

Douglas A. Ducey
Governor

Terry L. Adriance
Executive Director



Ellen Kirschbaum
Chairman

ARIZONA BOARD OF EXECUTIVE CLEMENCY

May 26, 2016

Governor's Regulatory Review Council Attention:
Chairwoman Nicole A. Ong
100 North 15th Avenue, Ste. 402
Phoenix, AZ 85007

RE: FIVE-YEAR REVIEW REPORT MAY, 2016

Pursuant to A.R.S. § 41-1056, the Board of Executive Clemency has conducted a review of its Title 5, Chapter 4 Rules and Articles. AZBOEC now submits the Five Year Review Report for your review and approval.

Should there be any questions or concerns in relation to this report, please contact me directly at (602) 542-5648.

Sincerely,

A handwritten signature in cursive script that reads "Terry L. Adriance".

Terry L. Adriance
Executive Director
(602) 542-5648
tadriance@azboec.gov

Attachment A

FIVE YEAR REVIEW REPORT

TITLE 5

CHAPTER 4. THE ARIZONA BOARD OF EXECUTIVE CLEMENCY

ARTICLES 1, 2 & 3

May 2016

FIVE YEAR REVIEW REPORT

TITLE 5

CHAPTER 4. BOARD OF EXECUTIVE CLEMENCY

ARTICLES 1, 2 & 3

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FIVE-YEAR REVIEW SUMMARY

The Arizona Board of Executive Clemency (Board) was first established in 1901 as the Board of Control. In 1913 the Board of Control's name was changed to the Board of Pardons and Paroles. The Board acted under that name until 1994 when the Board's name was changed to the Board of Executive Clemency. Board membership has fluctuated between three and seven members, but currently has five members. The Board's mission is to protect public safety and contribute to a fair and effective justice system by ensuring that persons who remain a threat to society remain incarcerated and those who no longer present a risk are released to become productive citizens. In addition, the Board recommends to the Governor only those executive clemency actions which are in the best interest and safety of the citizens of Arizona.

A.R.S. Title 31, Chapter 3, Articles 1 through 7 detail the Board's operating authority and duties. The Board implements its statutes with 3 rules that are located in A.A.C. Title 5, Chapter 4, Articles 1, 2, and 3. The rules included in this report were made as new rules and became effective April 5, 2008.

The Board is exempt from the Administrative Procedure Act under A.R.S. 41-1005(A) for rules related to inmates. Some provisions of the rules reviewed relate to inmates but the Board is reviewing all rules together for consistency.

INFORMATION THAT IS IDENTICAL FOR ALL THE RULES

4. Consistency of the rule with state and federal statutes and rules

The Board has determined that the rules are consistent with state and federal statutes and rules and a listing of the statutes or rules used in determining the consistency are as follows:

A.R.S. Title 31, Chapter 3, Articles 1 through 7

A.R.S. §1-301

A.R.S. §38-431

A.R.S. §41-1005A

A.R.S. §41-1604.06; 41-1604.09

Federal Law: *Morrissey vs. Brewer*, 408 U.S. 471 (Due process requires notice and opportunity to respond before revocation of parole)

5. Status of enforcement policy

All rules are currently being enforced, and the Board has not encountered any problems with enforcement.

6. Analysis of clarity, conciseness, and understandability

The Board has reviewed each rule and has determined that the rules are clear, concise, and understandable.

7. Written criticisms of the rules received within the last five years

The Board has not received any written criticisms of any of the rules within the last five years.

9. Economic, small business, and consumer impact comparison

Type Hearing/No. Hearings Held	FY 2006	FY 2011	FY 2016
Pardons	23	64	21
Rescission/Revocation	2,708	2,518	2,339

As was previously determined in 2006 and 2011 analyses, the Board maintains that the Board, the Department of Public Safety (DPS), the Federal Bureau of Investigation (FBI), and any individual seeking an executive clemency action would bear the cost of implementation of the rules. The Board determined that the actual cost incurred by each of these entities due to this action is minimal. The Board continues to agree with these analyses, and the actual cost incurred by each of these named entities is minimal.

For pardons, the Board continues to maintain that costs to the Board include copying a pardon application and postage for mailing to an applicant. The FBI and DPS conduct a criminal inquiry on applicants. The costs for conducting these inquiries are appropriated to each agency on the federal and state levels. The cost to an individual applying for a pardon is for postage to return documents to the Board. The Board continues to agree with this analysis.

The results of the analysis indicate that the Board bears minimal paper costs to initiate a rescission or revocation hearing. The Board continues to agree with this analysis.

The definitions make the rules understandable to a reader while providing consistent interpretation of the word being defined. There have been no costs associated with implementing this rule. The Board continues to agree with this analysis.

10. Analysis submitted to the agency by another person comparing rules' impact on businesses

The Board has not received any analyses submitted by another person that compares the rules' impact on Arizona's business competitiveness to the impact on businesses in other states.

11. Completion of course of action indicated in the previous five-year review report

No course of action was proposed in the previous report, and accordingly, no action has been taken on the rules in the past five years.

12. Determination that the rules impose the least burden and costs to persons regulated by the rule

The Board has determined that all of the rules impose the least burden and costs to persons regulated by the rules, including paperwork and other compliance costs necessary to achieve the underlying regulatory objective.

13. Analysis of stringency compared to federal laws

The rules are not related to federal laws.

14. For rules adopted after July 28, 2010 that require the issuance of a regulatory permit, license, or agency authorization, whether the rule complies with section 41-1037

The rules do not require the issuance of a regulatory permit, license, or agency authorization.

15. Course of action

The Board has reviewed each rule and believes there is no need to submit any of the rules to the GRRC to amend, repeal, or make a new rule.

ANALYSIS OF INDIVIDUAL RULES

ARTICLE 1. GENERAL PROVISIONS

R5-4-101. Definitions

1. General and specific statutes authorizing the rule

General: A.R.S. §31-401

Specific: A.R.S. §31-401 (A), A.R.S. §1-301

2. Objective

The objective of the rule is to define terms and phrases to make the rules understandable to a reader, achieve clarity in the rules without needless repetition, and afford consistent interpretation.

3. Analysis of the effectiveness of the rule in achieving the objective

The Board has determined that the rule is effective in achieving the objective.

R5-4-102. Board Hearings

1. General and specific statutes authorizing the rule

General: A.R.S. §31-401

Specific: A.R.S. §38-431

2. Objective

The objective of the rule is to lay out essential procedural elements applicable to all types of hearings. The Board shall ensure all hearings are open to the public as required by statute, conduct a hearing in an informal manner unless otherwise provided by law, and allow an inmate to be represented by counsel at a hearing.

3. Analysis of the effectiveness of the rule in achieving the objective

The Board has determined that the rule is effective in achieving the objective.

ARTICLE 2. PARDON

R5-4-201. Pardon

1. General and specific statutes authorizing the rule

General: A.R.S. §31-401

Specific: A.R.S. §31-442

2. Objective

The objective of the rule is to set forth the process of applying for and being considered by the Board for pardon recommendation.

3. Analysis of the effectiveness of the rule in achieving the objective

The Board has determined that the rule is effective in achieving the objective as the rule outlines the specific steps of the Pardon process, beginning with the inmate application process. The Board believes the rule is concise as stated.

ARTICLE 3. RESCISSION OR REVOCATION

R5-4-301. Rescission Hearings

1. General and specific statutes authorizing the rule

General: A.R.S. §31-401 (G)

Specific: A.R.S. §31-401

A.R.S. §31-402 (C)

A.R.S. §31-415

A.R.S. §38-431

A.R.S. §41-1604.06; 41-1604.09

Federal Law: Morrissey vs. Brewer, 408 U.S. 471 (Due process requires notice and opportunity to respond before revocation of parole)

2. Objective

The objective of the rule is to state

- a. The process for initiating, scheduling, and conducting a rescission hearing
- b. The actions that may be taken at the close of a rescission hearing.

3. Analysis of the effectiveness of the rule in achieving the objective

The Board has determined that the rule is effective in achieving the objective.

R5-4-302. Revocation Hearings

1. General and specific statutes authorizing the rule

General: A.R.S. §31-401 (G)

Specific: A.R.S. §31-401

A.R.S. §31-402 (C)

A.R.S. §31-415

A.R.S. §38-431

A.R.S. §41-1604.06; 41-1604.09

Federal Law: Morrissey vs. Brewer, 408 U.S. 471 (Due process requires notice and opportunity to respond before revocation of parole)

2. Objective

The objective of the rule is to state

- a. The process for initiating, scheduling, and conducting a revocation hearing
- b. The actions that may be taken at the close of a revocation hearing.

3. Analysis of the effectiveness of the rule in achieving the objective

The Board has determined that the rule is effective in achieving the objective.

ATTACHMENT - A

Board of Executive Clemency

TITLE 5. CORRECTIONS

CHAPTER 4. BOARD OF EXECUTIVE CLEMENCY

(Authority: A.R.S. § 31-401 et seq.)

Article 1 through Article 7 consisting of Sections R5-4-101 through R5-4-705 adopted effective June 26, 1980.

Former Article 1 consisting of Sections R5-4-01, R5-4-03 through R5-4-09 repealed effective June 26, 1980.

ARTICLE 1. GENERAL PROVISIONS

Section	
R5-4-101.	Definitions
R5-4-102.	Board Hearings
R5-4-103.	Repealed
R5-4-104.	Repealed
R5-4-105.	Repealed
R5-4-106.	Repealed
R5-4-107.	Repealed
R5-4-108.	Repealed
R5-4-109.	Repealed

ARTICLE 2. PARDON

Article 2, consisting of Section R5-4-201, adopted effective September 22, 1997 (Supp. 97-3).

Article 2, consisting of Sections R5-4-201 and R5-4-202, repealed effective May 31, 1991 (Supp. 91-2).

Section	
R5-4-201.	Pardon

ARTICLE 3. RECISSION OR REVOCATION

Article 3, consisting of Sections R5-4-301 and R5-4-302, adopted effective September 22, 1997 (Supp. 97-3).

Article 3, consisting of Sections R5-4-301 thru R5-4-306, repealed effective May 31, 1991 (Supp. 91-2).

Section	
R5-4-301.	Rescission Hearings
R5-4-302.	Revocation Hearings

ARTICLE 4. REPEALED

Article 4, consisting of Sections R5-4-401 thru R5-4-404, repealed effective May 31, 1991 (Supp. 91-2).

ARTICLE 5. REPEALED

Article 5, Section R5-4-501 repealed effective May 31, 1991 (Supp. 91-2); Sections R5-4-502 and R5-4-503 repealed effective September 22, 1997 (Supp. 97-3).

R5-4-501.	Repealed
R5-4-502.	Repealed
R5-4-503.	Repealed

ARTICLE 6. REPEALED

Article 6, consisting of Sections R5-4-601 thru R5-4-603, repealed effective September 22, 1997 (Supp. 97-3).

R5-4-601.	Repealed
R5-4-602.	Repealed
R5-4-603.	Repealed

ARTICLE 7. REPEALED

Article 7, Sections R5-4-701 thru R5-4-704 repealed effective May 31, 1991 (Supp. 91-2); Section R5-4-705 repealed effective September 22, 1997 (Supp. 97-3).

R5-4-701.	Repealed
R5-4-702.	Repealed

R5-4-703.	Repealed
R5-4-704.	Repealed
R5-4-705.	Repealed

ARTICLE 8. REPEALED

Article 8, Sections R5-4-801 thru R5-4-806 repealed effective May 31, 1991 (Supp. 91-2); Section R5-4-807 repealed effective September 22, 1997 (Supp. 97-3).

Article 8 consisting of Sections R5-4-801 through R5-4-807 adopted effective October 17, 1984.

Former Article 8 consisting of Sections R5-4-801 through R5-4-808 adopted as an emergency effective June 29, 1984, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 84-5).

R5-4-801.	Repealed
R5-4-802.	Repealed
R5-4-803.	Repealed
R5-4-804.	Repealed
R5-4-805.	Repealed
R5-4-806.	Repealed
R5-4-807.	Repealed

ARTICLE 1. GENERAL PROVISIONS**R5-4-101. Definitions**

In this Chapter, unless otherwise specified:

1. "Applicant" means an individual who asks the governor to grant a pardon.
2. "Board" means the Arizona Board of Executive Clemency, as established by A.R.S. § 31-401(A).
3. "Department" means the Arizona Department of Corrections.
4. "Good cause" means a reason that the Board determines is substantial enough to afford a legal excuse.
5. "Inmate" means an individual who is under the jurisdiction of the Department, including an individual in custody or on parole, home arrest, work furlough, or community supervision.
6. "Pardon" means an action by the governor that absolves an individual of the legal consequences of a crime for which the individual was convicted.
7. "Presiding Officer" means either the Chairperson of the Board or the Chairperson of a Board panel assigned to conduct a hearing.
8. "Release" means parole, home arrest, work furlough, or community supervision.
9. "Rescission" means an act of the Board that voids a previously made release decision before the inmate is released.
10. "Request to rescind" means a document asking the Board for a rescission.
11. "Revocation" means an act by the Board that terminates an inmate's release because of a violation of a release condition.
12. "Street time" means the interval between when an inmate is released on parole and the parole is revoked or completed.
13. "Warrant" means a document that specifies an alleged violation of a condition of a release.
14. "Work day" means every day except Saturdays, Sundays, and state holidays listed at A.R.S. § 1-301.

Historical Note

Adopted effective June 26, 1980 (Supp. 80-3). Repealed effective May 31, 1991 (Supp. 91-2). New Section adopted effective September 22, 1997 (Supp. 97-3). Amended by final rulemaking at 14 A.A.R. 529, effective April 5, 2008 (Supp. 08-1).

R5-4-102. Board Hearings

- A. The Board shall ensure that all hearings are open to the public as required by A.R.S. § 38-431 et seq.
- B. Unless otherwise provided by law, the Board shall conduct a hearing in an informal manner without adherence to the rules of evidence required in a judicial proceeding.
- C. The Board shall allow an inmate to be represented by counsel at a hearing.

Historical Note

Adopted effective June 26, 1980 (Supp. 80-3). Section repealed, new Section adopted effective September 22, 1997 (Supp. 97-3). Amended by final rulemaking at 14 A.A.R. 529, effective April 5, 2008 (Supp. 08-1).

R5-4-103. Repealed**Historical Note**

Adopted effective June 26, 1980 (Supp. 80-3). Repealed effective May 31, 1991 (Supp. 91-2).

R5-4-104. Repealed**Historical Note**

Adopted effective June 26, 1980 (Supp. 80-3). Repealed effective May 31, 1991 (Supp. 91-2).

R5-4-105. Repealed**Historical Note**

Adopted effective June 26, 1980 (Supp. 80-3). Repealed effective May 31, 1991 (Supp. 91-2).

R5-4-106. Repealed**Historical Note**

Adopted effective June 26, 1980 (Supp. 80-3). Repealed effective May 31, 1991 (Supp. 91-2).

R5-4-107. Repealed**Historical Note**

Adopted effective June 26, 1980 (Supp. 80-3). Repealed effective May 31, 1991 (Supp. 91-2).

R5-4-108. Repealed**Historical Note**

Adopted effective June 26, 1980 (Supp. 80-3). Repealed effective May 31, 1991 (Supp. 91-2).

R5-4-109. Repealed**Historical Note**

Adopted effective June 26, 1980 (Supp. 80-3). Repealed effective May 31, 1991 (Supp. 91-2).

ARTICLE 2. PARDON**R5-4-201. Pardon**

- A. Unless prohibited by law, an individual who was convicted of an Arizona felony offense may apply for a pardon.
- B. To apply for a pardon, an eligible individual shall submit to the Board a completed application form obtained from the Board.
- C. In addition to the application form required under subsection (B), an applicant shall submit other information and documents that the Board requests to assist it in deciding whether to recommend a pardon.

D. If an inmate applies for a pardon, the Board shall request that the Department review the application and verify whether the inmate is eligible to apply for the pardon.

E. After receiving a complete application from an eligible applicant, the Board shall schedule a hearing and provide advance written notice to the applicant of the date and location of the hearing.

F. At the hearing, the Board shall take one of the following actions:

1. Vote to deny recommending that the governor grant a pardon and notify the applicant in writing of the Board's decision within 10 work days.
2. Vote to recommend that the governor grant a pardon and notify the applicant in writing of the Board's decision within 10 work days.

G. If the Board votes to recommend a pardon, the Presiding Officer shall designate a Board member to prepare and send to the governor a letter of recommendation. The letter of recommendation may include a statement of individual Board members' reasons for voting to recommend a pardon. Board members who voted not to recommend a pardon may prepare and send letters of dissent to the governor.

H. If the governor denies a pardon, the Board shall notify the applicant in writing of the governor's decision within 10 work days after receiving notice of the governor's decision.

I. If the Board votes not to recommend a pardon for an applicant or if the governor denies a pardon, the applicant shall not apply again for a pardon for three years from the date of the Board's decision.

Historical Note

Former Section R5-4-201 repealed effective May 31, 1991 (Supp. 91-2). New Section adopted effective September 22, 1997 (Supp. 97-3). Amended by final rulemaking at 14 A.A.R. 529, effective April 5, 2008 (Supp. 08-1).

ARTICLE 3. RECISSION OR REVOCATION**R5-4-301. Rescission Hearings**

A. An officer of the Department or a member of the Board may initiate the rescission process by submitting to the Board a request to rescind a previously made release decision that:

1. Alleges:
 - a. The inmate to be released has violated the law,
 - b. The inmate to be released has violated a disciplinary rule of the Department,
 - c. The inmate to be released is not able to meet a condition of release, or
 - d. The Board lacked accurate or complete information when the Board made the release decision, and
2. Includes a list of documents and items to be offered as evidence and witnesses who will be called to testify.

B. After the Board receives a completed request to rescind, the Board shall schedule a rescission hearing unless a hearing officer designated by the Board to conduct a probable cause hearing determines there is no probable cause for the requested rescission, in which case, the request to rescind is deemed denied. The Board shall provide advance notice of the date and location of the rescission hearing to the inmate and the Department.

C. The Board shall conduct the rescission hearing. The inmate may request that the hearing be continued for good cause. The Board may continue the hearing for good cause at any time.

D. At the close of the rescission hearing, the Board shall take one of the following actions:

Board of Executive Clemency

1. Find that the allegation in the request to rescind is not true, deny the request to rescind, and allow to stand the Board's previous decision to grant release to the inmate.
2. Find that one or more of the allegations in the request to rescind are true and void the Board's previous decision to grant release to the inmate. The Department shall continue to hold the inmate in secure custody as provided by law.
3. Find that one or more of the allegations in the request to rescind are true but allow to stand the Board's previous decision to grant release to the inmate with or without additional conditions.

Historical Note

Former Section R5-4-301 repealed effective May 31, 1991 (Supp. 91-2). New Section adopted effective September 22, 1997 (Supp. 97-3). Amended by final rulemaking at 14 A.A.R. 529, effective April 5, 2008 (Supp. 08-1).

R5-4-302. Revocation Hearings

- A. An officer of the Department or a member of the Board may initiate the revocation process by requesting that the Department issue to the Board a warrant that:
 1. Alleges an inmate violated a condition of the inmate's release; and
 2. Lists documents and items to be offered as evidence and witnesses who will be called to testify.
- B. After the Department executes the warrant and it is determined there is probable cause to believe the inmate violated a condition of the inmate's release or the inmate waives a probable cause hearing, the Board shall schedule a revocation hearing. The Board shall provide advance notice of the date and location of the revocation hearing to the inmate and the Department.
- C. The Board shall conduct the revocation hearing. The inmate may request that the hearing be continued for good cause. The Board may continue the hearing for good cause at any time.
- D. At the close of the revocation hearing, the Board shall take one of the following actions:
 1. Find that each allegation in the warrant is not true and direct, in writing, that the Department release the inmate from secure custody to parole, home arrest, work furlough, or community supervision status.
 2. Find that one or more of the allegations in the warrant are true and revoke the inmate's release. The Department shall immediately place the inmate in secure custody and hold the inmate as provided by law.
 3. In the case of an inmate on parole, find that one or more of the allegations in the warrant are true and revoke the inmate's parole but place the inmate on home arrest. The Department shall hold the inmate in secure custody pending the inmate's release on home arrest.
 4. In the case of an inmate on parole, work furlough, home arrest, or community supervision, find that one or more of the allegations in the warrant are true but reinstate the inmate's release with or without additional conditions.
- E. If the Board revokes an inmate's parole status under subsection (D)(2) or (D)(3), the Board may determine whether the circumstances merit forfeiture of some or all street-time credits earned by the inmate while on parole.

Historical Note

Former Section R5-4-302 repealed effective May 31, 1991 (Supp. 91-2). New Section adopted effective September 22, 1997 (Supp. 97-3). Amended by final

rulemaking at 14 A.A.R. 529, effective April 5, 2008 (Supp. 08-1).

R5-4-303. Repealed**Historical Note**

Former Section R5-4-303 repealed effective May 31, 1991 (Supp. 91-2).

R5-4-304. Repealed**Historical Note**

Former Section R5-4-304 repealed effective May 31, 1991 (Supp. 91-2).

R5-4-305. Repealed**Historical Note**

Former Section R5-4-305 repealed effective May 31, 1991 (Supp. 91-2).

R5-4-306. Repealed**Historical Note**

Former Section R5-4-306 repealed effective May 31, 1991 (Supp. 91-2).

ARTICLE 4. REPEALED

Article 4, consisting of Sections R5-4-401 thru R5-4-404, repealed effective May 31, 1991 (Supp. 91-2).

ARTICLE 5. REPEALED**R5-4-501. Repealed****Historical Note**

Adopted effective June 26, 1980 (Supp. 80-3). Repealed effective May 31, 1991 (Supp. 91-2).

R5-4-502. Repealed**Historical Note**

Adopted effective June 26, 1980 (Supp. 80-3). Repealed effective September 22, 1997 (Supp. 97-3).

R5-4-503. Repealed**Historical Note**

Adopted effective June 26, 1980 (Supp. 80-3). Repealed effective September 22, 1997 (Supp. 97-3).

ARTICLE 6. REPEALED**R5-4-601. Repealed****Historical Note**

Adopted effective June 26, 1980 (Supp. 80-3). Repealed effective September 22, 1997 (Supp. 97-3).

R5-4-602. Repealed**Historical Note**

Adopted effective June 26, 1980 (Supp. 80-3). Repealed effective September 22, 1997 (Supp. 97-3).

R5-4-603. Repealed**Historical Note**

Adopted effective June 26, 1980 (Supp. 80-3). Repealed effective September 22, 1997 (Supp. 97-3).

ARTICLE 7. REPEALED**R5-4-701. Repealed****Historical Note**

Adopted effective June 26, 1980 (Supp. 80-3). Repealed effective May 31, 1991 (Supp. 91-2).

R5-4-702. Repealed**Historical Note**

Adopted effective June 26, 1980 (Supp. 80-3). Repealed effective May 31, 1991 (Supp. 91-2).

R5-4-703. Repealed**Historical Note**

Adopted effective June 26, 1980 (Supp. 80-3). Repealed effective May 31, 1991 (Supp. 91-2).

R5-4-704. Repealed**Historical Note**

Adopted effective June 26, 1980 (Supp. 80-3). Repealed effective May 31, 1991 (Supp. 91-2).

R5-4-705. Repealed**Historical Note**

Adopted effective June 26, 1980 (Supp. 80-3). Repealed effective September 22, 1997 (Supp. 97-3).

ARTICLE 8. REPEALED**R5-4-801. Repealed****Historical Note**

Adopted as an emergency effective June 29, 1984, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 84-3). Emergency expired. Permanent rule adopted effective October 17, 1984 (Supp. 84-5). Repealed effective May 31, 1991 (Supp. 91-2).

R5-4-802. Repealed**Historical Note**

Adopted as an emergency effective June 29, 1984, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 84-3). Emergency expired. Permanent rule adopted effective October 17, 1984 (Supp. 84-5). Repealed effective May 31, 1991 (Supp. 91-2).

R5-4-803. Repealed**Historical Note**

Adopted as an emergency effective June 29, 1984, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 84-3). Emergency expired. Permanent rule adopted effective October 17, 1984 (Supp. 84-5). Repealed effective May 31, 1991 (Supp. 91-2).

R5-4-804. Repealed**Historical Note**

Adopted as an emergency effective June 29, 1984, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 84-3). Emergency expired. Permanent rule adopted effective October 17, 1984 (Supp. 84-5). Repealed effective May 31, 1991 (Supp. 91-2).

R5-4-805. Repealed**Historical Note**

Adopted as an emergency effective June 29, 1984, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 84-3). Emergency expired. Permanent rule adopted effective October 17, 1984 (Supp. 84-5). Repealed effective May 31, 1991 (Supp. 91-2).

R5-4-806. Repealed**Historical Note**

Adopted as an emergency effective June 29, 1984, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 84-3). Emergency expired. Permanent rule adopted effective October 17, 1984 (Supp. 84-5). Repealed effective May 31, 1991 (Supp. 91-2).

R5-4-807. Repealed**Historical Note**

Adopted as an emergency effective June 29, 1984, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 84-3). Emergency expired. Permanent rule adopted effective October 17, 1984 (Supp. 84-5). Repealed effective September 22, 1997 (Supp. 97-3).