

# Attachment D

**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:**

<b>Council Chairwoman:</b>	Nicole A. Ong
<b>Council Member:</b>	Jason Isaak
<b>Council Member:</b>	Connie Wilhelm
<b>Council Member:</b>	Mike Lofton
<b>Council Member:</b>	Brenda Burns
<b>Council Member:</b>	John Sundt
<b>GRRC Staff Attorney:</b>	Chris Kleminich
<b>GRRC Staff Assistant:</b>	Dolores Habre
<b>GRRC Intern:</b>	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. Klemmich** 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*