

GOVERNOR'S REGULATORY REVIEW COUNCIL

This section of the *Register* contains information submitted for publication by the Governor's Regulatory Review Council, including the tentative agendas for the monthly Council meetings and summaries of action taken by the Council at the meetings.

NOTICE OF ACTION TAKEN AT THE DECEMBER 2, 2008 MEETING

[M08-528]

CONSIDERATION AND APPROVAL OF FIVE-YEAR-REVIEW REPORTS:

1. **DEPARTMENT OF REVENUE (F-08-1202)**
Title 15, Chapter 4, Article 1, Property valuation; Article 2, Valuation of Mines; Article 3, Valuation of Airline Property; Article 4, Class Seven Limited Value and Assessment Ratio; Article 5, Valuation of Pipeline Companies
COUNCIL ACTION: APPROVED
2. **DEPARTMENT OF PUBLIC SAFETY (F-08-1204)**
Title 13, Chapter 1, Article 1, Criminal History Records; Article 2, ACJIS Network; Article 3, Arizona Crime Statistics; Article 4, Applicant Fingerprinting Process; Article 5, Department Records
COUNCIL ACTION: APPROVED
3. **ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) (F-08-1206)**
Title 9, Chapter 31, Article 11, Civil Monetary Penalties and Assessments
COUNCIL ACTION: APPROVED
4. **ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) (F-08-1207)**
Title 9, Chapter 28, Article 10, Civil Monetary Penalties and Assessments
COUNCIL ACTION: APPROVED
5. **ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) (F-08-1208)**
Title 9, Chapter 22, Article 11, Civil Monetary Penalties and Assessments
COUNCIL ACTION: APPROVED
6. **GAME AND FISH COMMISSION (R-08-1209)**
Title 12, Chapter 4, Article 1 Definitions and General Provisions
COUNCIL ACTION: APPROVED

CONSIDERATION AND APPROVAL OF RULES:

1. **BOARD OF NURSING (R-08-1001)**
Title 4, Chapter 19, Article 1, Definitions and Time-frames; Article 4, Regulation; Article 5, Advanced and Extended Nursing Practice; Article 8, Certified Nursing Assistants
Amend: R4-19-101, R4-19-102, Table 1, R4-19-401, R4-19-403, R4-19-404, R4-19-509, and R4-19-814
Repeal: R4-19-402
New Section: R4-19-402 and R4-19-405
COUNCIL ACTION: APPROVED
2. **STATE LAND DEPARTMENT (R-08-1201)**
Title 12, Chapter 5, Article 4, Sales
Amend: R12-5-408
COUNCIL ACTION: APPROVED
3. **BOARD OF BEHAVIORAL HEALTH EXAMINERS (R-08-1203)**
Title 4, Chapter 6, Article 3, Licensure; Article 8, License Renewal and Continuing Education
Amend: R4-6-305 and R4-6-801
COUNCIL ACTION: APPROVED

4. DEPARTMENT OF ENVIRONMENTAL QUALITY (R-08-1204)

Title 18, Chapter 11, Article 1, Water Quality Standards for Surface Waters

Repeal: Table 1, Table 2, Table 3, Table 4, and Table 5

Amend: R18-11-101, R18-11-102, R18-11-107, R18-11-108, R18-11-109, R18-11-110, R18-11-111, R18-11-112, R18-11-113, R18-11-114, R18-11-116, R18-11-117, R18-11-118, R18-11-121, R18-11-122, R18-11-123, Appendix A, Table 7, Table 8, Table 9, Table 10, Table 11, Table 12, Table 13, Table 14, Table 15, Table 16, Table 17, Table 18, Table 20, Table 21, Table 22, Table 23, Table 24, Table 25, Table 26, and Appendix B

New Section: R18-11-107.01, R18-11-108.01, R18-11-108.02, R18-11-108.03, and R18-11-115

New Table: Table 1, Table 2, Table 3, Table 4, Table 5, Table 6, and Table 19

New Appendix: Appendix C

Renumber: Table 6, Table 9, Table 10, Table 11, Table 12, Table 13, Table 14, Table 15, Table 18, Table 19, Table 21, Table 22, Table 23, Table 24, Table 25, and Table 26

COUNCIL ACTION: APPROVED

5. DEPARTMENT OF HEALTH SERVICES (R-08-1205)

Title 9, Chapter 6, Article 1, General

New Section: R9-6-103

COUNCIL ACTION: APPROVED

6. INDUSTRIAL COMMISSION OF ARIZONA (R-08-1206)

Title 20, Chapter 5, Article 1, Workers' Compensation Practice and Procedure

Amend: R20-5-101

COUNCIL ACTION: APPROVED

7. ARIZONA CRIMINAL JUSTICE COMMISSION (R-08-1207)

Title 10, Chapter 4, Article 4, Drug and Gang Enforcement Account Administrative Program

Amend: Article 4, R10-4-401, R10-4-403, R10-4-404, and R10-4-406

Renumber: R10-4-402, R10-4-403, R10-4-404, and R10-4-406

New Section: R10-4-402 and R10-4-405

COUNCIL ACTION: APPROVED

8. DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS (R-08-1211)

Title 8, Chapter 2, Article 7, Registration of Emergency Workers

New Article: Article 7

New Section: R8-2-701, R8-2-702, R8-2-703, and R8-2-704

COUNCIL ACTION: APPROVED

9. DEPARTMENT OF PUBLIC SAFETY (R-08-1212)

Title 13, Chapter 9, Article 1, General Provisions; Article 2, Concealed-Weapons Permit: Application; Renewal; Responsibilities; Article 3; Firearms-Safety Training: Organizations and Instructors; Article 4, Certificate of Firearms Proficiency; Article 5, Leosa-Recognized Instructors; Article 6, Hearings and Disciplinary Proceedings

Amend: R13-9-101, R13-9-102, R13-9-103, R13-9-104, Table 1, Article 2, R13-9-201, R13-9-202, R13-9-203, R13-9-204, R13-9-206, R13-9-208, R13-9-302, R13-9-305, R13-9-307, R13-9-308, R13-9-309, R13-9-310, R13-9-402, R13-9-403, R13-9-404, R13-9-501, R13-9-502, and R13-9-601

COUNCIL ACTION: APPROVED

10. DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS (R-08-1213)

Title 8, Chapter 5, Article 1, Project ChalleNGe

New Article: Article 1

New Section: R8-5-101, R8-5-102, R8-5-103, R8-5-104, R8-5-105, and R8-5-106

COUNCIL ACTION: APPROVED

11. DEPARTMENT OF HEALTH SERVICES (R-08-1215)

Title 9, Chapter 6, Article 1, General

Amend: R9-6-102

COUNCIL ACTION: APPROVED

12. DEPARTMENT OF HEALTH SERVICES (R-08-1216)

Title 9, Chapter 10, Article 2, Hospitals

Amend: R9-10-201, R9-10-202, and R9-10-203

New Section: R9-10-234

COUNCIL ACTION: APPROVED

13. DEPARTMENT OF ENVIRONMENTAL QUALITY (R-08-1217)

Title 18, Chapter 5, Article 1, Classification of Water and Wastewater Facilities and Certification of Operators

Amend: R18-5-105 and R18-5-109

COUNCIL ACTION: APPROVED

**NOTICE OF PUBLIC MEETING AND AGENDA
FOR JANUARY 6, 2009**

[M08-529]

Pursuant to A.R.S. § 38-431.02, notice is hereby given to members of the Governor's Regulatory Review Council and to the general public that the Governor's Regulatory Review Council will hold a regular meeting, open to the public on **Tuesday, January 6, 2009 at 9:00 a.m.** in the board room of the Arizona Peace Officer Standards & Training Board, 2643 E. University Drive, Phoenix, AZ. For additional information, call the Governor's Regulatory Review Council office at (602) 542-1967.

At its discretion, the Council may consider and act upon any agenda item out of order. Members of the Council may appear by telephone.

Under A.R.S. § 38-431.03(A)(3), the Governor's Regulatory Review Council may vote to go into executive session, which will not be open to the public, for the purpose of obtaining legal advice on any item on the agenda.

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting (602) 542-1967. Requests should be made as early as possible to allow time to arrange the accommodation.

A copy of the material provided to Council members (with the exception of material relating to possible executive sessions) is available for public inspection at the Council's office, located at 100 N. 15th Ave., Suite 402, Phoenix, AZ 85007.

The agenda for the meeting is as follows: (This agenda is subject to change up to 24 hours before the meeting.)

A. CALL TO ORDER

B. DISCUSSION AND APPROVAL OF MINUTES

1. December 4, 2008

C. DISCLOSURE OF CONFLICTS OF INTEREST

D. CONSIDERATION AND APPROVAL OF FIVE-YEAR-REVIEW REPORTS:

The Council will consider five-year reports filed under A.R.S. 41-1056 and may approve or return the reports, in whole or in part. The Council may request information from the agency or members of the public.

1. WATER QUALITY APPEALS BOARD (F-08-1201)

Title 2, Chapter 17, Article 1, Appeals

2. RADIATION REGULATORY AGENCY (F-08-1203)

Title 12, Chapter 1, Article 5, Sealed Source Industrial Radiography; Article 11, Industrial Uses of X-Rays, Not including Analytical X-Ray Systems

3. DEPARTMENT OF AGRICULTURE (F-09-0101)

Title 3, Chapter 3, Article 1, General Provisions; Article 2, Permits, Licenses, and Certification; Article 3, Pesticide Use, Sales, and Equipment; Article 4, Recordkeeping and Reporting; Article 5, Nonexclusive List of Serious, Non-serious, and De Minimis Violations

E. CONSIDERATION AND APPROVAL OF RULES:

The Council will consider rule packages filed under A.R.S. 41-1052 and may approve or return the packages, in whole or in part. The Council may request information from the agency or members of the public.

1. DEPARTMENT OF ECONOMIC SECURITY (R-08-1202)

Title 6, Chapter 3, Article 18, Benefits

Amend: R6-3-1810

2. DEPARTMENT OF TRANSPORTATION (R-08-1208)

Title 17, Chapter 8, Article 5, Electronic Fuel Tax Reporting

New Article: Article 5

New Section: R17-8-501, R17-8-502, R17-8-503, R17-8-504, R17-8-505 and R17-8-506

3. DEPARTMENT OF TRANSPORTATION (R-08-1209)

Title 17, Chapter 8, Article 4, Electronic Funds Transfers

New Article: Article 4

New Section: R17-8-401, R17-8-402, R17-8-403, R17-8-404 and R17-8-405

4. DEPARTMENT OF TRANSPORTATION (R-08-1210)

Title 17, Chapter 1, Article 4, Electronic Funds Transfer

Repeal: Article 4, R17-1-401, R17-1-402, R17-1-403, R17-1-404, R17-1-405, R17-1-406 and R17-1-407

5. DEPARTMENT OF ENVIRONMENTAL QUALITY (R-08-1214)

Title 18, Chapter 2, Article 6, Emissions From Existing and New Nonpoint Sources

Amend: R18-2-608

6. DEPARTMENT OF ENVIRONMENTAL QUALITY (R-09-1218)

Title 18, Chapter 2, Article 2, Ambient Air Quality Standards; Area Designations; Classifications; Article 7, Existing Stationary Source Performance Standards

Repeal: Appendix 10 and Appendix 11

Amend: R18-2-216, R18-2-703, R18-2-708, R18-2-711, R18-2-712, R18-2-713, R18-2-715, R18-2-716, R18-2-717, R18-2-719, R18-2-720, R18-2-721, R18-2-722, R18-2-724 and R18-2-730

7. DEPARTMENT OF ENVIRONMENTAL QUALITY (R-09-0101)

Title 18, Article 7, Chapter 4, Greenfields Pilot Program

Repeal: Article 4 and R18-7-401

8. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) (R-09-0103)

Title 9, Chapter 22, Article 1001, Definitions; Article 1002, General Provisions; Article 1003, Cost Avoidance; Article 1004, Member Participation; Article 1007, Notification for Perfection, Recording, and Assignment of AHCCCS Liens; Article 1008, Notification Information for Liens.

Amend: R9-22-1001, R9-22-1002, R9-22-1003, R9-22-1004, R9-22-1007, R9-22-1008

9. BOARD OF PHARMACY (R-09-0104)

Title 4, Chapter 23, Article 2, Pharmacist Licensure

Amend: R4-23-205

10. ARIZONA DEPARTMENT OF ADMINISTRATION (R-09-0105)

Title 2, Chapter 6, Article 1, General Provisions; Article 2, Insurance Plans; Article 3, Eligibility Criteria; Article 4, Appeals and Grievances

New Article: Article 1, Article 2, Article 3 and Article 4

New Section: R2-6-101, R2-6-102, R2-6-103, R2-6-104, R2-6-105, R2-6-106, R2-6-107, R2-6-108, R2-6-201, R2-6-202, R2-6-203, R2-6-204, R2-6-205, R2-6-301, R2-6-302, R2-6-303, R2-6-402 and R2-6-402

11. DEPARTMENT OF PUBLIC SAFETY (R-09-0106)

Title 13, Chapter 1, Article 1, Criminal History Records

Amend: R13-1-101, R13-1-102, R13-1-106, R13-1-108 and R13-1-111

Renumber: R13-1-109 and R13-1-111

New Section: R13-1-109 and R13-1-110

12. DEPARTMENT OF HEALTH SERVICES (R-09-0107)

Title 9, Chapter 6, Article 1, General

Repeal: Exhibit I-A

Amend: R9-6-101

13. DEPARTMENT OF ADMINISTRATION (R-09-0108)

Title 2, Chapter 5, Article 1, General; Article 4, Benefits

Repeal: R2-5-415, R2-5-416, R2-5-417, R2-5-418, R2-5-419, R2-5-420, R2-5-421 and R2-5-422

Amend: Article 1, R2-5-101 and Article 4

Renumber: R2-5-415 and R2-5-423

14. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) (R-09-0109)

Title 9, Chapter 22, Article 19, Freedom to Work

Repeal: R9-22-1909, R9-22-1910, R9-22-1911, R9-22-1912, R9-22-1914, R9-22-1916, R9-22-1917 and R9-22-1920

Amend: R9-22-1902, R9-22-1903, R9-22-1904, R9-22-1905, R9-22-1907, R9-22-1908, R9-22-1913, R9-22-1915 and R9-22-1919

New Section: R9-22-1909

15. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) (R-09-0110)

Title 9, Chapter 28, Article 13, Freedom to Work

Repeal: R9-28-1309, R9-28-1310, R9-28-1311, R9-28-1312, R9-28-1314, R9-28-1315, R9-28-1317, R9-28-1318, R9-28-1319 and R9-28-1322

Amend: R9-28-1301, R9-28-1302, R9-28-1303, R9-28-1304, R9-28-1305, R9-28-1307, R9-28-1308, R9-28-1313, R9-28-1316, R9-28-1320

New Section: R9-28-1309