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Arizona Administrative Register

A weekly publication of the Secretary of State

Volume 17, Issue 1

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Director
Public Services Division

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Secretary of State

KIM CRAWFORD
Editor
Arizona Administrative Register

GENERAL INFORMATION

Arizona Administrative Register

The *Arizona Administrative Register* (A.A.R.) is an official publication of the state of Arizona and contains the rulemaking activity of the state's agencies, including proposed, final, emergency, summary, and exempt rules. The Secretary of State's Office prints the *Register* weekly. Rulemakings initiated under the Administrative Procedure Act as effective January 1, 1995, include the full text. In addition, the *Register* contains the full text of the Governor's Executive Orders and Proclamations of general applicability, summaries of Attorney General opinions, notices of rules terminated by the agency, and the Governor's appointments of state officials and members of state boards and commissions. Other documents may be included if the documents are concerned with rulemaking or if state statute requires that they be published in the *Register*.

A full schedule of deadline and publication dates appears in the back of this issue. A schedule of deadlines for the Governor's Regulatory Review Council is also listed.

Within each type of rulemaking category, rules are listed in the same numerical order in which they appear in the *Arizona Administrative Code* (A.A.C.).

The *Arizona Administrative Register* is cited by volume and page number and issue date. Pagination of the *Register* is consecutive throughout each volume year. An index to rulemaking activity is published in each issue and is cumulated every six months in a separately published index. The Office also publishes biennially an index to the Governor's documents, the Attorney General's summaries of opinions, and the Governor's appointments to boards and commissions.

Filing Number

Each rulemaking package is assigned a filing number. This number, enclosed in brackets, is located in the upper right-hand corner of the published rules in the *Register*. Each number is preceded by the letter "R" and the year the rulemaking package was filed with the Office. Miscellaneous notices are preceded by the letter "M" and the year the notice was filed with the Office.

Arizona Administrative Code

The *Arizona Administrative Code* (A.A.C.) is an official publication of the state of Arizona. The A.A.C. contains all rules promulgated by the regulatory agencies of the state and filed with the Secretary of State after either certification by the Attorney General if initiated before January 1, 1995, or approval by either the Governor's Regulatory Review Council or the Attorney General, as appropriate, if initiated after January 1, 1995. The *Code* also contains rules exempt from the rulemaking process or exempt from certification or approval.

The A.A.C. uses a hyphenated numbering system. Each rule (Section) number is preceded by the letter "R" indicating "Rule." The first number following the letter "R" indicates the Title (subject area) in which the rule appears. The middle number indicates the Chapter (agency). The last number indicates the rule number. For example: A.A.C. R18-2-101 is the citation for Section 101 of Chapter 2 of Title 18 of the *Code*.

Publication of a rule in the *Arizona Administrative Code* is prima facie evidence of the making, amendment, or repeal of that rule as provided by A.R.S. § 41-1012.

The full text of all rules printed is available for inspection in the Office of the Secretary of State, 1700 West Washington, 7th Floor, and at the promulgating agency. In addition, the *Arizona Administrative Code* supplements, published four times each year, contain the full text of rules on which changes were adopted during each calendar quarter.

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

Persons requiring alternate formats must contact the Secretary of State's ADA Coordinator at (602) 542-4285 or TDD (602) 255-8683.

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PUBLIC PARTICIPATION IN THE RULEMAKING PROCESS

The public is encouraged to participate in the rulemaking process by which administrative rules are made, amended, or repealed. Listed below are some of the ways in which to participate (references are to the *Arizona Revised Statutes* (A.R.S.), a compilation of the laws of the state of Arizona).

- By inspecting a copy of the Notice of Proposed Rulemaking filed with the Secretary of State, Public Services Division, for publication in the *Arizona Administrative Register*. (See A.R.S. § 41-1022.)
- By making oral comments, if an oral proceeding or a public hearing is held, or written comments to the agency proposing the rule. In order for the agency to consider your comments, the agency must receive them by the close of record. Your comments must reach the agency within the 30-day comment period following *Register* publication of the Notice of Proposed Rulemaking. Send your comments to the agency representative whose name and address are printed in the Notice of Proposed Rulemaking. (See A.R.S. § 41-1022.)
- By requesting, in writing, an oral proceeding on a proposed rule within 30 days after the Notice of Proposed Rulemaking has been published in the *Register* if the agency has not scheduled a proceeding. (See A.R.S. § 41-1023.)
- By submitting to the Governor's Regulatory Review Council written comments that are relevant to the Council's power to review a given rule (see 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.
- By petitioning an agency to make, amend, or repeal a rule. The agency must respond to the petition. (See A.R.S. § 41-1033.)

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING BOARD OF TECHNICAL REGISTRATION

Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Laws 2010, Ch. 287, § 18. (See the text of § 18 on page 5.) The Governor's Office authorized the notice to proceed through the rulemaking process on November 16, 2010.

[R10-182]

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 30, Board of Technical Registration
Section numbers: R4-30-103, R4-30-122, R4-30-204, R4-30-212, R4-30-214, R4-30-271, R4-30-272, R4-30-301, R4-30-305 (Sections may be added, deleted or modified as necessary.)
- 2. The subject matter of the proposed rule:**
The Board proposes to amend its rules related to the remediation of drug laboratories in order to incorporate new techniques and improved industry standards to best protect the public. The Board proposes to amend its rules related to the registration of architects in order to incorporate a new national testing time-frame standard and eliminate potential conflicts.
- 3. A citation to all published notices relating to the proceeding:**
Not applicable
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Melissa Cornelius, Deputy Director
Address: Board of Technical Registration
1110 W. Washington St., Suite 240
Phoenix, AZ 85007
Telephone: (602) 364-4930
Fax: (602) 364-4931
E-mail: melissa.cornelius@azbtr.gov
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written, oral, facsimile or e-mailed comments will be accepted from 8:00 a.m. to 5:00 p.m., Monday through Friday, at 1110 W. Washington St., Suite 240, Phoenix, AZ 85007, for 30 days from the publication of the Notice of Proposed Rulemaking, or until the close of record, whichever is later.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
None

NOTICES OF PUBLIC INFORMATION

Notices of Public Information contain corrections that agencies wish to make to their notices of rulemaking; miscellaneous rule-making information that does not fit into any other category of notice; and other types of information required by statute to be published in the *Register*. Because of the variety of material that is contained in a Notice of Public Information, the Office of the Secretary of State has not established a specific format for these notices.

NOTICE OF PUBLIC INFORMATION

LAWS 2010, CH. 287

Revisions to the Rulemaking Process in the Administrative Procedures Act Extension of the Rulemaking Moratorium Through Fiscal Year 2011

[M10-191]

1. Reason for the Notice of Public Information:

Laws 2010, Ch. 287 revised the Administrative Procedure Act and extended the moratorium on rulemaking through fiscal year 2011

2. Effective date of Laws 2010, Ch. 287:

July 29, 2010

3. Summary of Laws 2010, Ch. 287:

Revises the rulemaking process by expanding the use of summary rulemaking, authorizing a general permit and expanding the role of the governor's Office of Strategic Planning and Budgeting.

Requires the rule's benefits to outweigh its probable costs and the agency to demonstrate it selected the least burdensome and costly alternative. (Strikes the requirement for this to be by clear and convincing evidence).

Expands the requirements for the Economic, Small Business and Consumer Impact Statement.

For the agency's five-year review, requires a determination that the rule imposes the least burden and cost to the regulated community.

During an appeal of an agency rule, outlines an additional reason for filing an objection.

Extends the rulemaking moratorium on rulemaking through fiscal year 2011

(Excerpted from Arizona House of Representatives House Majority Research Memorandum of April 28, 2010. Available online at www.azleg.gov.)

4. Contact for rulemaking moratorium questions:

Communications regarding exceptions to the moratorium, or questions regarding the moratorium generally, should be addressed to Richard Bark, Deputy Chief of Staff, Policy, at rbark@az.gov.

5. Location of full text of Laws 2010, Ch. 287:

The entire text of Laws 2010, Ch. 287 is available online at www.azsos.gov under Legislative Filings.

NOTICES OF AGENCY GUIDANCE DOCUMENTS

The Administrative Procedure Act requires the publication of guidance documents and substantive policy statements issued by agencies (A.R.S. § 41-1013(B)(14)). Substantive policy statements and guidance documents are written expressions which inform the general public of an agency's current approach to rule or regulation practice. Substantive policy statements and agency guidance documents do not include internal procedural documents which may only affect the internal procedures of the agency and do not impose additional requirements or penalties on regulated parties in accordance with A.R.S. Title 41.

NOTICE OF AGENCY GUIDANCE DOCUMENT

DEPARTMENT OF HEALTH SERVICES

[M10-482]

- 1. Title of the guidance document and the guidance document number by which the document is referenced:**
GD-099-PHS-EMS: Certificates of Necessity for Ambulance Service
- 2. Date of the publication of the guidance document and the effective date of the document if different from the publication:**
Date of publication: January 7, 2011
Effective date: December 15, 2010 (date of filing)
- 3. Summary of the contents of the guidance document:**
The guidance document provides information about how ambulance services are regulated in Arizona and a description of the certificate of necessity system for ambulance services.
- 4. A statement as to whether the guidance document is a new document or a revision:**
The guidance document is a new document.
- 5. The name and address of the person to whom questions and comments about the guidance document may be directed:**
Name: Terry Mullins, Bureau Chief
Address: Department of Health Services
Bureau of Emergency Medical Services and Trauma System
150 N. 18th Ave., Suite 540
Phoenix, AZ 85007-3248
Telephone: (602) 364-3150
Fax: (602) 364-3568
E-mail: mullint@azdhs.gov
or
Name: Thomas Salow, Acting Manager
Address: Department of Health Services
Office of Administrative Counsel and Rules
1740 W. Adams St., Suite 203
Phoenix, AZ 85007
Telephone: (602) 364-1935
Fax: (602) 364-1150
E-mail: salowt@azdhs.gov
- 6. Information about where a person may obtain a copy of the guidance document and the costs for obtaining the document:**
The guidance document is available, free of charge, on the Arizona Department of Health Services web site at http://www.azdhs.gov/diro/admin_rules/guidance.htm. Copies of the guidance document may also be obtained from the Arizona Department of Health Services, Bureau of Emergency Medical Services and Trauma System, 150 N. 18th Ave., Suite 540, Phoenix, AZ 85007, for 25 cents per page. Payment is accepted in cash or money order made payable to the Arizona Department of Health Services.

**EXECUTIVE ORDERS, PROCLAMATIONS OF
GENERAL APPLICABILITY, AND STATEMENTS
ISSUED BY THE GOVERNOR
PURSUANT TO A.R.S. § 41-1013(B)(3)**

The Administrative Procedure Act (APA) requires the full-text publication of all Executive Orders and Proclamations of General Applicability issued by the Governor. In addition, the *Register* shall include each statement filed by the Governor in granting a commutation, pardon or reprieve, or stay or suspension of execution where a sentence of death is imposed. With the exception of egregious errors, content (including spelling, grammar, and punctuation) of these orders has been reproduced as submitted.

*** GLENDALE BULLDOGS CHAMPIONSHIP DAY ***

[M10-470]

WHEREAS, the Glendale Bulldogs Football Team is the eldest existing minor league football organization in the State of Arizona, founded in 1994; and

WHEREAS, the Bulldogs provide excitement for the State and local fans of the sport; and

WHEREAS, having the Copper State Football League and the Bulldogs in Arizona is a source of pride for Arizonans and they have helped place Arizona positively in the national spotlight in 2010; and

WHEREAS, the Bulldogs believed in themselves, worked hard and became the undefeated 2010 State Football Champions for the third time; and

WHEREAS, the Bulldogs appeared in the 2010 AAA Minor League National Football Championship for the first time in the organization's history; and

WHEREAS, the Glendale Bulldogs Football Team and the Kinion Family, in particular, have, for many years contributed positively and charitably to the City of Glendale and State of Arizona; and

WHEREAS, Bulldogs fans, players, coaches, and staff deserve credit and appreciation for the team they have built and supported over the past sixteen years; and

WHEREAS, the citizens of this great State are proud that Arizona is the home of the Glendale Bulldogs and that together they won the AAA Minor League Football News National Championship on August 7th, 2010 in Las Vegas, Nevada; and

WHEREAS, the Bulldogs' motto is "FAMILY" and they recognize the power of that statement every time they take the field.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby recognize August 7, 2010 as

*** GLENDALE BULLDOGS CHAMPIONSHIP DAY ***

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

**Janice K. Brewer
GOVERNOR**

DONE at the Capitol in Phoenix on this ninth day of December in the year Two Thousand Ten, and of the Independence of the United States of America the Two Hundred and Thirty-fifth.

**ATTEST:
Ken Bennett
Secretary of State**

Arizona Administrative Register / Secretary of State
Governor's Executive Orders/Proclamations

*** GENERAL ELECTION 2010 *
PROPOSITION 106**

[M10-473]

WHEREAS, the returns for the General Election held on the first Tuesday after the first Monday in November, 2010, have been canvassed and certified on the 29th day of November, 2010, in accordance with Article IV, Part 1 of the Constitution of the State of Arizona, and Sections 16-648 and 19-126 of the Arizona Revised Statutes; and

WHEREAS, Proposition 106 is an amendment to the Arizona Constitution referred by the Legislature to a vote of the qualified electors; and

WHEREAS, the whole number of votes cast for and against Proposition 106 was as follows:

PROPOSITION 106:

A concurrent resolution proposing an amendment to the Constitution of Arizona; amending Article XXVII, by adding Section 2, Constitution of Arizona; relating to health care services.

YES	892,693
NO	722,300

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim the constitutional amendment proposed to the voters in the form of Proposition 106, which was approved by a majority of those voting thereon at said General Election of the State of Arizona, to be law.

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

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix at 9:15 a.m. on this 14th day of December In the Year Two Thousand and Ten and of the Independence of the United States of America the Two Hundred and Thirty-Fifth.

ATTEST:
Ken Bennett
Secretary of State

*** GENERAL ELECTION 2010 *
PROPOSITION 107**

[M10-474]

WHEREAS, the returns for the General Election held on the first Tuesday after the first Monday in November, 2010, have been canvassed and certified on the 29th day of November, 2010, in accordance with Article IV, Part 1 of the Constitution of the State of Arizona, and Sections 16-648 and 19-126 of the Arizona Revised Statutes; and

WHEREAS, Proposition 107 is an amendment to the Arizona Constitution referred by the Legislature to a vote of the qualified electors; and

WHEREAS, the whole number of votes cast for and against Proposition 107 was as follows:

PROPOSITION 107:

A concurrent resolution proposing an amendment to the Constitution of Arizona; amending Article II, by adding Section 36, Constitution of Arizona; relating to preferential treatment or discrimination prohibition.

YES	952,086
NO	647,713

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim the constitutional amendment proposed to the voters in the form of Proposition 107, which was approved by a majority of those voting thereon at said General Election of the State of Arizona, to be law.

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

Arizona Administrative Register / Secretary of State
Governor's Executive Orders/Proclamations

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix at 9:15 a.m. on this 14th day of December In the Year Two Thousand and Ten and of the Independence of the United States of America the Two Hundred and Thirty-Fifth.

ATTEST:
Ken Bennett
Secretary of State

*** GENERAL ELECTION 2010 ***
PROPOSITION 109

[M10-475]

WHEREAS, the returns for the General Election held on the first Tuesday after the first Monday in November, 2010, have been canvassed and certified on the 29th day of November, 2010, in accordance with Article IV, Part 1 of the Constitution of the State of Arizona, and Sections 16-648 and 19-126 of the Arizona Revised Statutes; and

WHEREAS, Proposition 109 is an amendment to the Arizona Constitution referred by the Legislature to a vote of the qualified electors; and

WHEREAS, the whole number of votes cast for and against Proposition 109 was as follows:

PROPOSITION 109:

A concurrent resolution proposing an amendment to the Constitution of Arizona; amending Article II, Constitution of Arizona, by adding Section 36; relating to hunting and fishing.

YES 714,144
NO 926,991

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim that the whole number of votes cast against Proposition 109 exceeded the whole number of votes cast for Proposition 109.

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

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix at 9:15 a.m. on this 14th day of December In the Year Two Thousand and Ten and of the Independence of the United States of America the Two Hundred and Thirty-Fifth.

ATTEST:
Ken Bennett
Secretary of State

*** GENERAL ELECTION 2010 ***
PROPOSITION 110

[M10-476]

WHEREAS, the returns for the General Election held on the first Tuesday after the first Monday in November, 2010, have been canvassed and certified on the 29 day of November, 2010, in accordance with Article IV, Part 1 of the Constitution of the State of Arizona, and Sections 16-648 and 19-126 of the Arizona Revised Statutes; and

WHEREAS, Proposition 110 is an amendment to the Arizona Constitution referred by the Legislature to a vote of the qualified electors; and

WHEREAS, the whole number of votes cast for and against Proposition 110 was as follows:

PROPOSITION 110:

A concurrent resolution proposing an amendment to the Constitution of Arizona; amending Article X, Section 3, Constitution of Arizona; amending Article X, Constitution of Arizona by adding Section 12; relating to state trust lands.

Arizona Administrative Register / Secretary of State
Governor's Executive Orders/Proclamations

YES 792,394
NO 801,670

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim that the whole number of votes cast against Proposition 110 exceeded the whole number of votes cast for Proposition 110.

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

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix at 9:15 a.m. on this 14th day of December In the Year Two Thousand and Ten and of the Independence of the United States of America the Two Hundred and Thirty-Fifth.

ATTEST:
Ken Bennett
Secretary of State

*** GENERAL ELECTION 2010 *
PROPOSITION 111**

[M10-477]

WHEREAS, the returns for the General Election held on the first Tuesday after the first Monday in November, 2010, have been canvassed and certified on the 29 day of November, 2010, in accordance with Article IV, Part 1 of the Constitution of the State of Arizona, and Sections 16-648 and 19-126 of the Arizona Revised Statutes; and

WHEREAS, Proposition 111 is an amendment to the Arizona Constitution referred by the Legislature to a vote of the qualified electors; and

WHEREAS, the whole number of votes cast for and against Proposition 111 was as follows:

PROPOSITION 111:

A concurrent resolution proposing an amendment to the Constitution of Arizona; amending Article V, Section 1, Constitution of Arizona, as amended by a 1992 Initiative Measure designated as ballot proposition 107; repealing Article V, Section 1, Constitution of Arizona, as amended by 1991 House Concurrent Resolution 2001 designated as ballot proposition 100; amending Article V, Sections 6 and 9, Constitution of Arizona; Amending Article V, Constitution of Arizona, by adding Section 13; relating to the Executive Department.

YES 655,252
NO 951,820

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim that the whole number of votes cast against Proposition 111 exceeded the whole number of votes cast for Proposition 111.

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

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix at 9:15 a.m. on this 14th day of December In the Year Two Thousand and Ten and of the Independence of the United States of America the Two Hundred and Thirty-Fifth.

ATTEST:
Ken Bennett
Secretary of State

Arizona Administrative Register / Secretary of State
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*** GENERAL ELECTION 2010 *
PROPOSITION 113**

[M10-478]

WHEREAS, the returns for the General Election held on the first Tuesday after the first Monday in November, 2010, have been canvassed and certified on the 29 day of November, 2010, in accordance with Article IV, Part 1 of the Constitution of the State of Arizona, and Sections 16-648 and 19-126 of the Arizona Revised Statutes; and

WHEREAS, Proposition 113 is an amendment to the Arizona Constitution referred by the Legislature to a vote of the qualified electors; and

WHEREAS, the whole number of votes cast for and against Proposition 113 was as follows:

PROPOSITION 113:

A concurrent resolution proposing an amendment to the Constitution of Arizona; amending Article II, Constitution of Arizona, by adding Section 36; relating to the right to vote a secret ballot regarding employee representation.

YES 978,109
NO 639,692

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim the constitutional amendment proposed to the voters in the form of Proposition 113, which was approved by a majority of those voting thereon at said General Election of the State of Arizona, to be law.

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

**Janice K. Brewer
GOVERNOR**

DONE at the Capitol in Phoenix at 9:15 a.m. on this 14th day of December In the Year Two Thousand and Ten and of the Independence of the United States of America the Two Hundred and Thirty-Fifth.

**ATTEST:
Ken Bennett
Secretary of State**

*** GENERAL ELECTION 2010 *
PROPOSITION 203**

[M10-479]

WHEREAS, the returns for the General Election held on the first Tuesday after the first Monday in November, 2010, have been canvassed and certified on the 29 day of November, 2010, in accordance with Article IV, Part 1 of the Constitution of the State of Arizona, and Sections 16-648 and 19-126 of the Arizona Revised Statutes; and

WHEREAS, Proposition 203 is a measure proposed under the power of the Initiative for a vote of the qualified electors; and

WHEREAS, the whole number of votes cast for and against Proposition 203 was as follows:

PROPOSITION 203:

An initiative measure amending Title 36, Arizona Revised Statutes, by adding Chapter 28.1; amending Section 43-1201, Arizona Revised Statutes; relating to the medical use of marijuana; providing for conditional repeal.

YES 841,348
NO 837,008

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim the measure proposed to the voters in the form of Proposition 203, which was approved by a majority of those voting thereon at said General Election of the State of Arizona, to be law.

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

Arizona Administrative Register / Secretary of State
Governor's Executive Orders/Proclamations

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix at 9:15 a.m. on this 14th day of December In the Year Two Thousand and Ten and of the Independence of the United States of America the Two Hundred and Thirty-Fifth.

ATTEST:
Ken Bennett
Secretary of State

*** GENERAL ELECTION 2010 ***
PROPOSITION 301

[M10-480]

WHEREAS, the returns for the General Election held on the first Tuesday after the first Monday in November, 2010, have been canvassed and certified on the 29 day of November, 2010, in accordance with Article IV, Part 1 of the Constitution of the State of Arizona, and Sections 16-648 and 19-126 of the Arizona Revised Statutes; and

WHEREAS, Proposition 301 is an amendment to state law referred by the Legislature to a vote of the qualified electors; and

WHEREAS, the whole number of votes cast for and against Proposition 301 was as follows:

PROPOSITION 301:

A concurrent resolution enacting and ordering the submission to the people of a measure relating to the land conservation fund.

YES 416,323
NO 1,185,461

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim that the whole number of votes cast against Proposition 301 exceeded the whole number of votes cast for Proposition 301.

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

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix at 9:15 a.m. on this 14th day of December In the Year Two Thousand and Ten and of the Independence of the United States of America the Two Hundred and Thirty-Fifth.

ATTEST:
Ken Bennett
Secretary of State

*** GENERAL ELECTION 2010 ***
PROPOSITION 302

[M10-481]

WHEREAS, the returns for the General Election held on the first Tuesday after the first Monday in November, 2010, have been canvassed and certified on the 29 day of November, 2010, in accordance with Article IV, Part 1 of the Constitution of the State of Arizona, and Sections 16-648 and 19-126 of the Arizona Revised Statutes; and

WHEREAS, Proposition 302 is an amendment to state law referred by the Legislature to a vote of the qualified electors; and

WHEREAS, the whole number of votes cast for and against Proposition 302 was as follows:

PROPOSITION 302:

A concurrent resolution enacting and ordering the submission to the people of a measure relating to early childhood development and health programs.

YES 492,060
NO 1,142,744

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim that the whole number of votes cast against Proposition 302 exceeded the whole number of votes cast for Proposition 302.

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

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix at 9:15 a.m. on this 14th day of December In the Year Two Thousand and Ten and of the Independence of the United States of America the Two Hundred and Thirty-Fifth.

ATTEST:
Ken Bennett
Secretary of State

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INDEX

This Index lists all rulemaking activity on rules appearing in this volume year of the *Register*. Rules are listed in numerical order under their Chapter heading. Headings for the Subchapters, Articles, Parts, and Sections do not appear in this Index. Please refer to the Notices which begin on the page number listed immediately after the code. Codes for rulemaking activity are as follows:

PN = Proposed new Section	FXN = Final Exempt new Section
PM = Proposed amended Section	FXM = Final Exempt amended Section
PR = Proposed repealed Section	FXR = Final Exempt repealed Section
P# = Proposed renumbered Section	FX# = Final Exempt renumbered Section
PSMN = Proposed Summary new Section	RC = Recodified
PSMM = Proposed Summary amended Section	SPN = Supplemental proposed new Section
PSMR = Proposed Summary repealed Section	SPM = Supplemental proposed amended Section
PSM# = Proposed Summary renumbered Section	SPR = Supplemental proposed repealed Section
FSMN = Final Summary new Section	SP# = Supplemental proposed renumbered Section
FSMM = Final Summary amended Section	EN = Emergency new Section
FSMR = Final Summary repealed Section	EM = Emergency amended Section
FSM# = Final Summary renumbered Section	ER = Emergency repealed Section
FN = Final new Section	E# = Emergency renumbered Section
FM = Final amended Section	RJ = Rejected by the Attorney General
FR = Final repealed Section	TN = Terminated proposed new Section
F# = Final renumbered Section	TM = Terminated proposed amended Section
PXN = Proposed Exempt new Section	TR = Terminated proposed repealed Section
PXM = Proposed Exempt amended Section	T# = Terminated proposed renumbered Section
PXR = Proposed Exempt repealed Section	C = Corrections to Rules Published
PX# = Proposed Exempt renumbered Section	EXP = Rules have expired

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2011 Effective Dates

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.

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		

Arizona Administrative Register / Secretary of State

Deadlines for Publication and G.R.R.C. Schedule

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	1/30/12
7/2	8/31	8/2	10/1	9/2	11/1	10/2	12/1	11/2	1/1/12	12/2	1/31/12
7/3	9/1	8/3	10/2	9/3	11/2	10/3	12/2	11/3	1/2/12	12/3	2/1/12
7/4	9/2	8/4	10/3	9/4	11/3	10/4	12/3	11/4	1/3/12	12/4	2/2/12
7/5	9/3	8/5	10/4	9/5	11/4	10/5	12/4	11/5	1/4/12	12/5	2/3/12
7/6	9/4	8/6	10/5	9/6	11/5	10/6	12/5	11/6	1/5/12	12/6	2/4/12
7/7	9/5	8/7	10/6	9/7	11/6	10/7	12/6	11/7	1/6/12	12/7	2/5/12
7/8	9/6	8/8	10/7	9/8	11/7	10/8	12/7	11/8	1/7/12	12/8	2/6/12
7/9	9/7	8/9	10/8	9/9	11/8	10/9	12/8	11/9	1/8/12	12/9	2/7/12
7/10	9/8	8/10	10/9	9/10	11/9	10/10	12/9	11/10	1/9/12	12/10	2/8/12
7/11	9/9	8/11	10/10	9/11	11/10	10/11	12/10	11/11	1/10/12	12/11	2/9/12
7/12	9/10	8/12	10/11	9/12	11/11	10/12	12/11	11/12	1/11/12	12/12	2/10/12
7/13	9/11	8/13	10/12	9/13	11/12	10/13	12/12	11/13	1/12/12	12/13	2/11/12
7/14	9/12	8/14	10/13	9/14	11/13	10/14	12/13	11/14	1/13/12	12/14	2/12/12
7/15	9/13	8/15	10/14	9/15	11/14	10/15	12/14	11/15	1/14/12	12/15	2/13/12
7/16	9/14	8/16	10/15	9/16	11/15	10/16	12/15	11/16	1/15/12	12/16	2/14/12
7/17	9/15	8/17	10/16	9/17	11/16	10/17	12/16	11/17	1/16/12	12/17	2/15/12
7/18	9/16	8/18	10/17	9/18	11/17	10/18	12/17	11/18	1/17/12	12/18	2/16/12
7/19	9/17	8/19	10/18	9/19	11/18	10/19	12/18	11/19	1/18/12	12/19	2/17/12
7/20	9/18	8/20	10/19	9/20	11/19	10/20	12/19	11/20	1/19/12	12/20	2/18/12
7/21	9/19	8/21	10/20	9/21	11/20	10/21	12/20	11/21	1/20/12	12/21	2/19/12
7/22	9/20	8/22	10/21	9/22	11/21	10/22	12/21	11/22	1/21/12	12/22	2/20/12
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7/30	9/28	8/30	10/29	9/30	11/29	10/30	12/29	11/30	1/29/12	12/30	2/28/12
7/31	9/29	8/31	10/30			10/31	12/30			12/31	2/29/12

Register 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.	<i>Register</i> Publication Date	Oral Proceeding may be scheduled on or after
November 12, 2010	December 3, 2010	January 3, 2011
November 19, 2010	December 10, 2010	January 10, 2011
November 24, 2010 (Wednesday)	December 17, 2010	January 18, 2011 (Tuesday)
December 3, 2010	December 22, 2010 (Wednesday)	January 24, 2011
December 10, 2010	December 30, 2010 (Thursday)	January 31, 2011
December 17, 2010	January 7, 2011	February 7, 2011
December 22, 2010 (Wednesday)	January 14, 2011	February 14, 2011
December 30, 2010 (Thursday)	January 21, 2011	February 22, 2011 (Tuesday)

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January 7, 2011	January 28, 2011	February 28, 2011
January 14, 2011	February 4, 2011	March 7, 2011
January 21, 2011	February 11, 2011	March 14, 2011
January 28, 2011	February 18, 2011	March 21, 2011
February 4, 2011	February 25, 2011	March 28, 2011
February 11, 2011	March 4, 2011	April 4, 2011
February 18, 2011	March 11, 2011	April 11, 2011
February 25, 2011	March 18, 2011	April 18, 2011
March 4, 2011	March 25, 2011	April 25, 2011
March 11, 2011	April 1, 2011	May 2, 2011
March 18, 2011	April 8, 2011	May 9, 2011
March 25, 2011	April 15, 2011	May 16, 2011
April 1, 2011	April 22, 2011	May 23, 2011
April 8, 2011	April 29, 2011	May 31, 2011 (Tuesday)
April 15, 2011	May 6, 2011	June 6, 2011
April 22, 2011	May 13, 2011	June 13, 2011
April 29, 2011	May 20, 2011	June 20, 2011
May 6, 2011	May 27, 2011	June 27, 2011
May 13, 2011	June 3, 2011	July 5, 2011 (Tuesday)
May 20, 2011	June 10, 2011	July 11, 2011

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.

All rules and Five-Year Review Reports are due in the Council office by 5:00 p.m. of the deadline date. The Council's office is located at 100 N. 15th Ave., Suite 402, Phoenix, AZ 85007. For more information, call (602) 542-2058 or visit www.grrc.state.az.us.

DEADLINE TO BE PLACED ON COUNCIL AGENDA	MATERIALS DUE FROM AGENCIES (DROP-DEAD DAY)	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
November 22, 2010	December 15, 2010	January 4, 2011	January 11, 2011
December 20, 2010	January 12, 2011	January 25, 2011	February 1, 2011
January 18, 2011	February 9, 2011	February 22, 2011	March 1, 2011
February 14, 2011	March 16, 2011	March 29, 2011	April 5, 2011
March 21, 2011	April 13, 2011	April 26, 2011	May 3, 2011
April 18, 2011	May 18, 2011	May 31, 2011	June 7, 2011
May 23, 2011	June 15, 2011	July 5, 2011	July 12, 2011
June 20, 2011	July 13, 2011	July 26, 2011	August 2, 2011
July 18, 2011	August 17, 2011	September 6, 2011	September 13, 2011
August 22, 2011	September 14, 2011	September 27, 2011	October 4, 2011
September 19, 2011	October 12, 2011	October 25, 2011	November 1, 2011
October 17, 2011	November 16, 2011	November 29, 2011	December 6, 2011