

GOVERNOR'S REGULATORY REVIEW COUNCIL

This section of the Register contains information submitted for publication by the Governor's Regulatory Review Council. The Five-Year Review Schedule is listed and will be updated as necessary. Also in this section will appear the tentative agendas for the monthly Council meetings and summaries of action taken by the Council at the monthly meetings.

NOTICE OF PUBLIC MEETING AND AGENDA OF THE DECEMBER 1, 1998, GOVERNOR'S REGULATORY REVIEW COUNCIL

Pursuant to A.R.S. § 38-431.02, notice is hereby given to members of the Governor's Regulatory Review Council and the general public that the Governor's Regulatory Review Council will hold a regular meeting, open to the public, on **TUESDAY, DECEMBER 1, 1998**. This meeting will be held at 9 a.m. in the auditorium on the 1st floor of the **INDUSTRIAL COMMISSION, 800 WEST WASHINGTON, PHOENIX, ARIZONA**. For additional information, call the Governor's Regulatory Review Council office at (602) 542-2058. Pursuant to A.R.S. § 38-431.03(A)(3), the Governor's Regulatory Review Council may vote to go into executive session, which will not be open to the public, for the purpose of obtaining legal advice on any item on the agenda.

A. 9 a.m. - CALL TO ORDER

B. APPROVAL OF MINUTES OF: November 3, 1998, meeting

C. CONFLICT OF INTEREST:

D. CONSIDERATION OF 5-YEAR-REVIEW REPORTS:

1. **DEPARTMENT OF ENVIRONMENTAL QUALITY (F-98-1006)**
18 A.A.C. 5, Article 1, Classification of Treatment Plants and Certification of Operators; and Article 4, Subdivisions
2. **ARIZONA RADIATION REGULATORY AGENCY (F-98-1101)**
12 A.A.C. 1, Article 5, Radiation Safety Requirements for Industrial Radiographic Operations
3. **DEPARTMENT OF AGRICULTURE (F-98-1201)**
3 A.A.C. 4, Article 1, General Rules and Definitions; Article 2, Quarantine; Article 3, Nursery Rules; and Article 4, Seeds
4. **GAME AND FISH COMMISSION (F-98-1202)**
12 A.A.C. 4, Article 2, Miscellaneous Licenses and Permits; and Article 4, Live Wildlife
5. **DEPARTMENT OF HEALTH SERVICES (F-98-1203)**
9 A.A.C. 5, Article 7, Certification of Day Care Group Homes; Article 8, Day Care Group Home Administration; Article 9, Program and Equipment for Day Care Group Homes; and Article 10, Activity Areas and Physical Facility Standards for Day Care Group Homes
6. **DEPARTMENT OF ADMINISTRATION (F-98-1204)**
2 A.A.C. 15, Article 2, Fleet Management

E. CONSIDERATION OF RULES:

1. **DEPARTMENT OF AGRICULTURE (AR-98-1012)**
3 A.A.C. 2, Article 8, Dairy and Dairy Products Control
Repeal: R3-2-802 and R3-2-805
ReNUMBER R3-2-801, R3-2-803, R3-2-804, and R3-2-808
Amend: R3-2-803 through R3-2-807, and R3-2-809
New Sections: R3-2-801, R3-2-802, and R3-2-808
2. **DEPARTMENT OF AGRICULTURE (AR-98-1016)**
3 A.A.C. 4, Article 2, Quarantine
Repeal: R3-4-233

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- New Sections: R3-4-233
3. **UNIFORM PLUMBING CODE COMMISSION (AR-98-1107)**
4 A.A.C. 48, Article 1, Arizona Uniform Plumbing Code (New Article)
- New Sections: R4-48-101 and R4-48-102
- New Tables: Table A through Table F
- New Illustration: Illustration A
4. **DEPARTMENT OF REVENUE (AR-98-1201)**
15 A.A.C. 5, Article 1, Retail Classification; Article 6, Sales Tax - Contracting Classification; and Article 23, Use Tax
- Amend: Article 6 and R15-5-606
- New Sections: R15-5-152, R15-5-607, and R15-5-2340
5. **DEPARTMENT OF REVENUE (AR-98-1202)**
15 A.A.C. 4, Article 1, Property Valuation; Article 3, Valuation of Airline Property; Article 4, Class Seven Limited Value and Assessment Ratio; and Article 5, Valuation of Pipeline and Telecommunication Companies
- Repeal: R15-4-110, R15-4-301, R15-4-303, R15-4-402, and R15-4-506
6. **RADIATION REGULATORY AGENCY (AR-98-1203)**
12 A.A.C. 1, Article 12, Administrative Provisions, Table A (New Table)
- Amend: R12-1-1223
- New Table: Table A
7. **RADIATION REGULATORY AGENCY (AR-98-1204)**
12 A.A.C. 2, Article 3, Licensing Time-frames (New Article)
- Repeal: Article 3, R12-2-301, R12-2-302
- New Sections: R12-2-301
8. **STRUCTURAL PEST CONTROL COMMISSION (AR-98-1206)**
4 A.A.C. 29, Article 1, General and Administrative Provisions; Table 1 (New Table)
- New Sections: R4-29-108
- New Table: Table 1
9. **BOARD OF PODIATRY EXAMINERS (AR-98-1207)**
4 A.A.C. 25, Article 1, General Provisions; Article 2, Examinations; Article 3, Licenses; and Article 6, Dispensing of Drugs and Devices, Table 1 (New Table)
- Repeal: R4-25-202, R4-25-302, and R4-25-304
- Renumber: R4-25-303 and R4-25-304
- Amend: R4-25-101 and R4-25-602
- New Sections: R4-25-104, R4-25-301, and R4-25-302
- New Table: Table 1
10. **VETERINARY MEDICAL EXAMINING BOARD (AR-98-1208)**
3 A.A.C. 11, Article 1, General Provisions; Article 2, Application and Examination for Licensure; Article 3, Temporary Permittees; Article 6, Veterinary Technicians; and Article 7, Veterinary Medical Premises; Table 1 (New Table)
- Repeal: R3-11-105, R3-11-201, R3-11-301, R3-11-601, and R3-11-607
- New Section: R3-11-105, R3-11-108, R3-11-201, R3-11-301, R3-11-601, R3-11-606, R3-11-607, and R3-11-707
- New Table: Table 1
11. **GAME AND FISH COMMISSION (AR-98-1209)**
12 A.A.C. 4, Article 3, Taking and Handling of Wildlife
- Amend: R12-4-309
12. **DEPARTMENT OF ENVIRONMENTAL QUALITY (AR-98-1210)**
18 A.A.C. 4, Article 1, General Requirements; Article 2, Maximum Contaminant Levels and Monitoring Requirements; and Article 4, Special Monitoring Requirements

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Amend: R18-4-101, R18-4-104, R18-4-120, R18-4-122, Article 2, R18-4-206, R18-4-212, R18-4-216, R18-4-219, R18-4-401, R18-4-402, R18-4-404, and R18-4-405

New Sections: R18-4-224 through R18-4-226

13. DEPARTMENT OF TRANSPORTATION (AR-98-1211)

17 A.A.C. 4, Article 2, Titles and Registration; Appendix A

Repeal: R17-4-218 and Appendix A

New Section: R17-4-218

14. DEPARTMENT OF INSURANCE (AR-98-1212)

20 A.A.C. 6, Article 7, Licensing Provisions and Procedures; Table A (New Table)

New Sections: R20-6-708

New Table: Table A

15. BOARD OF DISPENSING OPTICIANS (AR-98-1213)

4 A.A.C. 20, Article 1, In General, Table 1 (New Table)

Repeal: R4-20-102, R4-20-107, R4-20-109, and R4-20-111

Amend: R4-20-101 and R4-20-108

New Sections: R4-20-102, R4-20-107, R4-20-109, R4-20-110, R4-20-111, R4-20-115

New Table: Table 1

F. ADJOURNMENT

PLEASE NOTE THE FOLLOWING:

THIS AGENDA IS SUBJECT TO CHANGE UP TO 24 HOURS BEFORE THE MEETING.

PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION, SUCH AS A SIGN LANGUAGE INTERPRETER, BY CONTACTING THE COUNCIL'S OFFICE AT 542-2058. REQUESTS SHOULD BE MADE AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE THE ACCOMMODATION.

A COPY OF THE AGENDA AND BACKGROUND MATERIAL PROVIDED TO COUNCIL MEMBERS (WITH THE EXCEPTION OF MATERIAL RELATING TO POSSIBLE EXECUTIVE SESSIONS) IS AVAILABLE FOR PUBLIC INSPECTION AT THE COUNCIL'S OFFICE, 1400 WEST WASHINGTON, SUITE #270, PHOENIX, ARIZONA 85007.

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**NOTICE OF ACTION TAKEN AT THE
NOVEMBER 3, 1998, MEETING**

ADOPTED RULES:

1. BOARD OF TECHNICAL REGISTRATION (AR-98-1101)

4 A.A.C. 30, Article 2, Registration Provisions

Repeal: R4-30-206

Renumber: R4-30-202, R4-30-203, and R3-30-207

Amend: R4-30-201 through R4-30-204

New Sections: R4-30-209 through R4-30-211

COUNCIL ACTION: APPROVED

2. BOARD OF OPTOMETRY (AR-98-1102)

4 A.A.C. 21, Article 1, General Provisions; Article 2, Licensing Provisions; Article 3, Regulatory Provisions; and Article 4, Public Participation Procedures (New Article)

Repeal: R4-21-202 and R4-21-203

Renumber: R4-21-202, R4-21-204; R4-21-205, R4-21-207 through R4-21-209; R4-21-306 through R4-21-308

Amend: R4-21-101 through R4-21-103; R4-21-201; R4-21-202; R4-21-207 through R4-21-209; R4-21-301 through R4-21-305; R4-21-307 and R4-21-308

New Sections: R4-21-203 through R4-21-206; R4-21-306; R4-21-401 through R4-21-406

New Table: Table 1

COUNCIL ACTION: APPROVED

3. BOARD OF BEHAVIORAL HEALTH EXAMINERS (AR-98-1103)

4 A.A.C. 6, Article 6, Marriage and Family Therapy

Amend: R4-6-604

COUNCIL ACTION: APPROVED

4. BOARD OF NURSING (AR-98-1104)

4 A.A.C. 19, Article 3, Licensure

Amend: R4-19-308

COUNCIL ACTION: APPROVED

5. BOARD FOR PRIVATE POSTSECONDARY EDUCATION (AR-98-1105)

4 A.A.C. 39, Article 1, Definitions, Licensure and Reporting

Repeal: R4-39-109

Renumber: R4-39-109 through R4-39-112

Amend: R4-39-108, R4-39-110 through R4-39-112

COUNCIL ACTION: APPROVED

6. BOARD FOR PRIVATE POSTSECONDARY EDUCATION (AR-98-1106)

4 A.A.C. 39, Article 2, Fees

Amend: - R4-39-201

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COUNCIL ACTION: APPROVED

7. BOARD OF ACCOUNTANCY (AR-98-1108)

4 A.A.C. 1, Article 1, General Provisions; Article 2, CPA Examination Provisions; Article 3, Certification and Registration Provisions; and Article 4, Regulations Provisions

Repeal: R4-1-227 and R4-1-454

Amend: Article 1, R4-1-101, R4-1-102, R4-1-104, R4-1-105, R4-1-113 through R4-1-117; Article 2, R4-1-226, R4-1-228 through R4-1-230; Article 3, R4-1-342 through R4-1-346; Article 4, R4-1-453, and R4-1-455 through R4-1-455.04

New Sections: R4-1-115.01 and R4-1-115.02

COUNCIL ACTION: APPROVED

8. BOARD OF PHARMACY (AR-98-1109)

4 A.A.C. 23, Article 8, Poisons or Hazardous Substances; and Article 10, Uniform Controlled Substances and Drug Offenses

Repeal: Article 8; R4-23-801 through R4-23-804; R4-23-1002 and R4-23-1004

COUNCIL ACTION: APPROVED

9. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AR-98-1111)

9 A.A.C. 28, Article 1, Definitions; Article 4, Eligibility and Enrollment; and Article 7, Standards for Payment (New Section)

Repeal: R9-28-402

Amend: R9-28-104 through R9-28-107

New Section: R9-28-712

COUNCIL ACTION: APPROVED

10. DEPARTMENT OF ECONOMIC SECURITY (AR-98-1112)

6 A.A.C. 15, Article 1, General Provisions; Article 2, Application Process; Article 3, Non-Financial Eligibility Criteria; Article 4, Financial Eligibility; Resources; Article 5, Financial Eligibility; Income; Article 6; Work Participation; Employment Levels; Article 7, Eligibility and Payments; Article 8, Changes; Adverse Action; Article 9, Overpayments; Article 10, Intentional Program Violations; Article 11, Subsidized Employment Program (New Articles)

New Sections: R6-15-101 through R6-15-111; R6-15-201 through R6-15-208; R6-15-301 through R6-15-313; R6-15-401 through R6-15-404, R6-15-501 through R6-15-506; R6-15-601 through R6-15-611; R6-15-701 through R6-15-706; R6-15-801 through R6-15-805; R6-15-901 through R6-15-904; R6-15-1001 through R6-15-1003; R6-15-1101 through R6-15-1102

COUNCIL ACTION: APPROVED

11. DEPARTMENT OF INSURANCE (AR-98-1004)

20 A.A.C. 6, Article 2, Transaction of Insurance

Amend: R20-6-206

NOTE: THIS ITEM WAS TABLED AT THE OCTOBER 6, 1998, MEETING

COUNCIL ACTION: APPROVED