

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 STATE BOARD OF DENTAL EXAMINERS

Editor's Note: The following Notice of Rulemaking Docket Opening was exempt from Executive Order 2012-03 as issued by Governor Brewer. (See the text of the executive order on page 1602.)

[R13-92]

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 11, State Board of Dental Examiners
Articles and their headings: 1, Definitions
12, Continuing Dental Education and Renewal Requirements
Section numbers: R4-11-110; R4-11-1201 through R4-11-1209 (As part of this rulemaking, the Board may add, delete, or modify additional Sections as necessary)

2. Subject matter of the proposed rule

The Board is opening a docket to amend Articles 1 and 12 to meet the changes enacted by the legislature by HB 2155 in 2011, including the continuing education requirements regarding remote learning in Section 12 of HB 2155.

The rulemaking will include the following changes to Articles 1 and 12:

- Add more CE sponsors to the definition "Recognized continuing dental education."
- Change CPR to CPR Healthcare Provider and add Advanced Cardiac Life Support and Pediatric Advanced Life Support as options.
- Change the length of time a licensee or certificate holder must maintain documentation to the most recently completed renewal period.
- Clarify when the Board may audit a licensee or certificate holder (in addition to random audits).
- Add dental recordkeeping, pain management and dental public health to the first category for all license types.
- Add a separate category for CPR and address online courses for all license types.
- Add a separate category for three credit hours in ethics and/or Arizona dental jurisprudence for Dentists and Denturists.
- To maintain the total number of CE hours required for dentists, dental hygienists and restricted permits holders, the number of hours within each category will be recalculated.
- Increase the total number of hours required for Denturists to 36 and add removable prosthetics and new technology in dentistry to category 1.
- Add remote learning language in R4-11-1209(A)(2).

Update language in R4-11-1209(A)(4)(a) through (f).

- Delete the definition for "triage" from Article 1.

Rule changes will also include format, style, and grammar corrections necessary to comply with the current rules of the Secretary of State and the Governor's Regulatory Review Council.

The agency docket number, if applicable: R1301

3. A Citation to all published notices relating to the proceeding

Notice of Proposed Rulemaking: 19 A.A.R. 1519, June 14, 2013 (*in this issue*)

4. Name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Elaine Hugunin, Executive Director
Address: Arizona State Board of Dental Examiners
4205 N. 7th Ave., Suite 300
Phoenix, AZ 85013
Telephone: (602) 242-1492, Ext. 2001

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Fax: (602) 242-1445
E-mail: elaine.huginin@azdentalboard.us

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

The Board will accept written comments Monday through Friday, 8:00 a.m. to 5:00 p.m. Oral comments may be made at the Board office Monday through Friday, 8:00 a.m. to 4:30 p.m.

Location: Arizona State Board of Dental Examiners
4205 N. 7th Ave., Suite 300
Phoenix, AZ 85013

Written and oral comments will be accepted until the close of record on a date and time as yet undetermined.

6. A timetable for agency decisions or other action in the proceeding:

None

NOTICE OF RULEMAKING DOCKET OPENING

ARIZONA RACING COMMISSION

Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2012-03 as issued by Governor Brewer. (See the text of the executive order on page 1602.) The Governor's Office authorized the notice to proceed through the rulemaking process on March 11, 2013.

[R13-88]

1. Title and its heading:

19, Alcohol, Horse and Dog Racing, Lottery, and Gaming

Chapter and its heading:

2, Arizona Racing Commission

Article and its heading:

1, Horse Racing

3, Greyhound Racing

Section numbers:

R19-2-101, R19-2-102, R19-2-106, R19-2-109 through R19-2-115, R19-2-115.01 through R19-2-115.10, R19-2-119 through R19-2-124, R19-2-302, R19-2-306, R19-2-307, R19-2-309, R19-2-311, R19-2-322, and R19-2-323 (As part of this rulemaking, the Board may add, delete, or modify additional Sections as necessary)

2. The subject matter of the proposed rule:

The Department is responsible for regulating all commercial and county-fair horse race meets, greyhound race meets, and pari-mutuel wagering. In this rulemaking, the Department focuses on achieving two objectives. First, in response to a recommendation made by the Auditor General in a performance audit report issued in May 2007, the Department is continuing to align its animal drug-testing practices with standards established in a Model Rule published by the Association of Racing Commissioners International. Second, in response to a five-year-review report recently approved by Council, the Department is amending most, but not all, of the rules identified in the five-year review as needing to be amended. Most of the amendments are designed to make the rules more clear, concise, and understandable.

3. A citation to all published notices relating to the proceeding:

Notice of Proposed Rulemaking: 19 A.A.R. 1531, June 14, 2013 (*in this issue*)

4. Name and address of agency personnel with whom persons may communicate regarding the rule:

Name: William J. Walsh, Director
Address: 1110 W. Washington, Ste. 260
Phoenix, AZ 85007
Telephone: (602) 364-1700
Fax: (602) 364-1703
E-mail: bwalsh@azracing.gov
Web site: www.azracing.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

The Commission will accept comments during business hours at the address listed in item 4. Information regarding an oral proceeding will be included in the Notice of Proposed Rulemaking.

6. A timetable for agency decisions or other action on the proceeding, if known:

To be determined

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF WEIGHTS AND MEASURES

Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2012-03 as issued by Governor Brewer. (See the text of the executive order on page 1602.) The Governor's Office authorized the notice to proceed through the rulemaking process on April 2, 2013.

[R13-91]

- 1. Title and its heading:** 20, Commerce, Financial Institutions, and Insurance
Chapter and its heading: 2, Department of Weights and Measures
Article and its heading: 7, Motor Fuels and Petroleum Products
Section numbers: R20-2-708, R20-2-709, R20-2-718, R20-2-751, R20-2-752, and Table A (As part of this rulemaking, the Board may add, delete, or modify additional Sections as necessary)

2. The subject matter of the proposed rule:

The rulemaking makes minor clerical corrections and a technical correction related to a correlation equation in a test method used by refiners to test and certify Arizona Cleaner-Burning Gasoline (CBG). The Arizona Cleaner Burning Gasoline (CBG) program is a control measure used to reduce pollution from mobile sources in the Phoenix metropolitan area and is relied on in the area to reduce ozone, carbon monoxide (CO), and particulate matter (PM) formation.

The test methods used by refiners are specified in R20-2-759. Previously there was an expectation that a new equation for vapor pressure (referred to as the CARB correlation equation) would become effective once Arizona's Revised State Implementation Plan (SIP) was approved by the Environmental Protection Agency (EPA). However, it was determined by EPA that it could not approve the SIP revision because the revision would create a new fuel, which is prohibited by federal law.

The disapproval of the use of the vapor pressure CARB correlation equation resulted in a technical error in the current CBG rule, which instructs refiners to use an equation that is not allowed under the SIP. The Department sent a letter to the refiners notifying them of the inconsistency and the requirement to use the previously-required vapor pressure equation, referred to as the ASTM equation. This rulemaking corrects the inconsistency in the rule to require refiners certifying Arizona CBG to use the ASTM equation for vapor pressure test methods.

Changes are made to R20-2-708 and R20-2-751 to make the rules consistent with A.R.S. §§ 41-2083(D) and 41-2122(A), which limit the volatility of gasoline to 9 pounds psi from and after September 30 through March 31 of each year in a county with more than 1,200,000 persons and any portion of a county contained in Area A. Other minor changes are made to correct typographical errors and clarify requirements.

After this rulemaking is approved, the Department will submit the amended R20-2-708, R20-2-751, R20-2-752, and Table A to the EPA as part a revision of the SIP.

The Department was authorized by Steven Killian, Policy Advisor for the Governor, on April 2, 2013, to proceed with this rulemaking.

3. A citation to all published notices relating to the proceeding:

Notice of Proposed Rulemaking: 19 A.A.R. 1590, June 14, 2013 (*in this issue*)

4. Name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Michelle Wilson
Address: Arizona Department of Weights and Measures
4425 W. Olive Ave., Suite 134
Glendale, AZ 85302
Telephone: (602) 771-4933
Fax: (623) 939-7825
E-mail: mwilson@azdwm.gov
Web site: www.azdwm.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

The Department will accept comments during business hours at the address listed in item 4. Information regarding an oral proceeding will be included in the Notice of Proposed Rulemaking.

6. A timetable for agency decisions or other action on the proceeding, if known:

To be determined