

**GOVERNOR'S REGULATORY REVIEW COUNCIL (GRRC)
MINUTES OF THE
FEBRUARY 2, 2016 COUNCIL MEETING**

NOT YET APPROVED

The Governor's Regulatory Review Council Meeting was held on Tuesday, February 2, 2016, at 10:00 a.m., at the Pharmacy Boardroom located at 1616 West Adams, Suite 120, Phoenix, Arizona 85007, in the Land Department building.

PRESENT:

Council Chairwoman:	Nicole A. Ong
Council Member:	Jason Isaak
Council Member:	Connie Wilhelm
Council Member:	Mike Lofton
Council Member:	Brenda Burns
Council Member:	John Sundt

GRRC Staff Attorney:	Chris Kleminich
GRRC Staff Assistant:	Dolores Habre
GRRC Intern:	Matthew Rippentrop

ABSENT:

Assistant Attorney General: Christopher Munns

A. CALL TO ORDER:

Chairwoman Ong called the Council Meeting to order at 10:01 a.m. and led the Pledge of Allegiance.

B. DISCLOSURE OF CONFLICTS OF INTEREST:

Member Isaak and Member Wilhelm did not participate in the consideration of agenda item D.1.

C. CONSENT AGENDA ITEMS

1. **Study Session Minutes – 12/29/15**
2. **Council Meeting Minutes – 1/5/16**
3. **Study Session Minutes – 1/26/16**
4. **Five-Year-Review Reports:**

4.1 ARIZONA SCHOOL FACILITIES BOARD (F-15-0905)

Title 7, Chapter 6, Article 1, Definitions; Article 2, Minimum School Facility Guidelines; Article 3, Square Footage Calculations; Article 5, New School and Land Funding; Article 6, Constituency Funds; Article 7, Minimum School Facility Guidelines for the Arizona State Schools for the Deaf and Blind

4.2 ARIZONA DEPARTMENT OF ECONOMIC SECURITY (F-16-0105)

Title 6, Chapter 18, Article 1, Definitions; Article 7, Life-Safety Inspection

4.3 ARIZONA DEPARTMENT OF PUBLIC SAFETY (F-16-0109)

Title 13, Chapter 6, Article 1, General Provisions; Article 2, Agency Licenses; Article 3, Registration Certificates; Article 4, Appeals; Complaints, Records; Article 5, Uniforms and Vehicles; Article 6, Training; Article 7, Firearms-Safety Training Instructors

5. Rules:

5.1 ARIZONA RADIATION REGULATORY AGENCY (R-16-0201)

Title 12, Chapter 1, Article 1, General Provisions; Article 3, Radioactive Material Licensing; Article 4, Standards for Protection against Ionizing Radiation; Article 5, Sealed Source Industrial Radiography; Article 7, Medical Uses of Radioactive Material; Article 13, License and Registration Fees; Article 15, Transportation; Article 19 (Proposed), Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material

Amend: R12-1-102; R12-1-303; R12-1-306; R12-1-308; R12-1-311;
R12-1-313; R12-1-320; R12-1-323; R12-1-418; R12-1-452;
R12-1-503; R12-1-703; R12-1-1302; R12-1-1512

New Section: R12-1-1901; R12-1-1903; R12-1-1905; R12-1-1907; R12-1-1909;
R12-1-1911; R12-1-1915; R12-1-1917; R12-1-1919; R12-1-1921;
R12-1-1923; R12-1-1925; R12-1-1927; R12-1-1929; R12-1-1931;
R12-1-1933; R12-1-1941; R12-1-1943; R12-1-1945; R12-1-1947;
R12-1-1949; R12-1-1951; R12-1-1953; R12-1-1955; R12-1-1957;
R12-1-1971; R12-1-1973; R12-1-1975; R12-1-1977; R12-1-1979;
R12-1-1981; R12-1-19101; R12-1-19103; R12-1-19105; R12-1-19107;
R12-1-19109; Appendix A

NOTE: This rulemaking contains an immediate effective date.

5.2 ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY (R-16-0202)

Title 18, Chapter 4, Article 1, Primary Drinking Water Regulations; Article 2, State Drinking Water Regulations

Amend: R18-4-102; R18-4-103; R18-4-105; R18-4-121; R18-4-210

New Section: R18-4-126

5.3 ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD (R-16-0203)

Title 13, Chapter 4, Article 1, General Provisions; Article 2, Correctional Officers

Amend: R13-4-101; R13-4-102; R13-4-103; R13-4-104; R13-4-105;
R13-4-106; R13-4-107; R13-4-108; R13-4-109; R13-4-109.01;
R13-4-110; R13-4-111; R13-4-112; R13-4-114; R13-4-116
R13-4-117; R13-4-118; R13-4-201; R13-4-202; R13-4-203
R13-4-204; R13-4-205; R13-4-206; R13-4-208

5.4 ARIZONA STATE BOARD OF DENTAL EXAMINERS (R-16-0204)

Title 4, Chapter 11, Article 2, Licensure by Credential; Article 3, Examinations, Licensing Qualifications, Application and Renewal, Time-Frames

Amend: R4-11-201; R4-11-202; R4-11-203; R4-11-204; R4-11-301;
R4-11-303; R4-11-304; R4-11-305

Repeal: R4-11-302

5.5 ARIZONA DEPARTMENT OF AGRICULTURE (F-16-0205)

Title 3, Chapter 3, Article 2, Permits, Licenses, and Certification

Amend: R3-3-208

ACTION: Member Isaak motioned to approve all agenda items on the Consent Agenda. Member Burns seconded the motion. The motion passed unanimously.

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

The Council will consider five-year review 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. CITIZENS CLEAN ELECTIONS COMMISSION (F-16-0104)

Title 2, Chapter 20, Article 1, General Provisions; Article 2, Compliance and Enforcement Procedures; Article 3, Standard of Conduct for Commissioners and Employees; Article 4, Audits; Article 5, Rulemaking; Article 6, Ex Parte Communications; Article 7, Use of Funds and Repayment

Mr. Thomas Collins, Executive Director of the Commission, spoke to the Commission's work on the five-year-review report, and reaffirmed support for a vote to approve the report.

Mr. Allen Malanowski, a public commenter representing himself, indicated support for approval of the five-year-review report, noting the high costs of potential litigation.

Member Sundt indicated that he was making a motion to return the report as a whole, noting that he hoped to work collaboratively with the Commission moving forward.

Member Burns sought clarification on the different ways by which the Council can return a five-year-review report.

Mr. Klemminich explained the Council's options when voting on a five-year-review report.

Member Sundt noted his reasons for calling on the report to be returned as a whole.

ACTION: Member Sundt motioned to return the report as a whole. Member Lofton seconded the motion. The motion passed unanimously.

ACTION: Member Lofton motioned to require the Commission to repeal R2-20-109(F)(2) – (F)(12) and (G). Member Burns seconded the motion. The motion passed unanimously.

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.

None.

F. ADJOURNMENT

Chairwoman Ong adjourned the meeting at 10:20 a.m.

Respectfully submitted by

/S/dh

GRRC Executive Staff Assistant