R18-2-1019.	PM-2801		
R6-5-3301.	PN-2357	R18-2-1020.	PM-2801		
R6-5-3302.	PN-2357	R18-2-1022.	PM-2801		
R6-5-3303.	PN-2357	R18-2-1023.	PM-2801		
R6-5-3304.	PN-2357	R18-2-1025.	PM-2801		
R6-5-3305.	PN-2357	R18-2-1026.	PM-2801		
R6-5-3306.	PN-2357	R18-2-1027.	PR-2801		
R6-5-3307.	PN-2357	R18-2-1028.	PR-2801		
Economic Security, Department of - Unemployment Insurance		R18-2-1031.	PR-2801		
R6-3-51140.	FM-1417	Table 5.	PM-2801		
R6-3-5205.	FM-1417	R18-2-1101.	FEM-1564		
R6-3-5240.	FM-1417	Appendix 2.	FEM-1564		
R6-3-52235.	FM-1417	R18-2-1601.	EXP-2500		



R12-4-318.	PM-529; SPM-1936	R9-5-517.	PEM-2471	Health Services, Department of - Food, Recreational, and Institu- tional Sanitation	R9-8-102.	PM-99; FM-1817
R12-4-319.	PM-529; SPM-1936	R9-5-601.	PEM-2471		R9-8-201.	FEM-263
R12-4-320.	PM-529; SPM-1936	R9-5-602.	PEM-2471	R9-8-203.	FEM-263	
R12-4-321.	PM-529; SPM-1936	R9-5-603.	PEM-2471	R9-8-205.	FEM-263	
R12-4-322.	PM-529; SPM-1936	Health Services, Department of - Communicable Diseases and Infes- tations		R9-8-206.	FEM-263	
R12-4-401.	PM-529; SPM-1936	R9-6-601.	FEM-261	R9-8-301.	FEM-389	
R12-4-601.	FE#-393; FEN-393	R9-6-701.	PEM-745; FEM-2682	R9-8-302.	FEM-389	
R12-4-602.	FE#-393; FEM-393	R9-6-702.	PEM-745; FEM-2682	R9-8-303.	FEM-389	
R12-4-603.	FE#-393; FEM-393	Table 7.1.	PEN-745; FEN-2682	R9-8-304.	FEM-389	
R12-4-604.	FE#-393; FEM-393	Table 7.2.	FEN-2682	R9-8-306.	FER-389	
R12-4-605.	FE#-393; FEM-393	R9-6-703.	PEM-745; FEM-2682	R9-8-307.	FER-389	
R12-4-606.	FE#-393; FEM-393	R9-6-704.	PEM-745; FEM-2682	R9-8-401.	FEM-266	
R12-4-607.	FE#-393; FEM-393	R9-6-705.	FEM-2682	R9-8-402.	FEM-266	
R12-4-608.	FEN-393	R9-6-706.	PEM-745; FEM-2682	Health Services, Department of - Health Care Institutions: Licensing		
R12-4-609.	FEM-393	R9-6-707.	PEM-745; FEM-2682	R9-10-101.	PM-1901	
R12-4-610.	FEM-393	Table 1.	PER-745; FER-2682	R9-10-102.	PM-1901	
R12-4-611.	FEM-393	Table 2.	PER-745; FER-2682	R9-10-106.	PM-1901	
R12-4-901.	FE#-407	R9-6-708.	PEM-745; FEM-2682	R9-10-120.	EM-303; FN-657	
R12-4-902.	FE#-407; FEM-407	R9-6-801.	PEM-1650; FEM-2758	R9-10-223.	PM-1922	
R12-4-1101.	FE#-407	R9-6-802.	PEM-1650; FEM-2758	R9-10-1021.	PM-1901	
R12-4-1102..	FE#-407	R9-6-1001.	PEM-1973; FEM-2761	R9-10-1302.	PEM-1977; FEM-2764	
Governor's Regulatory Review Council			R9-6-1002.	R9-10-1307.	PEM-1977; FEM-2764	
R1-6-101.	PM-2007	R9-6-1004.	PEM-1973; FEM-2761	R9-10-1309.	PEM-1977; FEM-2764	
R1-6-105.	PN-2007	R9-6-1005.	PEM-1973; FEM-2761	R9-10-1310.	PEM-1977; FEM-2764	
R1-6-201.	PM-2007	R9-6-1006.	PEM-1973; FEM-2761	R9-10-1312.	PEM-1977; FEM-2764	
R1-6-202.	PM-2007			R9-10-1501.	PM-1922	
R1-6-301.	PM-2007			R9-10-1502.	PM-1922	
R1-6-302.	PM-2007			R9-10-1503.	PM-1922	
R1-6-303.	PM-2007			R9-10-1504.	P#-1922; PN-1922	
R1-6-401.	PM-2007			R9-10-1505.	P#-1922; PM-1922	
Health Services, Department of - Child Care Facilities				R9-10-1506.	P#-1922; PM-1922	
R9-5-101.	PEM-2471	Health Services, Department of - Emergency Medical Services		R9-10-1507.	P#-1922; PM-1922	
R9-5-201.	PEM-2471	R9-25-301.	FEM-268; PEM-2492	R9-10-1508.	P#-1922; PM-1922	
R9-5-202.	PEM-2471	R9-25-303.	PEM-2492	R9-10-1509.	P#-1922; PM-1922	
Table 2.1.	PEM-2471	R9-25-305.	FEM-268; PEM-2492	R9-10-1510.	P#-1922; PM-1922	
R9-5-203.	PEM-2471	Table 8.1.	PEM-2492	R9-10-1511.	P#-1922; PM-1922	
R9-5-205.	PEM-2471	R9-25-306.	FEM-268	R9-10-1512.	P#-1922; PM-1922	
R9-5-208.	PEM-2471	R9-25-401.	FEM-268	R9-10-1513.	P#-1922; PM-1922	
R9-5-301.	PEM-2471	R9-25-402.	FEM-268	R9-10-1514.	P#-1922; PM-1922	
R9-5-303.	PEM-2471	R9-25-403.	FEM-268	R9-10-1515.	PR-1922; P#-1922;	
R9-5-305.	PEM-2471	R9-25-405.	FEM-268		PM-1922	
R9-5-307.	PEM-2471	R9-25-406.	FEM-268	R9-10-2001.	PN-1901	
R9-5-310.	PEM-2471	R9-25-407.	FEM-268			
R9-5-402.	PEM-2471	R9-25-408.	FEM-268			
R9-5-403.	PEM-2471	R9-25-409.	FEM-268			
R9-5-501.	PEM-2471	Table 12.1.	FEM-268			
R9-5-507.	PEM-2471	R9-25-1003.	PEM-2492			
Table 5.1.	PEM-2471					

R9-10-2002.	PN-1901	R9-7-313.	RC-813;	R9-7-436.	RC-813
R9-10-2003.	PN-1901		PEM-1325;	R9-7-437.	RC-813
R9-10-2004.	PN-1901		FEM-2151	R9-7-438.	RC-813
R9-10-2005.	PN-1901	R9-7-314.	RC-813	R9-7-438.01.	RC-813
R9-10-2006.	PN-1901	R9-7-315.	RC-813	R9-7-439.	RC-813
R9-10-2007.	PN-1901	R9-7-316.	RC-813	R9-7-440.	RC-813
R9-10-2008.	PN-1901	R9-7-317.	RC-813	R9-7-441.	RC-813
R9-10-2009.	PN-1901	R9-7-318.	RC-813	R9-7-442.	RC-813
R9-10-2010.	PN-1901	R9-7-319.	RC-813	R9-7-443.	RC-813
		R9-7-320.	RC-813	R9-7-444.	RC-813
		R9-7-322.	RC-813	R9-7-445.	RC-813
		R9-7-323.	RC-813;	R9-7-446.	RC-813
			PEM-1325;	R9-7-447.	RC-813
			FEM-2151	R9-7-448.	RC-813;
		R9-7-324.	RC-813		PEM-1325;
		R9-7-325.	RC-813		FEM-2151
		Exhibit A.	RC-813	R9-7-449.	RC-813
		Exhibit B.	RC-813	R9-7-450.	RC-813
		Exhibit C.	RC-813	R9-7-451.	RC-813;
		Exhibit D.	RC-813		PEM-1325;
		Exhibit E.	RC-813		FEM-2151
		R9-7-401.	RC-813	R9-7-452.	RC-813
		R9-7-402.	RC-813	Table 4.1.	RC-813
		R9-7-403.	RC-813	R9-7-453.	RC-813
		R9-7-404.	RC-813	R9-7-454.	RC-813
		R9-7-405.	RC-813	R9-7-455.	RC-813
		R9-7-406.	RC-813	Appendix A.	RC-813
		R9-7-407.	RC-813	Appendix B.	RC-813
		R9-7-408.	RC-813;	Appendix C.	RC-813
			PEM-1325;	Appendix D.	RC-813
			FEM-2151	R9-7-501.	RC-813
		R9-7-409.	RC-813	R9-7-502.	RC-813
		R9-7-410.	RC-813	R9-7-503.	RC-813
		R9-7-411.	RC-813	R9-7-504.	RC-813
		R9-7-412.	RC-813	R9-7-505.	RC-813
		R9-7-413.	RC-813	R9-7-506.	RC-813
		R9-7-414.	RC-813	R9-7-507.	RC-813
		R9-7-415.	RC-813;	R9-7-508.	RC-813
			PEM-1325;	R9-7-509.	RC-813
			FEM-2151	R9-7-510.	RC-813
		R9-7-416.	RC-813	R9-7-512.	RC-813
		R9-7-417.	RC-813;	R9-7-513.	RC-813
			PEM-1325;	R9-7-514.	RC-813
			FEM-2151	R9-7-515.	RC-813
		R9-7-418.	RC-813;	R9-7-516.	RC-813
			PEM-1325;	R9-7-517.	RC-813
			FEM-2151	R9-7-518.	RC-813
		R9-7-419.	RC-813;	R9-7-522.	RC-813
			PEM-1325;	R9-7-523.	RC-813
			FEM-2151	R9-7-524.	RC-813
		R9-7-420.	RC-813	R9-7-525.	RC-813
		R9-7-421.	RC-813	R9-7-531.	RC-813
		R9-7-422.	RC-813	R9-7-532.	RC-813
		R9-7-423.	RC-813	R9-7-533.	RC-813
		R9-7-424.	RC-813	R9-7-535.	RC-813
		R9-7-425.	RC-813	R9-7-539.	RC-813
		R9-7-426.	RC-813	R9-7-540.	RC-813
		R9-7-427.	RC-813	R9-7-543.	RC-813
		R9-7-428.	RC-813	Appendix A.	RC-813
		R9-7-429.	RC-813	R9-7-602.	RC-813
		R9-7-430.	RC-813	R9-7-603.	RC-813
		R9-7-431.	RC-813	R9-7-604.	RC-813
		R9-7-432.	RC-813	R9-7-605.	RC-813
		R9-7-433.	RC-813	R9-7-606.	RC-813
		R9-7-434.	RC-813	R9-7-607.	RC-813
		R9-7-435.	RC-813	R9-7-608.	RC-813



R9-7-609.	RC-813	R9-7-742.	RC-813	R9-7-1205.	RC-813
R9-7-610.	RC-813	R9-7-743.	RC-813	R9-7-1207.	RC-813
R9-7-610.01.	RC-813	R9-7-744.	RC-813	R9-7-1209.	RC-813
R9-7-611.	RC-813	R9-7-745.	RC-813	R9-7-1210.	RC-813
R9-7-611.01.	RC-813; PEM-1325; FEM-2151	R9-7-746. Exhibit A.	RC-813	R9-7-1211.	RC-813
R9-7-611.02.	RC-813	R9-7-801.	RC-813	R9-7-1212.	RC-813
R9-7-612.	RC-813	R9-7-802.	RC-813	R9-7-1213.	RC-813
R9-7-613.	RC-813; PEM-1325; FEM-2151	R9-7-803.	RC-813	R9-7-1214.	RC-813
R9-7-614.	RC-813	R9-7-804.	RC-813	R9-7-1215.	RC-813
R9-7-615.	RC-813	R9-7-805.	RC-813	R9-7-1216.	RC-813
Appendix A.	RC-813	R9-7-806.	RC-813	R9-7-1217.	RC-813
R9-7-701.	RC-813	R9-7-807.	RC-813	R9-7-1218.	RC-813
R9-7-702.	RC-813	R9-7-808.	RC-813	R9-7-1219.	RC-813
R9-7-703.	RC-813	R9-7-809.	RC-813	R9-7-1220.	RC-813
R9-7-704.	RC-813	R9-7-901.	RC-813	R9-7-1222.	RC-813
R9-7-705.	RC-813	R9-7-902.	RC-813	R9-7-1223.	RC-813
R9-7-706.	RC-813	R9-7-903.	RC-813	Table A.	RC-813
R9-7-707.	RC-813	R9-7-904.	RC-813	R9-7-1301.	RC-813
R9-7-708.	RC-813	R9-7-905.	RC-813	R9-7-1302.	RC-813
R9-7-709.	RC-813	R9-7-906.	RC-813	R9-7-1303.	RC-813
R9-7-710.	RC-813; PEM-1325; FEM-2151	R9-7-907.	RC-813	R9-7-1304.	RC-813
R9-7-711.	RC-813; PEM-1325; FEM-2151	R9-7-908.	RC-813	R9-7-1305.	RC-813
R9-7-712.	RC-813	R9-7-909.	RC-813	R9-7-1306.	RC-813
R9-7-713.	RC-813	R9-7-910.	RC-813	R9-7-1307.	RC-813
R9-7-714.	RC-813	R9-7-911.	RC-813	R9-7-1308.	RC-813
R9-7-715.	RC-813	R9-7-913.	RC-813	R9-7-1309.	RC-813
R9-7-716.	RC-813	R9-7-914.	RC-813	Table 1.	RC-813
R9-7-717.	RC-813	Appendix A.	RC-813	R9-7-1401.	RC-813
R9-7-718.	RC-813	R9-7-1001.	RC-813	R9-7-1402.	RC-813
R9-7-719.	RC-813; PEM-1325; FEM-2151	R9-7-1002.	RC-813	R9-7-1403.	RC-813
R9-7-720.	RC-813	R9-7-1003.	RC-813	R9-7-1404.	RC-813
R9-7-721.	RC-813; PEM-1325; FEM-2151	R9-7-1004.	RC-813	R9-7-1405.	RC-813
Exhibit A.	PEM-1325; FEM-2151	R9-7-1005.	RC-813	R9-7-1406.	RC-813
R9-7-722.	RC-813	R9-7-1006.	RC-813;	R9-7-1407.	RC-813
R9-7-723.	RC-813	R9-7-1007.	PEM-1325; FEM-2151	R9-7-1408.	RC-813
R9-7-724.	RC-813	R9-7-1008.	RC-813	R9-7-1409.	RC-813
R9-7-725.	RC-813	Exhibit A.	RC-813	R9-7-1410.	RC-813
R9-7-726.	RC-813	R9-7-1102.	RC-813	R9-7-1412.	RC-813
R9-7-727.	RC-813	R9-7-1104.	RC-813	R9-7-1413.	RC-813
R9-7-728.	RC-813	R9-7-1106.	RC-813	R9-7-1414.	RC-813
R9-7-729.	RC-813	R9-7-1108.	RC-813	R9-7-1415.	RC-813
R9-7-730.	RC-813	R9-7-1110.	RC-813	R9-7-1416.	RC-813
R9-7-731.	RC-813	R9-7-1112.	RC-813	R9-7-1418.	RC-813
R9-7-732.	RC-813	R9-7-1114.	RC-813	R9-7-1421.	RC-813
R9-7-733.	RC-813	R9-7-1116.	RC-813	R9-7-1422.	RC-813
R9-7-734.	RC-813	R9-7-1118.	RC-813	R9-7-1423.	RC-813
R9-7-735.	RC-813	R9-7-1120.	RC-813	R9-7-1425.	RC-813
R9-7-736.	RC-813	R9-7-1122.	RC-813	R9-7-1426.	RC-813
R9-7-737.	RC-813	R9-7-1126.	RC-813	R9-7-1427.	RC-813
R9-7-738.	RC-813	R9-7-1128.	RC-813	R9-7-1429.	RC-813
R9-7-739.	RC-813	R9-7-1130.	RC-813	R9-7-1433.	RC-813
R9-7-740.	RC-813	R9-7-1132.	RC-813	R9-7-1434.	RC-813
R9-7-741.	RC-813	R9-7-1134.	RC-813	R9-7-1435.	RC-813
		R9-7-1136.	RC-813	R9-7-1436.	RC-813
		R9-7-1138.	RC-813	R9-7-1437.	RC-813
		R9-7-1140.	RC-813	R9-7-1438.	RC-813
		R9-7-1142.	RC-813	R9-7-1438.01.	RC-813
		R9-7-1146.	RC-813	R9-7-1439.	RC-813
		Appendix A.	RC-813	R9-7-1440.	RC-813
		R9-7-1201.	RC-813	R9-7-1441.	RC-813
		R9-7-1202.	RC-813	R9-7-1442.	RC-813
		R9-7-1203.	RC-813	R9-7-1443.	RC-813
		R9-7-1204.	RC-813	R9-7-1444.	RC-813
				Appendix A.	RC-813
				Appendix B.	RC-813
				Appendix C.	RC-813

Appendix D.	RC-813	R9-7-1931.	RC-813	R4-34-201.	PM-165;
R9-7-1501.	RC-813	R9-7-1933.	RC-813		FM-1499
R9-7-1502.	RC-813	R9-7-1941.	RC-813	R4-34-202.	PM-165;
R9-7-1503.	RC-813	R9-7-1943.	RC-813;		FM-1499
R9-7-1504.	RC-813		PEM-1325;	R4-34-203.	PM-165;
R9-7-1505.	RC-813		FEM-2151		FM-1499
R9-7-1506.	RC-813	R9-7-1945.	RC-813	R4-34-204.	PM-165;
R9-7-1507.	RC-813;	R9-7-1947.	RC-813		FM-1499
	PEM-1325;	R9-7-1949.	RC-813	R4-34-301.	PM-165;
	FEM-2151	R9-7-1951.	RC-813		FM-1499
R9-7-1508.	RC-813;	R9-7-1953.	RC-813	R4-34-302.	PM-165;
	PEM-1325;	R9-7-1955.	RC-813		FM-1499
	FEM-2151	R9-7-1957.	RC-813	R4-34-303.	PM-165;
R9-7-1509.	RC-813	R9-7-1971.	RC-813		FM-1499
R9-7-1510.	RC-813;	R9-7-1973.	RC-813	R4-34-401.	PM-165;
	PEM-1325;	R9-7-1975.	RC-813;		FM-1499
	FEM-2151		PEM-1325;	R4-34-402.	PM-165;
R9-7-1511.	RC-813		FEM-2151		FM-1499
R9-7-1512.	RC-813;	R9-7-1977.	RC-813;	R4-34-501.	PM-165;
	PEM-1325;		PEM-1325;		FM-1499
	FEM-2151		FEM-2151	R4-34-502.	PM-165;
R9-7-1513.	RC-813	R9-7-1979.	RC-813		FM-1499
R9-7-1515.	RC-813;	R9-7-1981.	RC-813	R4-34-503.	PR-165;
	PEM-1325;	R9-7-19101.	RC-813;		FR-1499
	FEM-2151		PEM-1325;	R4-34-504.	PM-165;
R9-7-1701.	RC-813		FEM-2151		FM-1499
R9-7-1702.	RC-813	R9-7-19103.	RC-813	R4-34-505.	PM-165;
R9-7-1703.	RC-813	R9-7-19105.	RC-813		FM-1499
R9-7-1712.	RC-813	R9-7-19107.	RC-813	R4-34-506.	PR-165;
R9-7-1713.	RC-813	R9-7-19109.	RC-813		FR-1499
R9-7-1714.	RC-813	Appendix A.	RC-813	R4-34-601.	PR-165;
R9-7-1715.	RC-813				FR-1499
R9-7-1716.	RC-813	Industrial Commission of Arizona		R4-34-603.	PM-165;
R9-7-1717.	RC-813	R20-5-106.	PM-565;		FM-1499
R9-7-1718.	RC-813		FM-2069	R4-34-604.	PR-165;
R9-7-1719.	RC-813	R20-5-601.	FM-2316		FR-1499
R9-7-1720.	RC-813	R20-5-602.	FM-2316	R4-34-605.	PM-165;
R9-7-1721.	RC-813	R20-5-629.	FM-2263		FM-1499
R9-7-1722.	RC-813	R20-5-1301.	PM-565;	R4-34-606.	PM-165;
R9-7-1723.	RC-813		FM-2069		FM-1499
R9-7-1724.	RC-813	R20-5-1302.	PM-565;	R4-34-607.	PM-165;
R9-7-1725.	RC-813		FM-2069		FM-1499
R9-7-1726.	RC-813	R20-5-1303.	PM-565;	R4-34-701.	PM-165;
R9-7-1727.	RC-813		FM-2069		FM-1499
R9-7-1728.	RC-813	R20-5-1309.	PM-565;	R4-34-702.	PM-165;
R9-7-1731.	RC-813		FM-2069		FM-1499
R9-7-1732.	RC-813	R20-5-1310.	PM-565;	R4-34-703.	PM-165;
R9-7-1733.	RC-813		FM-2069		FM-1499
R9-7-1734.	RC-813	R20-5-1311.	PM-565;	R4-34-704.	PM-165;
R9-7-1741.	RC-813		FM-2069		FM-1499
R9-7-1742.	RC-813	Insurance, Department of		R4-34-705.	PM-165;
R9-7-1743.	RC-813	R20-6-607.	FM-103		FM-1499
R9-7-1751.	RC-813			R4-34-706.	PM-165;
R9-7-1901.	RC-813	Land Department, State			FM-1499
R9-7-1903.	RC-813	R12-5-921.	EXP-764	R4-34-707.	PN-165;
R9-7-1905.	RC-813				FN-1499
R9-7-1907.	RC-813	Manufactured Housing, Board of		R4-34-801.	PM-165;
R9-7-1909.	RC-813	R4-34-101.	PM-165;		FM-1499
R9-7-1911.	RC-813		FM-1499	R4-34-802.	PM-165;
R9-7-1921.	RC-813	R4-34-102.	PM-165;		FM-1499
R9-7-1923.	RC-813		FM-1499	R4-34-803.	PR-165;
R9-7-1925.	RC-813	R4-34-103.	PM-165;		FR-1499
R9-7-1927.	RC-813;		FM-1499	R4-34-804.	PR-165;
	PEM-1325;	R4-34-104.	PR-165;		FR-1499
	FEM-2151		FR-1499	R4-34-805.	PM-165;
R9-7-1929.	RC-813				FM-1499



R4-34-1001. PM-165;
FM-1499

Medical Board, Arizona

R4-16-101. PM-1851
R4-16-102. FM-182;
PM-1851
R4-16-103. PM-1851
R4-16-201.1. FM-182
R4-16-205. FM-182
R4-16-401. PM-1851
R4-16-402. PM-1851

Mine Inspector, State - Aggregate Mined Land Reclamation

R11-3-101. PN-2540
R11-3-102. PN-2540
R11-3-103. PN-2540
R11-3-201. PN-2540
R11-3-202. PN-2540
R11-3-203. PN-2540
R11-3-204. PN-2540
R11-3-205. PN-2540
R11-3-206. PN-2540
R11-3-207. PN-2540
R11-3-208. PN-2540
R11-3-209. PN-2540
R11-3-210. PN-2540
R11-3-211. PN-2540
R11-3-212. PN-2540
R11-3-301. PN-2540
R11-3-302. PN-2540
R11-3-401. PN-2540
R11-3-402. PN-2540
R11-3-501. PN-2540
R11-3-502. PN-2540
R11-3-503. PN-2540
R11-3-504. PN-2540
R11-3-505. PN-2540
R11-3-601. PN-2540
R11-3-602. PN-2540
R11-3-603. PN-2540
R11-3-701. PN-2540
R11-3-702. PN-2540
R11-3-703. PN-2540
R11-3-704. PN-2540
R11-3-705. PN-2540
R11-3-801. PN-2540
R11-3-802. PN-2540
R11-3-803. PN-2540
R11-3-804. PN-2540
R11-3-805. PN-2540
R11-3-806. PN-2540
R11-3-807. PN-2540
R11-3-808. PN-2540
R11-3-809. PN-2540
R11-3-810. PN-2540
R11-3-811. PN-2540
R11-3-812. PN-2540
R11-3-813. PN-2540
R11-3-814. PN-2540
R11-3-815. PN-2540
R11-3-816. PN-2540
R11-3-817. PN-2540
R11-3-818. PN-2540
R11-3-819. PN-2540

R11-3-820. PN-2540
R11-3-821. PN-2540

Nursing, Board of

R4-19-511. EM-1678

Nursing Care Institution Administrators and Assisted Living Facility Managers, Board of Examiners for

R4-33-101. PM-721;
FM-2734
R4-33-103. PM-721;
FM-2734
Table 1. PM-721;
FM-2734
R4-33-104. PM-721;
FM-2734
R4-33-201. PM-721;
FM-2734
R4-33-202. PM-721;
FM-2734
R4-33-204. PM-721;
FM-2734
R4-33-206. PM-721;
FM-2734
R4-33-301. PM-721;
FM-2734
R4-33-701. PM-721;
FM-2734
R4-33-702. PM-721;
FM-2734
R4-33-703. PM-721;
FM-2734
R4-33-703.1. PM-721;
FN-2734
R4-33-704. PM-721;
FM-2734
R4-33-704.1. PN-721;
FN-2734
R4-33-705. PM-721;
FM-2734
R4-33-705.1. PN-721;
FN-2734
R4-33-706. PM-721;
FM-2734

Optometry, Board of

R4-21-101. PM-2057
R4-21-209. PM-2057
R4-21-210. PM-2057
R4-21-211. PM-2057

Pharmacy, Board of

R4-23-110. PM-2387
R4-23-202. PM-2387
R4-23-203. PM-2387
R4-23-205. PM-2387
R4-23-301. PM-2387
R4-23-302. PM-2387
R4-23-407. PM-2387
R4-23-407.1. PM-2387
R4-23-411. PM-2387
R4-23-601. PM-2387
R4-23-602. PM-2387
R4-23-603. PM-2387
R4-23-604. PM-2387

R4-23-605. PM-2387
R4-23-606. PM-2387
R4-23-607. PM-2387
R4-23-676. PN-2387
R4-23-692. PM-2387
R4-23-693. PM-2387
R4-23-1102. PM-2387
R4-23-1103. PM-2387
R4-23-1105. PM-2387

Physician Assistants, Arizona Regulatory Board of

R4-17-203. PM-2731

Public Safety, Department of - School Buses

R13-13-101. PM-609;
FM-2306
R13-13-102. PM-609;
FM-2306
R13-13-106. PEM-685;
FEM-2267

Psychologist Examiners, Board of

R4-26-403. PM-1855
R4-26-404.2. PN-1855
R4-26-407. PM-1855
R4-26-409. PM-1855

Racing Commission, Arizona

R19-2-601. F#-445;
FM-445
R19-2-602. F#-445;
FM-445
R19-2-603. F#-445;
FM-445
R19-2-604. F#-445;
FM-445
R19-2-605. F#-445;
FM-445
R19-2-606. F#-445;
FM-445
R19-2-A601. FN-445
R19-2-A602. FN-445
R19-2-B601. FN-445
R19-2-B602. FN-445
R19-2-B603. FN-445
R19-2-B604. FN-445
R19-2-B605. FN-445
R19-2-B606. FN-445
R19-2-B607. FN-445
R19-2-B608. FN-445
R19-2-B609. FN-445
R19-2-C601. FN-445
R19-2-C602. FN-445
R19-2-C603. FN-445
R19-2-C604. FN-445
R19-2-C605. FN-445
R19-2-C606. FN-445
R19-2-C607. FN-445
R19-2-C608. FN-445
R19-2-C609. FN-445
R19-2-D601. FN-445
R19-2-D602. FN-445
R19-2-D603. FN-445
R19-2-D604. FN-445

R19-2-D605.	FN-445	R12-1-415.	RC-813	R12-1-524.	RC-813
R19-2-D606.	FN-445	R12-1-416.	RC-813	R12-1-525.	RC-813
R19-2-D607.	FN-445	R12-1-417.	RC-813	R12-1-531.	RC-813
Table 1.	FN-445	R12-1-418.	RC-813	R12-1-532.	RC-813
Table 2.	FN-445	R12-1-419.	RC-813	R12-1-533.	RC-813

Radiation Regulatory Agency

R12-1-101.	RC-813	R12-1-420.	RC-813	R12-1-535.	RC-813
R12-1-102.	RC-813	R12-1-421.	RC-813	R12-1-539.	RC-813
R12-1-103.	RC-813	R12-1-422.	RC-813	R12-1-540.	RC-813
R12-1-104.	RC-813	R12-1-423.	RC-813	R12-1-543.	RC-813
R12-1-105.	RC-813	R12-1-424.	RC-813	Appendix A.	RC-813
R12-1-106.	RC-813	R12-1-425.	RC-813	R12-1-602.	RC-813
R12-1-107.	RC-813	R12-1-426.	RC-813	R12-1-603.	RC-813
R12-1-201.	RC-813	R12-1-427.	RC-813	R12-1-604.	RC-813
R12-1-202.	RC-813	R12-1-428.	RC-813	R12-1-605.	RC-813
R12-1-203.	RC-813	R12-1-429.	RC-813	R12-1-606.	RC-813
R12-1-204.	RC-813	R12-1-430.	RC-813	R12-1-607.	RC-813
R12-1-205.	RC-813	R12-1-431.	RC-813	R12-1-608.	RC-813
R12-1-206.	RC-813	R12-1-432.	RC-813	R12-1-609.	RC-813
R12-1-207.	RC-813	R12-1-433.	RC-813	R12-1-610.	RC-813
R12-1-208.	RC-813	R12-1-434.	RC-813	R12-1-610.01.	RC-813
R12-1-209.	RC-813	R12-1-435.	RC-813	R12-1-611.	RC-813
Appendix A.	RC-813	R12-1-436.	RC-813	R12-1-611.01.	RC-813
R12-1-301.	RC-813	R12-1-437.	RC-813	R12-1-611.02.	RC-813
R12-1-302.	RC-813	R12-1-438.	RC-813	R12-1-612.	RC-813
R12-1-303.	RC-813	R12-1-438.01.	RC-813	R12-1-613.	RC-813
R12-1-304.	RC-813	R12-1-439.	RC-813	R12-1-614.	RC-813
R12-1-305.	RC-813	R12-1-440.	RC-813	R12-1-615.	RC-813
R12-1-306.	RC-813	R12-1-441.	RC-813	Appendix A.	RC-813
R12-1-308.	RC-813	R12-1-442.	RC-813	R12-1-701.	RC-813
R12-1-309.	RC-813	R12-1-443.	RC-813	R12-1-702.	RC-813
R12-1-310.	RC-813	R12-1-444.	RC-813	R12-1-703.	RC-813
R12-1-311.	RC-813	R12-1-445.	RC-813	R12-1-704.	RC-813
R12-1-312.	RC-813	R12-1-446.	RC-813	R12-1-705.	RC-813
R12-1-313.	RC-813	R12-1-447.	RC-813	R12-1-706.	RC-813
R12-1-314.	RC-813	R12-1-448.	RC-813	R12-1-707.	RC-813
R12-1-315.	RC-813	R12-1-449.	RC-813	R12-1-708.	RC-813
R12-1-316.	RC-813	R12-1-450.	RC-813	R12-1-709.	RC-813
R12-1-317.	RC-813	R12-1-451.	RC-813	R12-1-710.	RC-813
R12-1-318.	RC-813	R12-1-452.	RC-813	R12-1-711.	RC-813
R12-1-319.	RC-813	Table 1.	RC-813	R12-1-712.	RC-813
R12-1-320.	RC-813	R12-1-453.	RC-813	R12-1-713.	RC-813
R12-1-322.	RC-813	R12-1-454.	RC-813	R12-1-714.	RC-813
R12-1-323.	RC-813	R12-1-455.	RC-813	R12-1-715.	RC-813
R12-1-324.	RC-813	Appendix A.	RC-813	R12-1-716.	RC-813
R12-1-325.	RC-813	Appendix B.	RC-813	R12-1-717.	RC-813
Exhibit A.	RC-813	Appendix C.	RC-813	R12-1-718.	RC-813
Exhibit B.	RC-813	Appendix D.	RC-813	R12-1-719.	RC-813
Exhibit C.	RC-813	R12-1-501.	RC-813	R12-1-720.	RC-813
Exhibit D.	RC-813	R12-1-502.	RC-813	R12-1-721.	RC-813
Exhibit E.	RC-813	R12-1-503.	RC-813	R12-1-722.	RC-813
R12-1-401.	RC-813	R12-1-504.	RC-813	R12-1-723.	RC-813
R12-1-402.	RC-813	R12-1-505.	RC-813	R12-1-724.	RC-813
R12-1-403.	RC-813	R12-1-506.	RC-813	R12-1-725.	RC-813
R12-1-404.	RC-813	R12-1-507.	RC-813	R12-1-726.	RC-813
R12-1-405.	RC-813	R12-1-508.	RC-813	R12-1-727.	RC-813
R12-1-406.	RC-813	R12-1-509.	RC-813	R12-1-728.	RC-813
R12-1-407.	RC-813	R12-1-510.	RC-813	R12-1-729.	RC-813
R12-1-408.	RC-813	R12-1-512.	RC-813	R12-1-730.	RC-813
R12-1-409.	RC-813	R12-1-513.	RC-813	R12-1-731.	RC-813
R12-1-410.	RC-813	R12-1-514.	RC-813	R12-1-732.	RC-813
R12-1-411.	RC-813	R12-1-515.	RC-813	R12-1-733.	RC-813
R12-1-412.	RC-813	R12-1-516.	RC-813	R12-1-734.	RC-813
R12-1-413.	RC-813	R12-1-517.	RC-813	R12-1-735.	RC-813
R12-1-414.	RC-813	R12-1-518.	RC-813	R12-1-736.	RC-813
		R12-1-522.	RC-813	R12-1-737.	RC-813
		R12-1-523.	RC-813	R12-1-738.	RC-813

R12-1-739.	RC-813	R12-1-1204.	RC-813	Appendix C.	RC-813
R12-1-740.	RC-813	R12-1-1205.	RC-813	Appendix D.	RC-813
R12-1-741.	RC-813	R12-1-1207.	RC-813	R12-1-1501.	RC-813
R12-1-742.	RC-813	R12-1-1209.	RC-813	R12-1-1502.	RC-813
R12-1-743.	RC-813	R12-1-1210.	RC-813	R12-1-1503.	RC-813
R12-1-744.	RC-813	R12-1-1211.	RC-813	R12-1-1504.	RC-813
R12-1-745.	RC-813	R12-1-1212.	RC-813	R12-1-1505.	RC-813
R12-1-746.	RC-813	R12-1-1213.	RC-813	R12-1-1506.	RC-813
Exhibit A.	RC-813	R12-1-1214.	RC-813	R12-1-1507.	RC-813
R12-1-801.	RC-813	R12-1-1215.	RC-813	R12-1-1508.	RC-813
R12-1-802.	RC-813	R12-1-1216.	RC-813	R12-1-1509.	RC-813
R12-1-803.	RC-813	R12-1-1217.	RC-813	R12-1-1510.	RC-813
R12-1-804.	RC-813	R12-1-1218.	RC-813	R12-1-1511.	RC-813
R12-1-806.	RC-813	R12-1-1219.	RC-813	R12-1-1512.	RC-813
R12-1-807.	RC-813	R12-1-1220.	RC-813	R12-1-1513.	RC-813
R12-1-808.	RC-813	R12-1-1222.	RC-813	R12-1-1515.	RC-813
R12-1-809.	RC-813	R12-1-1223.	RC-813	R12-1-1701.	RC-813
R12-1-805.	RC-813	Table A.	RC-813	R12-1-1702.	RC-813
R12-1-901.	RC-813	R12-1-1301.	RC-813	R12-1-1703.	RC-813
R12-1-902.	RC-813	R12-1-1302.	RC-813	R12-1-1712.	RC-813
R12-1-903.	RC-813	R12-1-1303.	RC-813	R12-1-1713.	RC-813
R12-1-904.	RC-813	R12-1-1304.	RC-813	R12-1-1714.	RC-813
R12-1-905.	RC-813	R12-1-1305.	RC-813	R12-1-1715.	RC-813
R12-1-906.	RC-813	R12-1-1306.	RC-813	R12-1-1716.	RC-813
R12-1-907.	RC-813	R12-1-1307.	RC-813	R12-1-1717.	RC-813
R12-1-908.	RC-813	R12-1-1308.	RC-813	R12-1-1718.	RC-813
R12-1-909.	RC-813	R12-1-1309.	RC-813	R12-1-1719.	RC-813
R12-1-910.	RC-813	Table 1.	RC-813	R12-1-1720.	RC-813
R12-1-911.	RC-813	R12-1-1401.	RC-813	R12-1-1721.	RC-813
R12-1-913.	RC-813	R12-1-1402.	RC-813	R12-1-1722.	RC-813
R12-1-914.	RC-813	R12-1-1403.	RC-813	R12-1-1723.	RC-813
Appendix A.	RC-813	R12-1-1404.	RC-813	R12-1-1724.	RC-813
R12-1-1001.	RC-813	R12-1-1405.	RC-813	R12-1-1725.	RC-813
R12-1-1002.	RC-813	R12-1-1406.	RC-813	R12-1-1726.	RC-813
R12-1-1003.	RC-813	R12-1-1407.	RC-813	R12-1-1727.	RC-813
R12-1-1004.	RC-813	R12-1-1408.	RC-813	R12-1-1728.	RC-813
R12-1-1005.	RC-813	R12-1-1409.	RC-813	R12-1-1731.	RC-813
R12-1-1006.	RC-813	R12-1-1410.	RC-813	R12-1-1732.	RC-813
R12-1-1007.	RC-813	R12-1-1412.	RC-813	R12-1-1733.	RC-813
R12-1-1008.	RC-813	R12-1-1413.	RC-813	R12-1-1734.	RC-813
Exhibit A.	RC-813	R12-1-1414.	RC-813	R12-1-1741.	RC-813
R12-1-1102.	RC-813	R12-1-1415.	RC-813	R12-1-1742.	RC-813
R12-1-1104.	RC-813	R12-1-1416.	RC-813	R12-1-1743.	RC-813
R12-1-1106.	RC-813	R12-1-1418.	RC-813	R12-1-1751.	RC-813
R12-1-1108.	RC-813	R12-1-1421.	RC-813	R12-1-1901.	RC-813
R12-1-1110.	RC-813	R12-1-1422.	RC-813	R12-1-1903.	RC-813
R12-1-1112.	RC-813	R12-1-1423.	RC-813	R12-1-1905.	RC-813
R12-1-1114.	RC-813	R12-1-1425.	RC-813	R12-1-1907.	RC-813
R12-1-1116.	RC-813	R12-1-1426.	RC-813	R12-1-1909.	RC-813
R12-1-1118.	RC-813	R12-1-1427.	RC-813	R12-1-1911.	RC-813
R12-1-1120.	RC-813	R12-1-1429.	RC-813	R12-1-1921.	RC-813
R12-1-1122.	RC-813	R12-1-1433.	RC-813	R12-1-1923.	RC-813
R12-1-1126.	RC-813	R12-1-1434.	RC-813	R12-1-1925.	RC-813
R12-1-1128.	RC-813	R12-1-1435.	RC-813	R12-1-1927.	RC-813
R12-1-1130.	RC-813	R12-1-1436.	RC-813	R12-1-1929.	RC-813
R12-1-1132.	RC-813	R12-1-1437.	RC-813	R12-1-1931.	RC-813
R12-1-1134.	RC-813	R12-1-1438.	RC-813	R12-1-1933.	RC-813
R12-1-1136.	RC-813	R12-1-1438.01.	RC-813	R12-1-1941.	RC-813
R12-1-1138.	RC-813	R12-1-1439.	RC-813	R12-1-1943.	RC-813
R12-1-1140.	RC-813	R12-1-1440.	RC-813	R12-1-1945.	RC-813
R12-1-1142.	RC-813	R12-1-1441.	RC-813	R12-1-1947.	RC-813
R12-1-1146.	RC-813	R12-1-1442.	RC-813	R12-1-1949.	RC-813
Appendix A.	RC-813	R12-1-1443.	RC-813	R12-1-1951.	RC-813
R12-1-1201.	RC-813	R12-1-1444.	RC-813	R12-1-1953.	RC-813
R12-1-1202.	RC-813	Appendix A.	RC-813	R12-1-1955.	RC-813
R12-1-1203.	RC-813	Appendix B.	RC-813	R12-1-1957.	RC-813

R12-1-1971.	RC-813	R2-8-905.	EXP-1872	R4-30-301.	FM-1785
R12-1-1973.	RC-813	R2-8-1001.	PN-2351	R4-30-301.01.	FM-1785
R12-1-1975.	RC-813	R2-8-1002.	PN-2351	R4-30-303.	FM-1785
R12-1-1977.	RC-813	R2-8-1003.	PN-2351	R4-30-304.	FM-1785
R12-1-1979.	RC-813	R2-8-1004.	PN-2351	R4-30-305.	FR-1785
R12-1-1981.	RC-813	R2-8-1005.	PN-2351	Appendix A.	FM-1785
R12-1-19101.	RC-813	R2-8-1006.	PN-2351	Appendix B.	FR-1785
R12-1-19103.	RC-813	R2-8-1101.	PN-2595		
R12-1-19105.	RC-813	R2-8-1102.	PN-2595		
R12-1-19107.	RC-813	R2-8-1103.	PN-2595		
R12-1-19109.	RC-813				
Appendix A.	RC-813				

Transportation, Department of - Administration

R17-1-201.	PEM-2556
R17-1-202.	PEM-2556
Table 1.	PEM-2556
R17-1-701.	FN-673
R17-1-702.	FN-673
R17-1-703.	FN-673
R17-1-704.	FN-673
R17-1-705.	FN-673
R17-1-706.	FN-673
R17-1-707.	FN-673
R17-1-708.	FN-673
R17-1-709.	FN-673
R17-1-710.	FN-673
R17-1-711.	FN-673
R17-1-712.	FN-673
R17-1-713.	FN-673
R17-1-714.	FN-673

Registrar of Contractors

R4-9-106.	PM-498; FM-2419
R4-9-110.	PM-1675
R4-9-119.	PM-498; FM-2419
R4-9-130.	PM-1675

Revenue, Department of - Income and Withholding Tax Section

R15-2E-101.	EXP-2431
R15-2E-201.	EXP-2431
R15-2E-202.	EXP-2431
R15-2E-203.	EXP-2431
R15-2E-301.	EXP-2431

Revenue, Department of - Luxury Tax Section

R15-3-407.	EXP-2702
------------	----------

Revenue, Department of - Transaction Privilege and Use Tax Section

R15-5-601.	FM-742
R15-5-1860.	PEN-2621

Secretary of State, Office of the

R2-12-1102.	FM-137
Exhibit 1.	FN-137

State Parks Board, Arizona

Exhibit A.	FXM-699
------------	---------

Technical Registration, Board of

R4-30-101.	FM-1785
R4-30-102.	FM-1785
R4-30-103.	FR-1785
R4-30-106.	FM-1785
R4-30-107.	FM-1785
R4-30-120.	FM-1785
R4-30-121.	FM-1785
R4-30-123.	FM-1785
R4-30-126.	FM-1785
R4-30-201.	FM-1785
R4-30-202.	FM-1785
R4-30-202.01.	FR-1785
R4-30-203.	FM-1785
R4-30-204.	FM-1785
R4-30-208.	FM-1785
R4-30-209.	FM-1785
R4-30-210.	FM-1785
R4-30-214.	FM-1785
R4-30-222.	FM-1785
R4-30-242.	FM-1785
R4-30-247.	FM-1785
R4-30-252.	FR-1785
R4-30-254.	FM-1785
R4-30-262.	FR-1785
R4-30-264.	FR-1785
R4-30-270.	FR-1785
R4-30-271.	FR-1785
R4-30-272.	FR-1785
R4-30-282.	FM-1785
R4-30-284.	FM-1785

Transportation, Department of - Commercial Programs

R17-5-202.	FM-1549
R17-5-203.	FM-1549
R17-5-205.	FM-1549
R17-5-206.	FM-1549
R17-5-208.	FM-1549
R17-5-209.	FM-1549
R17-5-212.	FM-1549
R17-5-601.	FXM-1725
R17-5-602.	FXM-1725
R17-5-603.	FXM-1725
R17-5-604.	FXM-1725
R17-5-605.	FXM-1725
R17-5-606.	FXM-1725
R17-5-607.	FXM-1725
R17-5-608.	FXM-1725
R17-5-609.	FXR-1725;
	FXN-1725
R17-5-610.	FXM-1725
R17-5-611.	FXM-1725
R17-5-612.	FXM-1725
R17-5-613.	FXM-1725
R17-5-614.	FXN-1725
R17-5-615.	FXN-1725
R17-5-616.	FXN-1725
R17-5-617.	FXN-1725
R17-5-618.	FXN-1725
R17-5-619.	FXN-1725
R17-5-620.	FXN-1725
R17-5-621.	FXN-1725
R17-5-622.	FXN-1725
R17-5-623.	FXN-1725
R17-5-701.	FXM-1725
R17-5-702.	FXR-1725;
	FXN-1725
R17-5-703.	FXR-1725
R17-5-704.	FXR-1725

Retirement System Board, State

R2-8-104.	PM-495; FM-1861
R2-8-116.	PM-495; FM-1861
R2-8-118.	PM-495; FM-1861
R2-8-122.	PM-495; FM-1861
R2-8-124.	PM-495; FM-1861
R2-8-125.	PM-495; FM-1861
R2-8-501.	PM-2595
R2-8-502.	PM-2595
R2-8-503.	PM-2595
R2-8-504.	PM-2595
R2-8-505.	PM-2595
R2-8-506.	PM-2595
R2-8-507.	PM-2595
R2-8-508.	PM-2595
R2-8-509.	PM-2595
R2-8-510.	PM-2595
R2-8-511.	PM-2595
R2-8-512.	PM-2595
R2-8-513.	PM-2595
R2-8-513.01.	PM-2595
R2-8-513.02.	PM-2595
R2-8-514.	PM-2595
R2-8-515.	PR-2595
R2-8-519.	PM-2595
R2-8-520.	PM-2595
R2-8-521.	PM-2595
R2-8-701.	PM-2595
R2-8-702.	PM-2595
R2-8-703.	PM-2595
R2-8-704.	PM-2595
R2-8-705.	PM-2595
R2-8-706.	PM-2595
R2-8-707.	PM-2595
R2-8-709.	PR-2595
R2-8-901.	EXP-1872
R2-8-902.	EXP-1872
R2-8-903.	EXP-1872
R2-8-904.	EXP-1872



R17-5-705.	FXR-1725	R17-4-507.	FR-1543	R18-15-306.	FM-239
R17-5-706.	FXM-1725	R17-4-508.	FM-1543	R18-15-307.	FM-239
R17-5-707.	FXR-1725	R17-4-701.	FM-1543	R18-15-401.	FM-239
R17-5-708.	FXR-1725	R17-4-702.	FM-1543	R18-15-402.	FR-239;
R17-5-801.	FEM-279	R17-4-705.	FM-1543		F#-239;
R17-5-802.	FEM-279	R17-4-706.	FM-1543		FM-239
R17-5-803.	FEM-279	R17-4-707.	FM-1543	R18-15-403.	F#-239;
R17-5-804.	FEM-279	R17-4-709.	FM-1543		FM-239
R17-5-805.	FEM-279	R17-4-710.	FM-1543	R18-15-404.	F#-239;
R17-5-806.	FEM-279	R17-4-712.	FM-1543		FM-239
R17-5-807.	FEM-279	R17-4-801.	PEM-2558	R18-15-405.	FR-239;
R17-5-808.	FEM-279	R17-4-802.	PEM-2558		F#-239;
R17-5-809.	FEM-279	R17-4-803.	PEN-2558		FM-239
R17-5-810.	FEM-279	Table 1.	PEN-2558	R18-15-406.	F#-239;
					FM-239
Transportation, Department of - Fuel Taxes		Water Infrastructure Finance Authority of Arizona		R18-15-407.	F#-239
R17-8-601.	PEM-2625	R18-15-101.	FM-239	R18-15-408.	F#-239
R17-8-602.	PEM-2625	R18-15-102.	FM-239	R18-15-501.	FM-239
R17-8-603.	PEM-2625	R18-15-103.	FM-239	R18-15-502.	FM-239
R17-8-604.	PEM-2625	R18-15-104.	FM-239	R18-15-503.	FM-239
R17-8-605.	PEM-2625	R18-15-105.	FM-239	R18-15-504.	FM-239
R17-8-606.	PEM-2625	R18-15-106.	FM-239	R18-15-505.	FM-239
R17-8-607.	PEM-2625	R18-15-107.	FM-239	R18-15-602.	FM-239
R17-8-608.	PEM-2625	R18-15-201.	FM-239	R18-15-701.	FM-239
R17-8-609.	PEM-2625	R18-15-203.	FM-239	Water Infrastructure Finance Authority of Arizona	
R17-8-610.	PEM-2625	R18-15-204.	FM-239	R12-15-722.	PM-2459
R17-8-611.	PEM-2625	R18-15-205.	FM-239	R12-15-723.	PM-2459
Transportation, Department of - Title, Registration, and Driver Licenses		R18-15-206.	FM-239	R12-15-725.	PM-2459
R17-4-501.	FM-1543	R18-15-207.	FM-239	R12-15-725.01..	PR-2459
		R18-15-303.	FM-239		
		R18-15-304.	FM-239		
		R18-15-305.	FM-239		

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 and published by volume page number.

THIS INDEX INCLUDES OTHER NOTICE ACTIVITY THROUGH ISSUE 41 OF VOLUME 24.

Agency Ombudsman, Notices of

- Arizona Health Care Cost Containment System - Administration; p. 2569
- Osteopathic Examiners in Medicine and Surgery, Board of; p. 285
- Public Safety, Department of; p. 2325
- Early Childhood Development and Health Board/First Things First; p. 322
- Water Resources, Arizona Department of; p. 1877

County Notices Pursuant to A.R.S. § 49-112

- Maricopa County; pp. 5-63, 413-421, 1439-1477, 1655, 1685-1686, 1828, 1880, 2098-2127
- Pima County; pp. 1128-1309

Governor's Office

Executive Order 2018-02: pp. 1683-1684

Governor's Regulatory Review Council

Notices of Action Taken at Monthly Meetings: pp. 293-295, 487-488, 713-714, 1407-1408, 1491-1492, 1843-1844, 2143-2144, 2523, 2794-2795

Docket Opening, Notices of

- Accountancy, Board of; 4 A.A.C. 1; pp. 1752-1753
- Acupuncture Board of Examiners; 4 A.A.C. 8; p. 2564
- Administration, Department of - Benefit Services Division; 2 A.A.C. 6; p. 2361
- Agriculture, Department of - Weights and Measures Services Division; 3 A.A.C. 7; p. 637
- Arizona Health Care Cost Containment System - Administration; 9

A.A.C. 22; pp. 353-354, 1754-1755, 2094-2095, 2703

Arizona Health Care Cost Containment System - Arizona Long-term Care System; 9 A.A.C. 28; p. 354

Arizona Health Care Cost Containment System - Medicare Cost Sharing Program; 9 A.A.C. 29; p. 355

Behavioral Health Examiners, Board of; 4 A.A.C. 6; p. 1620

Child Safety, Department of - Adoption Agency Licensing; 21 A.A.C. 9; p. 765

Child Safety, Department of - Child Welfare Agency Licensing; 21 A.A.C. 7; p. 1587-1588

Corporation Commission, Arizona - Fixed Utilities; 14 A.A.C. 2; pp. 1620-1621, 1653

Criminal Justice Commission, Arizona; 10 A.A.C. 4; p. 2274

Dispensing Opticians, Board of; 4 A.A.C. 20; p. 2093
 Economic Security, Department of; 6 A.A.C. 5; p. 2362-2363
 Environmental Quality, Department of - Air Pollution Control; 18 A.A.C. 2; pp. 514, 2637, 2867
 Environmental Quality, Department of - Hazardous Waste Management; 18 A.A.C. 8; p. 1587
 Financial Institutions, Department of - Real Estate Appraisal Division; 4 A.A.C. 46; p. 2501
 Game and Fish Commission; 12 A.A.C. 4; p. 577
 Governor's Regulatory Review Council; 1 A.A.C. 6; p. 2031
 Health Services, Department of - Communicable Diseases and Infestations; 9 A.A.C. 6; pp. 638-639, 1437-1438, 1681
 Health Services, Department of - Child Care Facilities; 9 A.A.C. 5; pp. 2273-2274
 Health Services, Department of - Emergency Medical Services; 9 A.A.C. 25; pp. 2234-2235, 2321-2322
 Health Services, Department of - Food, Recreational, and Institutional Sanitation; 9 A.A.C. 8; pp. 510-512
 Health Services, Department of - Health Care Institutions: Licensing; 9 A.A.C. 10; pp. 310-311, 513, 1821-1822, 2502
 Health Services, Department of - Radiation Control; 9 A.A.C. 7; pp. 793-794
 Health Services, Department of - Sober Living Homes; 9 A.A.C. 12; pp. 2772-2773
 Industrial Commission of Arizona; 20 A.A.C. 5; pp. 578-579
 Medical Board, Arizona; 4 A.A.C. 16; p. 638
 Mine Inspector, State - Aggregate Mined Land and Reclamation; 11 A.A.C. 3; p. 2565
 Optometry, Board of; 4 A.A.C. 21; pp. 1753-1754
 Physician Assistants, Arizona Regulatory Board of; 4 A.A.C. 17; p. 2772
 Pharmacy, Board of; 4 A.A.C. 23; pp. 2031-2032, 2432-2433
 Psychologist Examiners, Board of; 4 A.A.C. 26; p. 1873
 Public Safety, Department of - Criminal Investigation Section; 13 A.A.C. 1; p. 2866
 Registrar of Contractors; 4 A.A.C. 9; pp. 509, 1681
 Retirement System Board, State; 2 A.A.C. 8; pp. 509, 2361-2362, 2635

Revenue, Department of - Transaction Privilege and Use Tax Section; 15 A.A.C. 5; pp. 2635-2636
 Secretary of State, Office of; 2 A.A.C. 12; p. 793
 Transportation, Department of - Administration; 17 A.A.C. 1; pp. 2565-2566
 Transportation, Department of - Fuel Taxes; 17 A.A.C. 8; p. 2636
 Transportation, Department of - Title, Registration, and Driver Licenses; 17 A.A.C. 4; pp. 2566
 Water Resources, Department of; 12 A.A.C. 15; p. 2503

State Retirement System, Arizona; p. 641
 Water Infrastructure Finance Authority; pp. 312-321
 Water Resources, Department of; p. 360, 796

Proposed Delegation Agreement, Notices of

Environmental Quality, Department of; pp. 356-357
 Health Services, Department of; pp. 411, 766

Public Information, Notices of

Economic Security, Department of - Social Services; p. 2567
 Environmental Quality, Department of; pp. 114-122, 1756-1763
 Environmental Quality, Department of - Pesticides and Water Pollution Control; pp. 1874-1876
 Environmental Quality, Department of Safe Drinking Water; pp. 1126-1127
 Game and Fish Commission; pp. 358-359
 Health Services, Department of; pp. 150-151, 795
 Health Services, Department of - Emergency Medical Services; p. 2323
 Pima County; p. 1393
 State Retirement System, Arizona; p. 1823
 Technical Registration, Arizona Board of; p. 640

Substantive Policy Statement, Notices of

Accountancy, Board of; pp. 2324, 2704
 Financial Institutions, Department of; p. 412
 Game and Fish Commission; p. 360
 Industrial Commission of Arizona; p. 1654
 Insurance, Department of; p. 123
 Land Department, State; pp. 361-362
 Lottery Commission, State; pp. 2033, 2434
 Nursing, Board of; pp. 1824-1825
 Psychologist Examiners, Board of; p. 767
 State Real Estate Department; p. 2568



RULES EFFECTIVE DATES CALENDAR

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

January		February		March		April		May		June	
Date Filed	Effective Date										
1/1	3/2	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
August 3, 2018	August 24, 2018	September 24, 2018
August 10, 2018	August 31, 2018	October 1, 2018
August 17, 2018	September 7, 2018	October 9, 2018
August 24, 2018	September 14, 2018	October 15, 2018
August 31, 2018	September 21, 2018	October 22, 2018
September 7, 2018	September 28, 2018	October 29, 2018
September 14, 2018	October 5, 2018	November 5, 2018
September 21, 2018	October 12, 2018	November 13, 2018
September 28, 2018	October 19, 2018	November 19, 2018
October 5, 2018	October 26, 2018	November 26, 2018
October 12, 2018	November 2, 2018	December 3, 2018
October 19, 2018	November 9, 2018	December 10, 2018
October 26, 2018	November 16, 2018	December 17, 2018
November 2, 2018	November 23, 2018	December 24, 2018
November 9, 2018	November 30, 2018	December 31, 2018
November 16, 2018	December 7, 2018	January 7, 2019
November 23, 2018	December 14, 2018	January 14, 2019
November 30, 2018	December 21, 2018	January 22, 2019
December 7, 2018	December 28, 2018	January 28, 2019
December 14, 2018	January 4, 2019	February 4, 2019
December 21, 2018	January 11, 2019	February 11, 2019
December 28, 2018	January 18, 2019	February 19, 2019
January 4, 2019	January 25, 2019	February 25, 2019
January 11, 2019	February 1, 2019	March 4, 2019
January 18, 2019	February 8, 2019	March 11, 2019
January 25, 2019	February 15, 2019	March 18, 2019
February 1, 2019	February 22, 2019	March 25, 2019
February 8, 2019	March 1, 2019	April 1, 2019
February 15, 2019	March 8, 2019	April 8, 2019
February 22, 2019	March 15, 2019	April 15, 2019



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 <http://grrc.az.gov>.

GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES FOR 2018

[M18-01]

DEADLINE FOR PLACEMENT ON AGENDA*	FINAL MATERIALS SUBMITTED TO COUNCIL	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
Tuesday November 21, 2017	Tuesday December 19, 2017	Wednesday January 3, 2018	Tuesday January 9, 2018
Tuesday December 19, 2017	Tuesday January 23, 2018	Tuesday January 30, 2018	Tuesday February 6, 2018
Tuesday January 23, 2018	Tuesday February 20, 2018	Tuesday February 27, 2018	Tuesday March 6, 2018
Tuesday February 20, 2018	Tuesday March 20, 2018	Tuesday March 27, 2018	Tuesday April 3, 2018
Tuesday March 20, 2018	Tuesday April 17, 2018	Tuesday April 24, 2018	Tuesday May 1, 2018
Tuesday April 17, 2018	Tuesday May 22, 2018	Wednesday May 30, 2018	Tuesday June 5, 2018
Tuesday May 22, 2018	Tuesday June 19, 2018	Tuesday June 26, 2018	Tuesday July 10, 2018
Tuesday June 19, 2018	Tuesday July 24, 2018	Tuesday July 31, 2018	Tuesday August 7, 2018
Tuesday July 24, 2018	Tuesday August 21, 2018	Tuesday August 28, 2018	Wednesday September 5, 2018
Tuesday August 21, 2018	Tuesday September 18, 2018	Tuesday September 25, 2018	Tuesday October 2, 2018
Tuesday September 18, 2018	Tuesday October 23, 2018	Tuesday October 30, 2018	Tuesday November 6, 2018
Tuesday October 23, 2018	Tuesday November 20, 2018	Tuesday November 27, 2018	Tuesday December 4, 2018
Tuesday November 20, 2018	Tuesday December 18, 2018	Thursday January 3, 2019	Tuesday January 8, 2019
Tuesday December 18, 2018	Tuesday January 22, 2019	Tuesday January 29, 2019	Tuesday February 5, 2019

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