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ABOUT THIS PUBLICATION

The authenticated pdf of the *Administrative Register* (A.A.R.) posted on the Arizona Secretary of State's website is the official published version for 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 *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 notices of rules terminated by the agency and rules that have expired.

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Rules can be: made (all new text); amended (rules on file, changing text); repealed (removing text); or renumbered (moving rules to a different Section number).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

New rules in this publication (whether proposed or made) are denoted with underlining; repealed text is stricken.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 authenticated pdf of *Code* chapters posted on the Arizona Secretary of State's website are the official published version of rules in the A.A.C. 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.

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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.

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Participate in the Process

Look for the Agency Notice

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

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

Attend a public hearing/meeting

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

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

Write the agency

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

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

Arizona Regular Rulemaking Process



Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Acronyms

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

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

APA – *Administrative Procedure Act*

A.R.S. – *Arizona Revised Statutes*

CFR – *Code of Federal Regulations*

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

FR – *Federal Register*

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

U.S.C. – *United States Code*

About Preambles

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

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

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



- 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. **A summary of the economic, small business, and consumer impact:**
The ASRS promulgates rules that allow the agency to provide for the proper administration of the state retirement trust fund. ASRS rules affect ASRS members and ASRS employers regarding how they contribute to, and receive benefits from, the ASRS. The ASRS effectively administrates how public-sector employers and employees participate in the ASRS. As such, the ASRS does not issue permits or licenses, or charge fees, and its rules have little to no economic impact on private-sector businesses, with the exception of some employer partner charter schools, which have voluntarily contracted to join the ASRS. Thus, there is little to no economic, small business, or consumer impact, other than the minimal cost to the ASRS to prepare the rule package. The rule will have minimal economic impact, if any, because it merely clarifies the long term disability program. Specifically, defining what a “Direct Care of a Doctor or an Attending Physician” means.
- 10. **A description of any changes between the proposed rulemaking, including supplemental notices, and the final rulemaking:**
None
- 11. **An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments:**
The ASRS received no written comments regarding the rulemaking. No one attended the oral proceeding on June 26, 2019.
- 12. **All agencies shall list any other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:**
None
 - a. **Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**
The 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:**
There are no federal laws applicable to these rules.
 - c. **Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:**
No analysis was submitted.
- 13. **A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rule:**
No materials are incorporated by reference.
- 14. **Whether the rule was previously made, amended, or repealed as an emergency rule. If so, cite the notice published in the Register as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:**
Not applicable
- 15. **The full text of the rules follows:**

**TITLE 2. ADMINISTRATION
CHAPTER 8. STATE RETIREMENT SYSTEM BOARD**

ARTICLE 3. LONG-TERM DISABILITY

- Section
- R2-8-301. Definitions
 - R2-8-302. Application for Long-Term Disability Benefit
 - R2-8-303. Long-Term Disability Calculation
 - R2-8-304. Payment of Long-Term Disability Benefit

ARTICLE 8. RECOVERY OF OVERPAYMENTS

- Section
- R2-8-807. Collection of Overpayments from LTD Benefit

ARTICLE 3. LONG-TERM DISABILITY

R2-8-301. Definitions

The following definitions apply to this Article unless otherwise specified:

- 1. **“Attending Physician” means a provider:**
 - a. **Who is a qualified medical provider or other legally qualified practitioner of a healing art that the claims administrator recognizes or is required by law to recognize;**
 - b. **Whose medical training and clinical experience are qualified to treat the member’s disabling condition;**



- c. Whose diagnosis and treatment is consistent with the diagnosis of the disabling condition, according to guidelines established by medical, research, and rehabilitative organizations;
- d. Who is licensed to practice in the jurisdiction where care is being given;
- e. Who is practicing within the scope of the license; and
- f. Who is not related to the member by blood or marriage.
- 2. “Direct Care” means the member is actively receiving treatment from a provider for the member’s disability at least once per calendar year.
- ~~1-2.~~ “Estimated Social Security disability income amount” means the same as in R2-8-801(2).
- ~~2-3.~~ “Legal proceeding” means an appeal of an appealable agency decision at the Office of Administrative Hearings pursuant to A.R.S. § 41-1092 et seq. or an appeal of a Social Security determination at the Social Security Administration, or any other review by a formal body, which determines the rights and responsibilities of the member or survivor.
- ~~3-4.~~ “LTD” means the Long-Term Disability program described in A.R.S. § 38-797 et seq.
- 4. ~~“LTD contribution” means the amount of funds the member remits to the ASRS from the member’s compensation as payment for the LTD program.~~
- 5. “LTD benefit” means the amount of funds the member receives from the ASRS or the ASRS contracted LTD claims administrator, for the period of time a member has an eligible disability as described in A.R.S. § 38-797.07(A)(11).
- 6. “LTD contribution” means the amount of funds the member remits to the ASRS from the member’s compensation as payment for the LTD program.

R2-8-302. Application for Long-Term Disability Benefit

- A. In order to claim an LTD benefit, a disabled member shall submit to the disabled member’s Employer all the completed forms prescribed by the ASRS contracted LTD claims administrator within 12 months of the date the disabled member became disabled.
- B. Pursuant to A.R.S. § 38-797.07(D), in order to continue receiving an LTD benefit, a disabled member shall submit documentation regarding the disabled member’s ongoing disability and occupation as required by the ASRS contracted LTD claims administrator to determine the disabled member’s continuing eligibility for an LTD benefit.
- C. Pursuant to A.R.S. § 38-797.07(11), in order to submit an application for an LTD benefit, a member must provide objective medical evidence from an Attending Physician.
- D. Pursuant to A.R.S. § 38-797.07(7)(b)(i), in order to continue receiving an LTD benefit, the disabled member must be under the Direct Care of a doctor.

R2-8-303. Long-Term Disability Calculation

- A. The ASRS contracted LTD claims administrator shall calculate an LTD benefit for a member using the member’s monthly compensation as described in A.R.S. § 38-797(11).
- ~~B. The ASRS shall reduce a member’s LTD benefit in accordance with A.R.S. § 38-797.07(A). For a member whose monthly compensation is \$0 as of the date of disability, the ASRS shall pay a monthly benefit of \$50 unless the benefit is reduced pursuant to R2-8-807 or required to be reduced pursuant to A.R.S. § 38-797.07(A)(2).~~
- C. The ASRS shall reduce a member’s LTD benefit in accordance with A.R.S. § 38-797.07(A).

R2-8-304. Payment of Long-Term Disability Benefit

- A. The ASRS contracted LTD claims administrator shall begin providing an LTD benefit to an eligible disabled member no sooner than six months after the date the disabled member became disabled.
- B. Notwithstanding subsection (A), the ASRS contracted LTD claims administrator may begin providing an LTD benefit to an eligible disabled member sooner than six months if the disability is related to the member’s disability that occurred within six months immediately preceding the disability.
- ~~B-C.~~ The ASRS contracted LTD claims administrator may provide an eligible disabled member’s LTD benefit to a third party pursuant to A.R.S. § 38-797.09.

ARTICLE 8. RECOVERY OF OVERPAYMENTS

R2-8-807. Collection of Overpayments from LTD Benefit

Upon disability of the member, the ASRS shall reduce the amount of the disabled member’s LTD benefit by the amount of any overpayment the member received from the ASRS and has not reimbursed pursuant to this section to ~~not less than \$50.00.~~

**NOTICE OF FINAL RULEMAKING
TITLE 12. NATURAL RESOURCES
CHAPTER 4. GAME AND FISH COMMISSION**

[R19-195]

PREAMBLE

- 1. **Article, Part, or Section Affected (as applicable)** **Rulemaking Action**
R12-4-303 Amend
- 2. **Citations to the agency’s statutory authority to include the authorizing statute (general) and the implementing statute (specific):**
Authorizing statute: A.R.S. § 17-231(A)(1)
Implementing statute: A.R.S. §§ 17-231(A)(3), 17-102, and 17-301
- 3. **The effective date of the rules:**
November 3, 2019



a. **If the agency selected a date earlier than the 60 days effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason or reasons the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):**
Not applicable

b. **If the agency selected a date later than the 60 days effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason or reasons the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(B):**
Not applicable

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

Notice of Rulemaking Docket Opening: 25 A.A.R. 894, April 12, 2019

Notice of Proposed Rulemaking: 25 A.A.R. 875, April 12, 2019

5. **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

E-mail: CCook@azgfd.gov

Please visit the AZGFD 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/>.

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

The Arizona Game and Fish Commission proposes to adopt rules to regulate hunting activities consistent with the guiding principles governing the Commission’s duty to preserve wildlife for the beneficial use of the public. The proposed rulemaking will designate a predator/fur-bearing hunt contest, as defined by the rule, an unlawful manner and method of take for predator/fur-bearing animals. A rule that provides clear instruction about the legal hunting of predator/fur-bearing species provides for the conservation, maintenance, and utilization of wildlife under the jurisdiction of the State for the benefit of all the citizens.

This proposed rulemaking contains rule language included in the Notice of Proposed Rulemaking, see 24 A.A.R. 529, March 16, 2018, which was approved by the Governor’s Regulatory Review Council on February 5, 2019, and becomes effective on June 1, 2019.

An exemption from Executive Order 2019-01 was provided for this rulemaking by Hunter Moore, Natural Resource Policy Advisor, Governor’s Office, in an email dated February 15, 2019.

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

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

8. **A showing of good cause why the rulemaking 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. **A summary of the economic, small business, and consumer impact:**

The Commission’s intent in adopting the rule is to address social concerns associated with predator/fur-bearing contests, and to proscribe the manner and method of take for participants to a predators/fur-bearings contest. Wildlife predator/fur-bearing hunting contest that link economic gain to the greatest number or variety of animals killed are contrary to the important principle that the take of wildlife should not be allowed to go to waste or taken for economic gain. The Commission believes the rulemaking will benefit the State and persons regulated by the rule by reducing regulatory uncertainty, and strengthening consistency with the principles that guide the Commission’s public trust responsibility to conserve wildlife for the benefit of the citizens of Arizona. Extensive public controversy exists about predator/fur-bearing contests that award prizes to participants who kill the largest number or variety of predator/fur-bearing animals or the contest is based on the combined weight of animals a participant kills. To the extent these contests reflect on the overall hunting community, public outrage with these events has the potential to threaten hunting as a legitimate wildlife management function. Regulated hunting fundamentally supports wildlife conservation efforts in North America. The loss of hunting would equate to a measurable loss in conservation efforts, and would represent a failure of the Commission in its duty to preserve wildlife for the beneficial use of present and future generations. The Commission anticipates the rulemaking will impose a burden on persons regulated by the rule by prohibiting wildlife predator/fur-bearing contests. The Commission anticipates the rulemaking will result in no impact to agencies or political subdivisions of this State, private and public employment in businesses, 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 and implementing the rule. The Commission has determined that the benefits of the rulemaking outweigh any costs.

10. **A description of any changes between the proposed rulemaking, to include supplemental notices, and the final rulemaking:**

Subsection R12-4-303(A)(4)(i) was revised to include the term “sponsor.” The Department believes the term “promote” also addressed sponsorship activities, however, to the extent that the meaning of the terms “sponsor” and “promoter” differ, the Depart-



ment proposes to include the term “sponsor.” This is not viewed as a substantive change.

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

The Notice of Rulemaking was published in the Arizona Administrative Register on April 12, 2019; the official public comment period began April 12 and ended on May 12, 2019. The Department also issued a number of press releases regarding the changes proposed in the Notice of Rulemaking and the Department’s contact information for persons interested in submitting a comment. The Department received 41 comments prior to April 12; most of them voicing their support for the rulemaking. The Department received 4810 comments during the public comment period with a great majority of them being form letters generated by animal welfare organizations. Due to the volume of comments received, with much of it being redundant or similar and many simply voicing their support or opposition to the rulemaking or asking rhetorical questions, it is necessary to summarize the majority of comments rather than attempting to respond to each comment individually. It is important to note, the original comments were provided to the Commission and the Governor’s Regulatory Review Council for consideration.

1. **A number of comments are directed to who the Commission should or should not listen to in its decision-making. Some argue that the Commission should listen to only those who buy hunting and fishing licenses and who therefore support the Department financially. Some feel that the Commission is being non-supportive of hunters if it adopts a rule restricting or prohibiting hunting contests for predators and fur-bearing animals. There are also arguments that the Commission should not listen to animal welfare organizations or out-of-state individuals and organizations; they do not want “extremists and radicals” telling Arizonans how to vote on matters which apply to Arizona wildlife and hunters.**

Agency Response: Arizona law does not limit who can submit comments for or against a proposed rule.

2. **A number of comments state contests are ethically and ecologically indefensible; contests that link economic gain to the greatest number or variety of animals killed are barbaric, unethical, and trivialize the value of wildlife and that wildlife should not be treated on the same level as inanimate objects such as those used in other sports.**

Agency Response: This is an individual and personal ethical issue. However, to the extent these contests reflect on the overall hunting community, public outrage with events that award prizes to competitors that kill the largest number or variety of predator or fur-bearing animals has the potential to threaten hunting as a legitimate wildlife management function. Regulated hunting fundamentally supports wildlife conservation efforts in North America. The loss of hunting would equate to a measurable loss in conservation efforts, and would represent a failure of the Commission to fulfill its duty to preserve wildlife for the beneficial use of present and future generations.

3. **A number of comments state contests occur on public lands, where wildlife should find sanctuary, not assaults; public lands are for outdoor activities that are compatible with the maintenance of a healthy environment; and contest attendees pose a threat to the safety of persons who are utilizing public lands to hike, bird watch, off-road, etc.**

Agency Response: Regulated hunting fundamentally supports wildlife conservation efforts in North America. Hunting is useful for the ecology, hunting guarantees that natural populations of game species are supportable from one decade to the next. Excise taxes paid by hunters on sporting equipment and related expenditures are distributed to the states for such purposes as improving natural life living space, overseeing and keeping up of parks and wildlife refuges, and directing reviews and research to decide the status of diversion as well as some non-game species. Along these lines, hunters contribute widely to the environment.

Hunting contest participants are neither more nor less dangerous to the safety of persons utilizing public lands compared to hunters who are not participating in contests. As the data suggests, hunting is a safe recreational activity for hunters and non-hunters alike. The Commission holds that hunting and fishing are outdoor activities that are compatible with a healthy environment.

There are a number of laws and rules in place that regulate hunting in the interest of public safety and the protection of non-target species. These laws and rules regulate the types of weapons that can be used, when and how such weapons can be used, and what species are legal to hunt. Statewide compliance with existing game and fish laws is typically 96% or higher. A 2011 study from the National Sporting Goods Association found hunting with firearms to be one of the safest sports when compared to others (0.04% injuries per 100 participants), slightly higher than injuries associated with billiards/pool and slightly lower than bowling. Between the years of 1985 and 2013 hunting related accidents in Arizona averaged slightly above two incidents per year, with only one verified incident over the last two years.

The proposed rule is intended to address social outrage over these specific hunting contests. The proposed rule would be in place on all lands in the state of Arizona with the exception of tribal reservation lands, and is intended to address social outrage over these specific hunting contests; it is neither supported nor contradicted by science. Regulated hunting fundamentally supports wildlife conservation efforts in North America.

4. **A number of comments state the Wildlife Society (TWS) approved an issue statement calling out killing contests for “flawed use of science” and for “making a game of killing animals, thus demonstrating disrespect for and devaluing animals.”**

Agency Response: While the TWS statement includes the text above, it is taken out of context. The original statement text is as follows: “Killing contests are viewed in widely different perspectives. Some people view them as making a game of killing animals, thus demonstrating disrespect for and devaluing animals; others view them as a potential management tool to be used to



control predators and increase prey populations, or as entertainment without a perceived legitimate use of the harvested animals. In some cases, particularly for predators, justification for the killing contests is often based on flawed use of science. For example, coyote killing contests are often justified on the basis that coyotes kill deer or other game; however, that fails to recognize that predation is a proximal cause of mortality, but not necessarily the ultimate cause that limits a species' population. The policy of The Wildlife Society regarding wildlife killing contests: 1. Discourages contests that adversely affect the wildlife resource or the public appreciation of wildlife resources. 2. Supports that wildlife killed must be put to legitimate uses. 3. Opposes all contests that: a). intentionally wound animals in a manner that causes excess pain and suffering, b). kill parents resulting in orphaned, dependent young, c). or devalue wildlife by showing disrespectful photos of piles of dead animals. 4. Discourage contests that portray hunting in an unethical fashion. If a contest is held, all applicable permitting and hunting regulations must be followed during the contest by all parties involved. 5. Support public attitude surveys to determine societal values regarding killing contests and encourage agencies to consider these survey results when managing and regulating killing contests. 6. Recognize that there is little evidence to support the use of killing contests for controlling predator populations. 7. Recognize that while species killed in contests can be legally killed in most states, making a contest of it may undermine the public's view of ethical hunting.

5. **A number of comments state contests leave carcasses behind, allowing condors, bald eagles, Mexican gray wolves, and other wildlife to feed on the bodies and ingest lethal doses of lead.**

Agency Response: The Department has not documented or observed any lead poisoning issues specifically linked to predator and fur-bearing contests.

6. **A number of comments state that either 1) a rule prohibiting hunting contests for predators and fur-bearing animals should not be adopted because it is based on social influences rather than scientific or wildlife management needs and contests help regulate predator species and reduce fawn predation; or 2) that it should be adopted because of scientific biology or wildlife management needs; wild animals play an important ecological role in healthy ecosystems and increase biodiversity.**

Agency Response: The proposed rule is intended to address social outrage over these specific hunting contests, and is neither supported nor contradicted by science.

The Department recognizes that predators and their prey are integral parts of the same ecosystem and therefore, cannot be managed separately. However, the relationship between predator and prey is very complex. The Department must work toward balancing the needs of all species in Arizona, including predator species and their prey.

The management goal for prey species is to have healthy, sustainable populations able to withstand some predation. When predation limits the population growth of prey species or prey species populations are below management objectives, then area-specific predation management plans may be developed in accordance with the Predation Management Policy (A1.13).

In the past the Department has, at times, coordinated with hunt contest organizers to focus predator hunting in specific areas and at specific times in an effort to meet management goals. The proposed rule would not apply to lawful, regulated hunting of predatory and fur-bearing animals, which plays an important role in wildlife management, and the Department will continue to rely on hunters to help maintain the predator prey balance.

7. **A number of comments state Tucson, Dewey-Humboldt, Flagstaff, Coconino County, Pima County, and Yavapai County have already passed resolutions condemning wildlife killing contests and encourage the Commission to do the same.**

Agency Response: The proposed rule will make it unlawful to use any method of take to capture or kill predator or fur-bearing animals during a hunting contest. The proposed rule would be in place on all lands in the state of Arizona with the exception of tribal reservation lands, and is intended to address social outrage over these specific hunting contests; it is neither supported nor contradicted by science. Within the state of Arizona, the authority to manage wildlife is vested in the Arizona Game and Fish Commission, city and county governments do not have the authority to regulate hunting.

8. **A number of comments state contests put dogs that are out for a walk with their owners at risk, including deer and endangered Mexican gray wolves here in the Southwest; non-target species are killed or severely injured and off-spring are left to die.**

Agency Response: There are a number of laws and rules in place that regulate hunting in the interest of public safety and the protection of non-target species. These laws and rules regulate the types of weapons that can be used, when and how such weapons can be used, and what species are legal to hunt. All of these laws and rules apply to predator and fur-bearing contests, and the Department has not observed any significant compliance issues associated with these contests; statewide compliance with existing game and fish laws is typically 96% or higher.

The Department has not documented or observed any conflicts between predator and fur-bearer hunt contests and wolves. Additionally, the Department continues proactive outreach and education to all hunters who might hunt within the Mexican wolf range about the wolves presence, ways to identify wolves, and how to distinguish them from other wildlife species.



9. **A number of comments state contests violate the public trust doctrine that wildlife belongs to all people and all future generations.**

Agency Response: The proposed rule will make it unlawful to use any method of take to capture or kill predator or fur-bearing animals during a hunting contest. The proposed rule would be in place on all lands in the state of Arizona with the exception of tribal reservation lands, and is intended to address social outrage over these specific hunting contests; it is neither supported nor contradicted by science.

To the extent these contests reflect on the overall hunting community, public outrage with these events that award prizes to competitors that kill the largest number or variety of predator or fur-bearing animals has the potential to threaten hunting as a legitimate wildlife management function. Regulated hunting fundamentally supports wildlife conservation efforts in North America. The loss of hunting would equate to a measurable loss in conservation efforts, and would represent a failure of the Commission to fulfill its duty to preserve wildlife for the beneficial use of present and future generations.

10. **A number of comments state contests cast the sport of hunting in a bad light to non-hunters; they are not a legitimate form of hunting because the animals are left to waste.**

Agency Response: The proposed rule is intended to preserve hunting. To the extent these contests reflect on the overall hunting community, public outrage with these events that award prizes to competitors that kill the largest number or variety of predator or fur-bearing animals has the potential to threaten hunting as a legitimate wildlife management function. Regulated hunting fundamentally supports wildlife conservation efforts in North America. The loss of hunting would equate to a measurable loss in conservation efforts, and would represent a failure of the Commission to fulfill its duty to preserve wildlife for the beneficial use of present and future generations.

11. **A number of comments state contests result in an increase in the number of rodents and snakes; predators are detrimental to song bird and sparrow populations; more predators help reduce the incidents of Lyme's disease.**

Agency Response: The Department has not documented or observed any evidence that predator and fur-bearing hunting contests correlate with increased populations of rodents and snakes, reduced populations of song birds and sparrows, or increased occurrences of Lyme's disease. The proposed rule would be in place on all lands in the state of Arizona with the exception of tribal reservation lands, and is intended to address social outrage over these specific hunting contests; it is neither supported nor contradicted by science.

12. **A number of comments state the Commission is being pressured by anti-hunter/anti-gun groups to stop fellow hunters and outdoorsman from competing in a contest.**

Agency Response: The proposed rule is intended to preserve hunting. To the extent these contests reflect on the overall hunting community, public outrage with these events that award prizes to competitors that kill the largest number or variety of predator or fur-bearing animals has the potential to threaten hunting as a legitimate wildlife management function.

Regulated hunting fundamentally supports wildlife conservation efforts in North America. The loss of hunting would equate to a measurable loss in conservation efforts, and would represent a failure of the Commission to fulfill its duty to preserve wildlife for the beneficial use of present and future generations.

13. **A number of comments ask if this same logic apply to fishing contests.**

Agency Response: No. Unlike fishing events, predator and fur-bearing hunting contest threaten hunting as a legitimate wildlife management function. With a fishing event, there is a legal limit on the number of fish caught, every effort is made to keep fish alive and returned to a lake in good health, and there is often a limit on the number of tournaments and tournament days. The public generally does not object to fishing events for these and other reasons.

14. **A number of comments state the impact of these contests are less than they appear to the outsider; they are not extinction hunts.**

Agency Response: The Department has no evidence or data to indicate these contests have a significant impact on predator or fur-bearing populations, but to the extent these contests reflect on the overall hunting community, public outrage with these events that award prizes to competitors that kill the largest number or variety of predator or fur-bearing animals has the potential to threaten hunting as a legitimate wildlife management function.

Regulated hunting fundamentally supports wildlife conservation efforts in North America. The loss of hunting would equate to a measurable loss in conservation efforts, and would represent a failure of the Commission to fulfill its duty to preserve wildlife for the beneficial use of present and future generations.

15. **A number of comments state the rulemaking is just the first step in eliminating the sport of hunting, and possibly fishing.**



Agency Response: The proposed rule is intended to preserve hunting. The proposed rule will make it unlawful to use any method of take to capture or kill predator or fur-bearing animals during a hunting contest.

The proposed rule does not limit, restrict, or prohibit any hunting privileges. It is intended to address contests for predator and fur-bearing animals, only. Unlike fishing events, predator and fur-bearing contests threaten hunting as a legitimate wildlife management function.

Regulated hunting fundamentally supports wildlife conservation efforts in North America. The loss of hunting would equate to a measurable loss in conservation efforts, and would represent a failure of the Commission to fulfill its duty to preserve wildlife for the beneficial use of present and future generations.

- 16. **A number of comments state the proposed rule would negatively impact cattle ranchers who already struggle with coyote depredation. When a competition is involved, more people participate and predator populations are better controlled. A 2015 USDA report dealing with nationwide cattle losses found that “coyotes accounted for the highest percentage of calf deaths in Arizona due to predators at 68.6%.**

Agency Response: The proposed rule would not apply to lawful, regulated hunting of predatory and fur-bearing animals, which plays an important role in wildlife management. In addition, A.R.S. § 17-239 and R12-4-113 provide relief from wildlife depredation and are unaffected by the rulemaking.

Under A.R.S. § 17-239 and R12-4-113, a no-fee small game depredation permit provides short-term relief until long-term, non-lethal measures can be implemented to eliminate or significantly reduce issues. The permits are issued to eliminate or reduce agricultural damage, private property damage, threats to human health and safety, and threats to recovery of protected wildlife. In addition, if harvest of animals is found to be necessary to relieve damage, the Commission may establish special seasons or special bag limits, and either set reduced fees or waive any or all license fees to crop that wildlife. If the Commission determines that this cropping by hunters is impractical, it may issue a special permit for taking that wildlife to the landowner, lessee, live-stock operator, or municipality suffering damage.

- 17. **A number of comments state the groups asking to eliminate these contests do not care about wildlife and the proper management of wildlife, rather their target is to eliminate all sport hunting using individual's emotions rather than scientific data.**

Agency Response: The proposed rule is intended to preserve hunting. The proposed rule does not limit, restrict, or prohibit any hunting privilege. It addresses hunting contests for predator and fur-bearing animals, only. Regulated hunting fundamentally supports wildlife conservation efforts in North America. The loss of hunting would equate to a measurable loss in conservation efforts, and would represent a failure of the Commission to fulfill its duty to preserve wildlife for the beneficial use of present and future generations.

The proposed rule will make it unlawful to use any method of take to capture or kill predator or fur-bearing animals during a hunting contest. The proposed rule would be in place on all lands in the state of Arizona with the exception of tribal reservation lands, and is addressing social outrage over these specific hunting contests. Unlike regulated hunting, predator and fur-bearing hunting contest threaten hunting as a legitimate wildlife management function.

- 18. **A number of comments state the proposed rule violates the public trust doctrine of the North American Model by excluding contest hunters from hunting a renewable resource that should be held for all.**

Agency Response: Hunting is the foundation of the North American Model (NAM) of Wildlife Conservation, and neither the NAM nor the public trust doctrine protects predator and fur-bearing hunt contests.

The proposed rule is intended to preserve hunting. It would not apply to lawful, regulated hunting of predatory and fur-bearing animals, which plays an important role in wildlife management. To the extent these contests reflect on the overall hunting community, public outrage with these events that award prizes to competitors that kill the largest number or variety of predator or fur-bearing animals has the potential to threaten hunting as a legitimate wildlife management function.

Regulated hunting fundamentally supports wildlife conservation efforts in North America. The loss of hunting would equate to a measurable loss in conservation efforts, and would represent a failure of the Commission to fulfill its duty to preserve wildlife for the beneficial use of present and future generations.

- 19. **A number of comments state the Department will lose revenue due to contest participants not purchasing a hunting license and expending Department resources to enforce the proposed prohibition.**

Agency Response: The proposed rule is intended to preserve hunting. It will not apply to the lawful, regulated hunting of predatory and fur-bearing animals. The Department does not anticipate a significant decline in hunting license sales as a result.

The U.S. Fish and Wildlife Service's 2011 National Survey of Fishing, Hunting, and Wildlife-associated Recreation report indicates hunters spend approximately \$132 on hunting equipment and trip expenditures per day (user day). On an annual basis, it is



estimated that there are 11 predator/fur-bearing hunting contests within Arizona resulting in approximately 4,600 user days equaling approximately \$607,200 of economic impact. According to Hunt Arizona 2014, on an annual basis general predator and fur-bearing hunters account for 175,237 user days in Arizona. The economic impact of general predator and fur-bearing hunting in Arizona is estimated to be over \$23,000,000. The Commission anticipates the rulemaking will protect these hunting opportunities.

The Department has not observed any significant compliance issues associated with these contests; statewide compliance with existing game and fish laws is typically 96% or higher. The Department does not see a need for special enforcement activities related to the proposed rule.

Part of the rulemaking process is to ensure the rule is enforceable. The officer in the field is responsible for conducting an investigation, collecting evidence, and, when determined valid, issuing a citation. Every time a citation is written by any officer, it is their interpretation of the law and the situation at hand that causes the issuance of the citation. The officer is part of the judicial process, but does not usurp the court's final authority.

- 20. A number of comments state the rulemaking the proposed rule will inhibit or take away Americans freedom to hunt; predatory and fur-bearing animal contests are a traditional pastime and provide a great opportunity to introduce younger generations to hunting.**

Agency Response: The proposed rule is intended to preserve hunting. It would not prevent hunters from introducing youth to hunting because it would not apply to lawful, regulated hunting of predatory and fur-bearing animals, which plays an important role in wildlife management.

To the extent these contests reflect on the overall hunting community, public outrage with these events that award prizes to competitors that kill the largest number or variety of predator or fur-bearing animals has the potential to threaten hunting as a legitimate wildlife management function.

Regulated hunting fundamentally supports wildlife conservation efforts in North America. The loss of hunting would equate to a measurable loss in conservation efforts, and would represent a failure of the Commission to fulfill its duty to preserve wildlife for the beneficial use of present and future generations.

- 21. A number of comments state contests result in important data being provided to Department biologists; prohibiting contests will remove a valuable tool from the Department's tool box that could be used to not only save the Department money, but would also help manage wildlife better.**

Agency Response: The proposed rule would not apply to lawful, regulated hunting of predatory and fur-bearing animals, which plays an important role in wildlife management. The Department will continue to communicate with predator and fur-bearing hunters to gather data when appropriate.

The Department has, at times, coordinated with hunt contest organizers to focus predator hunting in specific areas and at specific times in an effort to meet management goals. The proposed rule would not apply to lawful, regulated hunting of predatory and fur-bearing animals, which plays an important role in wildlife management, and the Department will continue to coordinate with hunters to help maintain the predator prey balance as part of an integrated wildlife management program.

- 22. A number of comments state the proposed rulemaking will result in an increase in wildlife diseases, such as mange, parvo, and rabies.**

Agency Response: The Department has not documented or observed any evidence of a relationship between hunting contests and wildlife diseases.

- 23. A number of comments state contests contribute to the State and local economies and towns like Seligman, and small businesses benefit economically from them because contestants purchase food, lodging, sporting goods, and out-of-state contestants purchase nonresident licenses.**

Agency Response: The proposed rule is intended to preserve hunting. It would not apply to lawful, regulated hunting of predatory and fur-bearing animals, which plays an important role in wildlife management. Regulated hunting fundamentally supports wildlife conservation efforts in North America. The loss of hunting would equate to a measurable loss in conservation efforts, and would represent a failure of the Commission to fulfill its duty to preserve wildlife for the beneficial use of present and future generations.

The U.S. Fish and Wildlife Service's 2011 National Survey of Fishing, Hunting, and Wildlife-associated Recreation report indicates hunters spend approximately \$132 on hunting equipment and trip expenditures per day (user day). On an annual basis, it is estimated that there are 11 local wildlife predator/fur-bearing hunting contests resulting in approximately 4,600 user days equaling approximately \$607,200 of economic impact. Arizona's economy, both rural and urban, is greatly benefited by hunting of any kind. Predator and fur-bearing contests make up a very small percentage of that economic benefit. Predator hunting in general is a larger percentage. According to Hunt Arizona 2014, on an annual basis general predator and fur-bearing hunters account



for 175,237 user days in Arizona. The economic impact of general predator and fur-bearing hunting in Arizona is estimated to be over \$23,000,000. The Commission anticipates the rulemaking will protect these hunting opportunities.

24. A number of comments ask why the Department isn't it concerned about the larger prizes and cash given out under other events involving other wildlife, such as fishing tournaments.

Agency Response: Unlike fishing tournaments or other hunting events, predator and fur-bearing hunting contests threaten hunting as a legitimate wildlife management function. To the extent these contests reflect on the overall hunting community, public outrage with these events that award prizes to competitors that kill the largest number or variety of predator or fur-bearing animals has the potential to threaten hunting as a legitimate wildlife management function.

Regulated hunting fundamentally supports wildlife conservation efforts in North America. The loss of hunting would equate to a measurable loss in conservation efforts, and would represent a failure of the Commission to fulfill its duty to preserve wildlife for the beneficial use of present and future generations. The proposed rule would not apply to the lawful, regulated hunting of predatory and fur-bearing animals which plays an important role in wildlife management.

25. A number of comments ask why the Department did not rely on scientific data or conduct an environmental impact study before proposing the rule.

Agency Response: The proposed rule is intended to address social outrage over these specific hunting contests, and is neither supported nor contradicted by science. An environmental impact study is not required for this action.

The proposed rule would not apply to lawful, regulated hunting of predatory and fur-bearing animals, which plays an important role in wildlife management, and the Department does not anticipate a significant decline in the hunting of predators and fur-bearings, and does not anticipate any measurable environmental impact.

26. A number of comments ask what the estimated number of breeding pairs of coyotes in Arizona is.

Agency Response: A population estimate, or estimate of breeding pairs, is difficult to determine given the wide distribution range of coyotes in Arizona. They inhabit every habitat type including urban areas and are opportunists and generalists when it comes to food sources allowing them to eat just about anything and thrive just about anywhere. Achieving a population estimate for coyotes would require an enormous undertaking in terms of time, funding, and manpower; and even then estimating the coyote population would be nearly impossible because of their wide distribution range.

27. A number of comments ask what the target number of removal of coyotes is.

Agency Response: The Department does not set a target number during planned predation management efforts. The objective is to reduce coyote predation on specific prey species during the period when young are most vulnerable (birth through the first few months of life). These efforts are short-term and site specific. Research in Arizona and other Western states has shown that focused, intense coyote removal through aerial gunning can increase recruitment (Brown et al. 2011; Canon 1993; Menzel 1992; Smith et al. 1986; Wakeling et al. 2015, and Willis et al. 1994).

28. A number of comments ask how many coyotes does the Department remove from the wild and what costs are incurred on an annual basis.

Agency Response: On an annual basis, and as part of site-specific predation management plans, about 200 to 250 coyotes are removed. The Department expends about \$30,000 annually on area-specific, targeted removal of coyotes. Such action targets a specific area during a short period of time and most often effectively reduces coyote densities just prior to and during the birthing season, thereby reducing coyote predation on young.

29. A number of comments ask what impact predators have on other wildlife populations.

Agency Response: The Department recognizes that predators and their prey are integral parts of the same ecosystem and therefore, cannot be managed separately. The Department must work toward balancing the needs of all species in Arizona, including predator species and their prey species. The management goal for prey species is to have healthy, sustainable populations able to withstand some predation.

In some areas around the state, prey populations are below management objectives and predation has been identified as one factor in limiting population recovery. Predation management may be necessary to decrease predation in order to aid in the recovery, increase total numbers, and/or promote expansion of the prey species. Predation management is a valuable wildlife management tool that can affect populations of species that are preyed upon. When predation limits the population growth of prey species or prey species populations are below management objectives, then area-specific predation management plans may be developed in accordance with the Predation Management Policy (A1.13).



The Department has, at times, coordinated with contest organizers to focus predator hunting in specific areas, at specific times in an effort to meet established management goals. The Department will continue to coordinate with hunters to help maintain the predator prey balance as part of an integrated wildlife management program.

30. A number of comments ask whether reducing the number of predators, specifically coyotes, is a game management objective of the Department.

Agency Response: The Department recognizes that predators and their prey are integral parts of the same ecosystem and cannot be managed separately. However, the relationship between predator and prey is very complex. The Department must work toward balancing the needs of all species in Arizona, including predator and prey species. The management goal for prey species is to have healthy, sustainable populations that are able to withstand some predation. In some areas around the state, prey populations are below management objectives and predation has been identified as one factor in limiting population recovery. Predation management may be necessary to decrease predation in order to aid in the recovery, increase total numbers, and/or promote expansion of the prey species. Predation management is a valuable wildlife management tool that can affect populations of species that are preyed upon.

The proposed rule is intended to preserve hunting. It would not apply to lawful, regulated hunting of predatory and fur-bearing animals, which plays an important role in wildlife management.

31. A number of comments state the Department has directed some predator clubs to hold events in places in the North and West of Arizona to help reduce the coyote population.

Agency Response: The Department has, at times, coordinated with hunt contest organizers to focus predator hunting in specific areas and at specific times in an effort to meet management goals. The proposed rule would not apply to lawful, regulated hunting of predatory and fur-bearing animals, which plays an important role in wildlife management, and the Department will continue to coordinate with hunters to help maintain the predator prey balance as part of an integrated wildlife management program.

32. A number of comments state contests provide a small incentive for urban hunters to spend the time and money to prepare for the contest and to travel to the location of the event. For those willing to spend \$60 to \$100 in fuel to participate in a "contest," the chance of winning a small prize to help preserve an antelope herd is a small reward.

Agency Response: The proposed rule is intended to preserve hunting. It would not apply to lawful, regulated hunting of predatory and fur-bearing animals, which plays an important role in wildlife management. Regulated hunting fundamentally supports wildlife conservation efforts in North America. The loss of hunting would equate to a measurable loss in conservation efforts, and would represent a failure of the Commission to fulfill its duty to preserve wildlife for the beneficial use of present and future generations.

The U.S. Fish and Wildlife Service's 2011 National Survey of Fishing, Hunting, and Wildlife-associated Recreation report indicates hunters spend approximately \$132 on hunting equipment and trip expenditures per day (user day). On an annual basis, it is estimated that there are 11 local wildlife predator/fur-bearing hunting contests resulting in approximately 4,600 user days equaling approximately \$607,200 of economic impact. The economic impact of general predator and fur-bearing hunting in Arizona is estimated to be over \$23,000,000. According to Hunt Arizona 2014, on an annual basis general predator and fur-bearing hunters account for 175,237 user days in Arizona. The Commission anticipates the rulemaking will protect these hunting opportunities.

33. A number of comments state hunting is a legitimate sport, is a necessary activity, and has positive social consequences even for those who oppose it.

Agency Response: The Department agrees with this comment, and the proposed rule is intended to preserve hunting. It would not apply to lawful, regulated hunting of predatory and fur-bearing animals, which plays an important role in wildlife management. Regulated hunting fundamentally supports wildlife conservation efforts in North America. The loss of hunting would equate to a measurable loss in conservation efforts, and would represent a failure of the Commission to fulfill its duty to preserve wildlife for the beneficial use of present and future generations.

34. A number of comments state contests must comply with fair chase and adhere to game laws; contests do not cause hunters to hunt and harvest more predators.

Agency Response: The proposed rule would not apply to lawful, regulated hunting of predatory and fur-bearing animals, which plays an important role in wildlife management. To the extent these contests reflect on the overall hunting community, public outrage with these events that award prizes to competitors that kill the largest number or variety of predator or fur-bearing animals has the potential to threaten hunting as a legitimate wildlife management function. Regulated hunting fundamentally supports wildlife conservation efforts in North America. The loss of hunting would equate to a measurable loss in conservation efforts, and would represent a failure of the Commission to fulfill its duty to preserve wildlife for the beneficial use of present and future generations.



35. **A number of comments state the Commission should change seasons, set bag limits, or use other means to reach the objective of the rule.**

Agency Response: The proposed rule is addressing social outrage over these specific hunting contests, and is neither supported nor contradicted by science. To the extent these contests reflect on the overall hunting community, public outrage with these events that award prizes to competitors that kill the largest number or variety of predator or fur-bearing animals has the potential to threaten hunting as a legitimate wildlife management function. Regulated hunting fundamentally supports wildlife conservation efforts in North America. The loss of hunting would equate to a measurable loss in conservation efforts, and would represent a failure of the Commission to fulfill its duty to preserve wildlife for the beneficial use of present and future generations.

The Commission could terminate this rule process and begin the process to change the Commission Orders to establish new seasons, bag, and possession limits for predators and fur-bearing animals. However, this alternative would directly affect general predator and fur-bearing hunting rather than only predator and fur-bearing contests. The current proposed, narrowly scoped, rule is far less burdensome than imposing new seasons, bag, and possession limits that would apply to all hunters.

36. **A number of comments state a fear that once anti hunters gain traction on this front they will not stop until all hunting and fishing activities are stopped.**

Agency Response: The Department does not believe that the rulemaking will lead to future impacts on hunting and fishing activities. General hunting, game bird field trials, fishing tournaments, etc. do not threaten hunting as a legitimate wildlife management function. The proposed rule is intended to preserve hunting.

The proposed rule would not apply to lawful, regulated hunting of predatory and fur-bearing animals, which plays an important role in wildlife management. To the extent these contests reflect on the overall hunting community, public outrage with these events that award prizes to competitors that kill the largest number or variety of predator or fur-bearing animals has the potential to threaten hunting as a legitimate wildlife management function. Regulated hunting fundamentally supports wildlife conservation efforts in North America. The loss of hunting would equate to a measurable loss in conservation efforts, and would represent a failure of the Commission to fulfill its duty to preserve wildlife for the beneficial use of present and future generations.

37. **A number of comments state the rule should be revised to broaden the definition of “contest” as it is too vague (include contests that do not require a fee or registration, or award a prize); broaden the scope of species covered by the rule to include all terrestrial wildlife, not just predatory and fur-bearing wildlife as preemptive measure for prohibiting “creative” attempts to hold contests of other wildlife species; and include the term “sponsor” to ensure sponsorship is also a prohibited activity.**

Agency Response: The rulemaking process requires an agency to ensure rules are the least burdensome possible as necessary to address the agency’s objective. The proposed rule would not apply to lawful, regulated hunting of predatory and fur-bearing animals, which plays an important role in wildlife management. Regulated hunting fundamentally supports wildlife conservation efforts in North America. The loss of hunting would equate to a measurable loss in conservation efforts, and would represent a failure of the Commission to fulfill its duty to preserve wildlife for the beneficial use of present and future generations.

The definition of a “contest” is not vague but is purposely defined narrowly to ensure the proposed rule is as “least burdensome” as possible to address the Commission’s objective to preserve hunting and will not have unintended consequences. In order to be a “contest” as defined by the proposed rule an event would have to satisfy all of the following elements: a competition among participants; participants register or record entry; participants pay a fee; and prizes or cash are awarded to winning or successful participants. Given the elements of the definition of a “contest” the Department does not believe the proposed rule would apply to the scenarios described by the comment. Broadening the definition of a “contest” would go beyond the Commission’s objective to preserve hunting and potentially impact other hunting related social activities beyond organized predator and fur-bearing contests.

The Department believes the act of a sponsor is addressed by the term “promote,” however, to the extent that the meaning of the terms “sponsor” and “promoter” are substantially similar, the Department proposes to include the term “sponsor.” This is not viewed as a substantive change.

38. **A number of comments state the rule could make violators out of two hunters who are making a friendly wager.**

Agency Response: A violation of the proposed rule is restricted by the definition of a “contest.” The term “contest” is purposely defined narrowly to ensure the proposed rule is as “least burdensome” as possible and does not have unintended consequences. In order to be a “contest” as defined by the proposed rule an event would have to satisfy all of the following elements: a competition among participants; participants register or record entry; participants pay a fee; and prizes or cash are awarded to winning or successful participants. Given the elements of the definition of contest, the rule would not apply to the scenario described above.

39. **A number of comments state the Department should regulate contests such as imposing bag limits, establishing a permitting process, requiring furs to be sold and the proceeds donated to a local charity, meat to be used, establishing check-in**



and check-out requirements; requiring the area Wildlife Manager to determine whether a contest may be held, requiring contests to be held during appropriate birthing times so it can benefit said species, etc.

Agency Response: The Department does not believe the regulatory approach proposed by this comment alleviates the social concerns related to predator and fur-bearing hunting contests – a financial incentive to take as many animals as possible when no bag limits exist.

The rulemaking process requires an agency to ensure rules are the least burdensome possible as necessary to address the agency’s objective. The Department estimates around 4,600 hunter days expended during predator and fur-bearing hunting contests in Arizona each year that would be impacted by the proposed rule. If the Commission was to change seasons, set bag limits etc. they would be impacting an estimated 23,155 hunters and 175,237 hunter days (Hunt Arizona 2014). The definition of a “contest” was purposely defined narrowly to ensure the proposed rule is as “least burdensome” as possible to meet the Commission’s objective to preserve hunting and does not have unintended consequences.

The Department has not observed any significant compliance issues associated with these contests; statewide compliance with existing game and fish laws is typically 96% or higher.

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

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

The rule does not require a general permit.

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

Federal law is not directly applicable to the subject of the rule. The rule is based on state law.

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

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

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

Not applicable

14. Whether the rule previously made, amended, or repealed as an emergency rule. If so, cite the notice published in the Register as specified in R1-4-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:

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

15. The full text of the rules follows:

TITLE 12. NATURAL RESOURCES

CHAPTER 4. GAME AND FISH COMMISSION

ARTICLE 3. TAKING AND HANDLING OF WILDLIFE

Section

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

ARTICLE 3. TAKING AND HANDLING 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 wildlife in this state:

1. A person shall not use any of the following to take wildlife:
 - a. Fully automatic firearms, including firearms capable of selective automatic fire.
 - b. Tracer or armor-piercing 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,
3. 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.
 - 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-illu-



minating reticles, and fiber optic sights with self-illuminating sights or pins that do not project a visible light onto an animal.

4. 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, place, or use a tracking device in or on wildlife for the purpose of taking or aiding 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-doves:
 - 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 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.
 - i. Participate in, organize, promote, sponsor, or solicit participation in a contest where a participant uses or intends to use any device or implement to capture or kill predatory animals or fur-bearing animals as defined under A.R.S. § 17-101. For the purposes of this subsection, "contest" means a competition among participants where participants must register or record entry and pay a fee and prizes or cash are awarded to winning or successful participants.
 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.
 7. 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. A person places edible or ingestible substances for the purpose of attracting or taking big game, or
 - b. 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.
 8. Subsection (A)(7) does not limit Department employees or Department agents in the performance of their official duties.
 9. For the purposes of subsection (A)(7), 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.
- C.** Wildlife taken in violation of this Section is unlawfully taken.
- D.** This Section does not apply to any activity allowed under A.R.S. § 17-302, to 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.



extend the Arizona Department Juvenile Corrections’ jurisdiction for detained delinquent youth to be served up to their 19th birthday.

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 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. **A summary of the economic, small business, and consumer impact:**

The Department anticipates that this rulemaking will have moderate economic impact on the implementing agency, small businesses, and consumers. There is no additional cost to other state agencies anticipated by this rulemaking. The persons directly impacted by this rulemaking are youth who are dually adjudicated as delinquent and foster youth and placed in a secure setting prior to their 18th birthday. These youth will benefit from the option to enter into extended foster care in order to receive services to aid in their preparation for adulthood. Through receipt of services these youth will have long-term improved outcomes and a reduced reliance on other social services.

10. **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 are not 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:**

The rules pertain to the Independent Living Program and Transitional Independent program. A general permit is not used.

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:**

42 U.S.C. 675 and 677. The rules are not more stringent than federal law.

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

Not applicable

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

Not applicable

12. **An agency explanation about the situation justifying the rulemaking as an emergency rule:**

The current rules offer youth who have been adjudicated dependent foster youth, on their 18th birthday, to have the option of entering into a voluntary extended foster care program. The emergency rulemaking is needed to amend the rules to extend this same option to youth who are dually adjudicated (dependent and delinquent) and placed in a secure setting up to their 19th birthday. Without the amendment, this option to enter into the voluntary extended foster care program would not be available to dually adjudicated youth who reside in a secure setting up to their 19th birthday. A.R.S. § 8-202 was amended in 2018 to permit the Arizona Department of Juvenile Corrections to have extended jurisdiction for detained delinquent youth to be served up to their 19th birthday.

13. **The date the Attorney General approved the rule:**

September 10, 2019

14. **The full text of the rules follows:**

TITLE 21. CHILD SAFETY
CHAPTER 5. DEPARTMENT OF CHILD SAFETY
PERMANENCY AND SUPPORT SERVICES

ARTICLE 2. INDEPENDENT LIVING AND TRANSITIONAL INDEPENDENT LIVING PROGRAMS

Section

R21-5-201. Definitions

R21-5-205. ~~Out-of-home Care~~ Services for Foster Youth 18 through 20 Years of Age ~~in Out-of-home Care~~

ARTICLE 2. INDEPENDENT LIVING AND TRANSITIONAL INDEPENDENT LIVING PROGRAMS

R21-5-201. Definitions

The following definitions apply to this Article:

1. “Active participation” means the foster youth is demonstrating efforts toward completion of case plan goals such as regular attendance at school or employment that results in school credits or earned wages.
2. “Aftercare services” means assistance and support available to eligible, former foster youth living in Arizona after the Department, tribal foster care, or other state foster care case is dismissed, and includes services available through the Transitional Independent Living Program.
3. “Age of majority” means that a person is at least 18 years old.



4. "Approved living arrangement" means a residence that has been reviewed by the assigned Child Safety Worker or other responsible agency staff and approved within the individual case plan.
5. "Arizona Young Adult Program" means a group of programs and services designed to assist eligible youth to make a successful transition to adulthood. The programs and services include Independent Living Services, the Independent Living Subsidy Program, Voluntary Out-of-home Care for Foster Youth 18 through 20 Years of Age, and the Transitional Independent Living Program.
6. "Child placing agency" means the same as in A.R.S. § 8-501(A)(1)(a)(iii), and includes a Child Welfare Agency that OLR licenses as a Placing Agency to place a child in a licensed foster home, or facility.
7. "Child Welfare Agency" means the same as in A.R.S. § 8-501.
8. "Child Safety Worker" means the same as in A.R.S. § 8-801.
9. "Custody of the Department" means that the foster youth:
 - a. Is in out-of-home care under the supervision of the Department while the subject of a dependency petition, as an adjudicated dependent, or placed voluntarily under A.R.S. § 8-806; or
 - b. Is 18, 19, or 20 years of age, a resident of Arizona, and has signed an individual case plan agreement for voluntary out-of-home care. This includes foster youth who were dually adjudicated (dependent and delinquent) and released from a secure setting prior to, or on the foster youth's ~~18th~~ 19th birthday.
10. "Department" or "DCS" means the Arizona Department of Child Safety.
11. "Eligible youth" means a person who meets the qualifications in A.R.S. § 8-521 for the Independent Living Program, the qualifications in A.R.S. § 8-521.01 for the Transitional Independent Living Program, or is a person who was formerly in another state's child welfare program who would otherwise be eligible.
12. "Employment" means:
 - a. Paid employment;
 - b. Participation in employment-readiness activities, which include career assessment and exploration, and part time enrollment in an employment or career readiness education program;
 - c. Volunteer positions;
 - d. Job-shadowing;
 - e. Internship; or
 - f. Other paid or unpaid employment-related activities.
13. "Extraordinary purchase" means an expenditure by an eligible youth that impedes an eligible youth's ability to meet the financial obligations outlined in the eligible youth's budget.
14. "Foster youth" means a person in the custody of the Department.
15. "Full-time student" means an eligible youth enrolled in an education program identified by the program as being full-time due to the number of credits, credit hours, or other measure of enrollment.
16. "Independent Living Program" means the program authorized by A.R.S. § 8-521 to provide an Independent Living Subsidy and educational case management to a foster youth.
17. "Independent Living Services" or "IL Services" means an array of assistance and support services, including those provided under the Independent Living Program, that the Department provides, contracts, refers, or otherwise arranges that are designed to help a foster youth transition to adulthood by building skills and resources necessary to ensure personal safety, well-being, and permanency into adulthood.
18. "Independent Living Subsidy" or "IL Subsidy" means a monthly stipend provided under the Independent Living Program to a foster youth, to assist in meeting monthly living expenses. This stipend replaces any foster care maintenance payment from the Department for support of the foster youth's daily living expenses.
19. "Individual case plan" means an agreement between an eligible foster youth and the Department, directed by the foster youth that documents specific services and assistance that support the foster youth's goals in relation to:
 - a. Natural supports including permanent connections to and relationships with family and community, including peer and community mentors;
 - b. A safe, stable, desired living arrangement, which may include a permanent arrangement such as guardianship or adoption;
 - c. Daily living skills;
 - d. Secondary and postsecondary education and training;
 - e. Employment and career planning;
 - f. Physical health, including reproductive health;
 - g. Life care planning;
 - h. Emotional health;
 - i. Mental health;
 - j. Spiritual or faith needs;
 - k. Interpersonal relationships; and
 - l. Age-appropriate extra-curricular, enrichment, and social activities.
20. "Individual service plan" means an agreement that is directed by an eligible youth in the TIL Program that documents specific services and assistance to support the eligible youth's goals including, as applicable:
 - a. Financial,
 - b. Housing,
 - c. Counseling,
 - d. Employment,
 - e. Education, and
 - f. Other appropriate support and services.



- 21. "Life skills assessment" means a measure of an eligible youth's ability to function in a variety of areas such as daily living skills, knowledge of community resources, and budgeting, as determined by a validated assessment tool.
- 22. "Medical professional" means a doctor of medicine or osteopathy, physician's assistant, or registered nurse practitioner licensed in A.R.S. Title 32, or a doctor of medicine licensed and authorized to practice in another state or foreign country. A medical professional from another state or foreign country must provide verification of valid and current licensure in that state or country.
- 23. "Misuse of funds" means that an eligible youth has expended money provided by the Department for specific purposes (such as education or living expenses) on an item that is not permitted by law (such as illegal drugs and alcohol), or on an extraordinary purchase that is not included in an approved budget or individual case or service plan, to the degree that the funds are not available for necessary items and purchases approved within the case plan, service plan, or budget.
- 24. "Natural supports" means relationships and connections that occur in everyday life, independent of formal services, with people or groups who provide personal or other support during a person's lifetime.
- 25. "Out-of-home care" means a placement approved by the Department such as a licensed foster home, residential group care facility operated by a Child Welfare Agency, therapeutic residential facility, independent living setting, approved unlicensed independent living setting, or in a relative or non-relative placement. Out-of-home care excludes a detention facility, forestry camp, training school, or any other facility operated primarily for the detention of a child who is determined delinquent.
- 26. "Personal Crisis" means an unexpected event or series of events in an eligible youth's life that prevents or impedes participation in scheduled services or activities.
- 27. "Residential group care facility" means a Child Welfare Agency that is licensed to receive more than five children for 24-hour social, emotional, or educational supervised care and maintenance at the request of a child, child placing agency, law enforcement agency, parent, guardian, or court. A residential group care facility provides care in a residential setting for children for an extended period of time.
- 28. "Responsible agency staff" means the assigned Child Safety Worker, another identified Department employee, or contracted staff.
- 29. "Service team members" means the eligible youth, the youth's attorney(s), the Guardian ad Litem (GAL), the Court Appointed Special Advocate (CASA), tribal child welfare staff, other parties to the dependency case, contract, or other service providers, responsible agency staff, and other adults involved with the youth or supporting the youth's activities or employment.
- 30. "Substantial non-compliance" means an eligible youth's:
 - a. Termination from an educational, vocational, or employment program due to lack of attendance or failure to make satisfactory progress as defined by the program for reasons unrelated to physical health including pregnancy, emotional, or mental health;
 - b. Persistent lack of communication during a 60-day period with the assigned Child Safety Worker or other responsible agency staff known to the youth that results in a loss of contact with the eligible youth, or interferes with the Department's ability to provide services and supervision or to document individual case plan or service plan progress;
 - c. Persistent misuse of funds provided to support individual case plan or service plan goals; or
 - d. For an eligible foster youth, failure to communicate unexpected changes in the living arrangement as agreed to in the individual case plan or the Independent Living Subsidy agreement.
- 31. "Transitional Independent Living Program" or "TIL Program" means a program of services for residents of Arizona who are eligible youth under A.R.S. § 8-521.01, that provides assistance and support in counseling, education, vocation, employment, and the attainment or maintenance of housing.
- 32. "Transitional Independent Living Services" or "TIL Services" means those services the Department provides through the Transitional Independent Living Program under A.R.S. § 8-521.01, and may include assistance and support with health care, money management, housing, counseling, education, vocational training, and employment. The Department or its contractors provide services through a written agreement with the eligible youth.
- 33. "Validated assessment tool" means a written or verbal survey tool that can demonstrate empirical evidence for reliability and validity.
- 34. "Work day" means Monday through Friday, excluding Arizona state holidays.
- 35. "Young Adult Transitional Insurance" means a category of health care coverage under the state Medicaid program (Arizona Health Care Cost Containment System or AHCCCS) for Medicaid eligible youth who have reached the age of majority in foster care.

R21-5-205. Out-of-home Care Services for Foster Youth 18 through 20 Years of Age in ~~Out-of-home Care~~

- A. The Department may provide out-of-home care services and supervision to a foster youth less than 21 years of age, who reached the age of 18 years while in the custody of the Department, and was either in out-of-home care; or in secure care, as defined by A.R.S. § 8-201(31), through a delinquency action, when the foster youth:
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
- B. No change
 - 1. No change
 - 2. No change
 - 3. No change
- C. No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change



- D. No change
- E. No change
 - 1. No change
 - 2. No change
 - 3. No change



NOTICES OF RULEMAKING DOCKET OPENING

This section of the Arizona Administrative Register contains Notices of Rulemaking Docket Opening.

A docket opening is the first part of the administrative rulemaking process. It is an "announcement" that the agency intends to work on its rules.

When an agency opens a rulemaking docket to consider rulemaking, the Administrative Procedure Act (APA) requires the publication of the Notice of Rulemaking Docket Opening.

Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process. Many times an agency may file the Notice of Rulemaking Docket Opening with the Notice of Proposed Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these notices. Questions about the interpretation of this information should be directed to the agency contact person listed in item #4 of this notice.

NOTICE OF RULEMAKING DOCKET OPENING
DEPARTMENT OF HEALTH SERVICES
OCCUPATIONAL LICENSING

[R19-196]

- 1. Title and its heading: 9, Health Services
Chapter and its heading: 16, Department of Health Services - Occupational Licensing
Articles and their headings: 6, Radiation Technologists
Section numbers: R9-16-614 and R9-16-623 (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.) Title 9, Chapter 28, Article 2, provides for the certification of different classifications of radiation technologists. Laws 2017, Ch. 313, and Laws 2018, Ch. 234, made the Arizona Department of Health Services (Department) responsible for regulating radiation technologists, replacing the Arizona Radiation Regulatory Agency, the Radiation Regulatory Hearing Board, and the Medical Radiologic Technology Board of Examiners in these duties. Laws 2018, Ch. 234, also replaced application fees specified in statute with authority for the Department to set application fees through rulemaking. When the Department assumed responsibility for regulating radiation technologists, the Department discovered that the fees specified in the rules were insufficient to cover the expenses incurred by the Department in carrying out this function. Rules for certification of radiation technologists, formerly in Arizona Administrative Code (A.A.C.) Title 12, Chapter 2, have recently been re-adopted in 9 A.A.C. 16, Article 6, through expedited rulemaking. This rulemaking clarified and simplified requirements but did not change any fees. Therefore, after receiving an exception from the rulemaking moratorium established by Executive Order 2018-02, the Department is beginning a rulemaking to increase the application fees in R9-16-623 to cover the short-fall, add fees for applications for computed tomography preceptor certificates and computed tomography temporary certificates, and make other corresponding changes to the rules. The Department anticipates these changes will ensure sufficient funding for the Department to continue regulating radiation technologists in an efficient manner to protect the health and safety of Arizona's citizens. 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: Megan Whitby, Bureau Chief
Address: Department of Health Services
Public Health Licensing Services
150 N. 18th Ave., Suite 400
Phoenix, AZ 85007
Telephone: (602) 364-3052
Fax: (602) 364-2079
E-mail: Megan.Whitby@azdhs.gov
or
Name: Robert Lane, Chief
Address: 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 Rulemaking.

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
DEPARTMENT OF ENVIRONMENTAL QUALITY
ADMINISTRATION**

[R19-197]

- 1. Title and its heading:** 18, Environmental Quality
- Chapter and its heading:** 1, Department of Environmental Quality – Administration
- Article and its heading:** 5, Licensing Time-Frames
- Section numbers:** To be determined

2. The subject matter of the proposed rule:

The Arizona Department of Environmental Quality (ADEQ) is pursuing primary enforcement authority (primacy) from the Environmental Protection Agency (EPA) for the Underground Injection Control (UIC) regulatory program administered under the Safe Drinking Water Act (SDWA). ADEQ has previously sought primacy in the 1990s; but those efforts ultimately failed due to insufficient statutory and regulatory authority. In 2018 Senate Bill 1494 passed, giving ADEQ the requisite statutory authority to promulgating state-level UIC program rules under this docket.

ADEQ is constructing a new regulatory program to articulate compliance expectations, mandate regulatory duties, and identify the rights of those regulated in order to obtain federal approval to its primacy application. The rulemaking also simplifies and expedites duplicative regulation by uniting the overlapping compliance burden currently imposed by EPA under UIC and ADEQ under the Aquifer Protection Permit Program (APP) of ARS Title 18, Chapter 2, Article 3.

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 rule:

Name: Justine E. Miller, Legal Specialist
 Address: Department of Environmental Quality
 1110 W. Washington St.
 Phoenix, AZ 85007
 Telephone: (602) 771-2280
 Fax: (602) 771-2366
 E-mail: Justine.Miller@azdeq.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 Rulemaking.

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
DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER POLLUTION CONTROL**

[R19-198]

- 1. Title and its heading:** 18, Environmental Quality
- Chapter and its heading:** 9, Department of Environmental Quality – Water Pollution Control
- Article and its heading:** 1, Aquifer Protection Permits – General Provisions;
2, Aquifer Protection Permits – Individual Permits;
- Part and its heading:** 3, Aquifer Protection Permits – General Permits:
A, General Provisions;
B, Type 1 General Permits;
C, Type 2 General Permits;
D, Type 3 General Permits;
E, Type 4 General Permits
- Article and its heading:** 4, Nitrogen Management General Permits;
6, Repealed

2. The subject matter of the proposed rule:

The Arizona Department of Environmental Quality (ADEQ) is pursuing primary enforcement authority (primacy) from the Environmental Protection Agency (EPA) for the Underground Injection Control (UIC) regulatory program administered under the Safe Drinking Water Act (SDWA). ADEQ has previously sought primacy in the 1990s; but those efforts ultimately failed due to insufficient statutory and regulatory authority. In 2018 Senate Bill 1494 passed, giving ADEQ the requisite statutory authority to promul-



gating state-level UIC program rules under this docket.

ADEQ is constructing a new regulatory program to articulate compliance expectations, mandate regulatory duties, and identify the rights of those regulated in order to obtain federal approval to its primacy application. The rulemaking also simplifies and expedites duplicative regulation by uniting the overlapping compliance burden currently imposed by EPA under UIC and ADEQ under the Aquifer Protection Permit Program (APP) of ARS Title 18, Chapter 2, Article 3.

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 rule:

Name: Justine E. Miller, Legal Specialist
Address: Department of Environmental Quality
1110 W. Washington St.
Phoenix, AZ 85007
Telephone: (602) 771-2280
Fax: (602) 771-2366
E-mail: Justine.Miller@azdeq.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 Rulemaking.

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
DEPARTMENT OF ENVIRONMENTAL QUALITY
PERMITS AND COMPLIANCE FEES**

[R19-199]

- 1. Title and its heading:** 18, Environmental Quality
- Chapter and its heading:** 14, Department of Environmental Quality – Permits and Compliance Fees
- Article and its heading:** 1, Water Quality Protection Fees
- Section numbers:** To be determined

2. The subject matter of the proposed rule:

The Arizona Department of Environmental Quality (ADEQ) is pursuing primary enforcement authority (primacy) from the Environmental Protection Agency (EPA) for the Underground Injection Control (UIC) regulatory program administered under the Safe Drinking Water Act (SDWA). ADEQ has previously sought primacy in the 1990s; but those efforts ultimately failed due to insufficient statutory and regulatory authority. In 2018 Senate Bill 1494 passed, giving ADEQ the requisite statutory authority to promulgating state-level UIC program rules under this docket.

ADEQ is constructing a new regulatory program to articulate compliance expectations, mandate regulatory duties, and identify the rights of those regulated in order to obtain federal approval to its primacy application. The rulemaking also simplifies and expedites duplicative regulation by uniting the overlapping compliance burden currently imposed by EPA under UIC and ADEQ under the Aquifer Protection Permit Program (APP) of ARS Title 18, Chapter 2, Article 3.

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 rule:

Name: Justine E. Miller, Legal Specialist
Address: Department of Environmental Quality
1110 W. Washington St.
Phoenix, AZ 85007
Telephone: (602) 771-2280
Fax: (602) 771-2366
E-mail: Justine.Miller@azdeq.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 Rulemaking.

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

To be announced in the Notice of Proposed Rulemaking.



GOVERNOR EXECUTIVE ORDER

Executive Order 2019-01 is being reproduced in each issue of the *Administrative Register* as a notice to the public regarding state agencies' rulemaking activities.

This order has been reproduced in its entirety as submitted.

EXECUTIVE ORDER 2019-01**Moratorium on Rulemaking to Promote Job Creation and Customer-Service-Oriented Agencies; Protecting Consumers Against Fraudulent Activities**

[M19-04]

WHEREAS, government regulations should be as limited as possible; and

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

WHEREAS, protecting the public health, peace and safety of the residents of Arizona is a top priority of state government; 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, 2017 and 2018; and

WHEREAS, the State of Arizona eliminated or repealed 422 needless regulations in 2018 and 676 in 2017 for a total of 1,098 needless regulations eliminated or repealed over two years; and

WHEREAS, estimates show these eliminations saved job creators more than \$31 million in operating costs in 2018 and \$48 million in 2017 for a total of over \$79 million in savings over two years; and

WHEREAS, approximately 283,300 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 to conduct 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 while protecting the health, peace and safety of residents; and

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

1. 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 justifications 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 which are antiquated, redundant or otherwise no longer necessary for the operation of state government.
2. 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.
3. A State agency subject to this Order and which issues occupational or professional licenses shall review the agency's rules and practices related to receiving and acting on substantive complaints about unlicensed individuals who are allegedly holding them-



selves out as licensed professionals for financial gain and are knowingly or recklessly providing or attempting to provide regulated services which the State agency director believes could cause immediate and/or significant harm to either the financial or physical health of unknowing consumers within the state. Agencies shall identify and execute on opportunities to improve its complaint intake process, documentation, tracking, enforcement actions and coordination with proper law enforcement channels to ensure those allegedly trying to defraud unsuspecting consumers and putting them at risk for immediate and/or significant harm to their financial or physical health are stopped and effectively diverted by the State agency to the proper law-enforcement agency for review. A written plan on the agency’s process shall be submitted to the Governor’s Office no later than May 31, 2019.

4. For the purposes of this Order, the term “State agencies” includes, without limitation, all executive departments, agencies, offices, and all state boards and commissions, except for: (a) any State agency that is headed by a single elected State official; (b) the Corporation Commission; and (c) any board or commission established by ballot measure during or after the November 1998 general election. Those state agencies, boards and commissions excluded from this Order are strongly encouraged to voluntarily comply with this Order in the context of their own rulemaking processes.
5. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a State agency. For the purposes of this Order, “person,” “rule,” and “rulemaking” have the same meanings prescribed in section 41-1001, Arizona Revised Statutes.

IN WITNESS THEREOF, 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 ninth day of January in the Year Two Thousand and Nineteen and of the Independence of the United States of America the Two Hundred and Forty-Third.

ATTEST:
Katie Hobbs
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

XN = Exempt new Section
 XM = Exempt amended Section
 XR = Exempt repealed Section
 X# = Exempt renumbered Section

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

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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
April 12, 2019	May 3, 2019	June 3, 2019
April 19, 2019	May 10, 2019	June 10, 2019
April 26, 2019	May 17, 2019	June 17, 2019
May 3, 2019	May 24, 2019	June 24, 2019
May 10, 2019	May 31, 2019	July 1, 2019
May 17, 2019	June 7, 2019	July 8, 2019
May 24, 2019	June 14, 2019	July 15, 2019
May 31, 2019	June 21, 2019	July 22, 2019
June 7, 2019	June 28, 2019	July 29, 2019
June 14, 2019	July 5, 2019	August 5, 2019
June 21, 2019	July 12, 2019	August 12, 2019
June 28, 2019	July 19, 2019	August 19, 2019
July 5, 2019	July 26, 2019	August 26, 2019
July 12, 2019	August 2, 2019	September 3, 2019
July 19, 2019	August 9, 2019	September 9, 2019
July 26, 2019	August 16, 2019	September 16, 2019
August 2, 2019	August 23, 2019	September 23, 2019
August 9, 2019	August 30, 2019	September 30, 2019
August 16, 2019	September 6, 2019	October 7, 2019
August 23, 2019	September 13, 2019	October 15, 2019
August 30, 2019	September 20, 2019	October 21, 2019
September 6, 2019	September 27, 2019	October 28, 2019
September 13, 2019	October 4, 2019	November 4, 2019
September 20, 2019	October 11, 2019	November 12, 2019
September 27, 2019	October 18, 2019	November 18, 2019
October 4, 2019	October 25, 2019	November 25, 2019
October 11, 2019	November 1, 2019	December 2, 2019
October 18, 2019	November 8, 2019	December 9, 2019
October 25, 2019	November 15, 2019	December 16, 2019
November 1, 2019	November 22, 2019	December 23, 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 2019

[M19-05]

DEADLINE FOR PLACEMENT ON AGENDA*	FINAL MATERIALS SUBMITTED TO COUNCIL	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
<i>Tuesday</i> January 22, 2019	<i>Tuesday</i> February 19, 2019	<i>Tuesday</i> February 26, 2019	<i>Tuesday</i> March 5, 2019
<i>Tuesday</i> February 19, 2019	<i>Tuesday</i> March 19, 2019	<i>Tuesday</i> March 26, 2019	<i>Tuesday</i> April 2, 2019
<i>Tuesday</i> March 19, 2019	<i>Tuesday</i> April 23, 2019	<i>Tuesday</i> April 30, 2019	<i>Tuesday</i> May 7, 2019
<i>Tuesday</i> April 23, 2019	<i>Tuesday</i> May 21, 2019	Wednesday May 29, 2019	<i>Tuesday</i> June 4, 2019
<i>Tuesday</i> May 21, 2019	<i>Tuesday</i> June 18, 2019	<i>Tuesday</i> June 25, 2019	<i>Tuesday</i> July 2, 2019
<i>Tuesday</i> June 18, 2019	<i>Tuesday</i> July 23, 2019	<i>Tuesday</i> July 30, 2019	<i>Tuesday</i> August 6, 2019
<i>Tuesday</i> July 23, 2019	<i>Tuesday</i> August 20, 2019	<i>Tuesday</i> August 27, 2019	Wednesday September 4, 2019
<i>Tuesday</i> August 20, 2019	<i>Tuesday</i> September 17, 2019	<i>Tuesday</i> September 24, 2019	<i>Tuesday</i> October 1, 2019
<i>Tuesday</i> September 17, 2019	<i>Tuesday</i> October 22, 2019	<i>Tuesday</i> October 29, 2019	<i>Tuesday</i> November 5, 2019
<i>Tuesday</i> October 22, 2019	<i>Tuesday</i> November 19, 2019	<i>Tuesday</i> November 26, 2019	<i>Tuesday</i> December 3, 2019
<i>Tuesday</i> November 19, 2019	<i>Tuesday</i> December 24, 2019	<i>Tuesday</i> January 7, 2020	<i>Tuesday</i> January 14, 2020
<i>Tuesday</i> December 24, 2019	<i>Tuesday</i> January 21, 2020	<i>Tuesday</i> January 28, 2020	<i>Tuesday</i> February 4, 2020

* 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.