

## NOTICES OF RULEMAKING DOCKET OPENINGS

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever 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

1. **Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 11, State Board of Dental Examiners  
**Article and its heading:** 13, Investigation and Adjudication of Complaints  
**Section number:** R4-11-1306
2. **Subject matter of the proposed rule:**  
Policies and procedures for the mediation process.  
**The agency docket number, if applicable:**  
Not applicable.
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Veronica M. Marquez  
Address: State Board of Dental Examiners  
5060 North 19th Avenue, Suite 406  
Phoenix, Arizona 85015  
Telephone: (602) 255-3696  
Fax: (602) 255-3589
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 between 8 a.m. and 5 p.m., Monday through Friday.  
The Board will not accept any oral comments.
6. **A timetable for agency decisions or other action in the proceeding:**  
Not applicable.

### NOTICE OF RULEMAKING DOCKET OPENING

#### BOARD OF PHARMACY

1. **Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 23, Board of Pharmacy  
**Articles and their headings:** 1, Administration  
4, Professional Practices  
6, Permits and Distribution of Drugs  
**Section numbers:** R4-23-110, R4-23-402, R4-23-606, R4-23-612, R4-23-651, R4-23-671, R4-23-672, and R4-23-673.
2. **Subject matter of the proposed rule:**  
The Limited-service Pharmacy rule establishes the requirements for Limited-service Correctional Pharmacy and Limited-service Mail-order Pharmacy. A Limited-service Pharmacy permit is provided for in A.R.S. § 32-1930(A)(2). The new rule establishes rules for two specific areas of Limited-service Pharmacies. The rule also modifies the reference book requirements for pharmacies.  
**The agency docket number, if applicable:**  
R9508
3. **A citation to all published notices relating to the proceeding:**  
**Notice of Rulemaking Docket Opening:**  
1 A.A.R. 200, March 17, 1995  
**Notice of Proposed Rulemaking:**  
1 A.A.R. 1931, October 20, 1995  
**Notice of Termination of Rulemaking:**  
1 A.A.R. 1218, July 28, 1995

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

Name: Dean Wright, Compliance Officer  
Address: Board of Pharmacy  
5060 North 19th Avenue, Suite 101  
Phoenix, Arizona 85015  
Telephone: (602) 255-5125, ext. 131  
Fax: (602) 255-5740

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

The Board has not scheduled a public hearing but will accept oral comments 8 a.m. to 5 p.m., Monday through Friday, at the address listed above.

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

Not applicable.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES

1. Title and its heading:

9, Health Services

Chapter and its heading:

14, Department of Health Services - Laboratories

Article and its heading:

4, Determination of Blood Alcohol

Section numbers:

R9-14-403 and R9-14-404 and Exhibits X, Y, and Z

2. Subject matter of the proposed rule:

The RBT IV breath testing device along with the related operator procedure and quality assurance forms (Exhibits X, Y, and Z) were approved by the Director in accordance with R9-14-403(K). The proposed rules and the RBT IV to the quantitative breath testing devices in R9-14-403(G). The Director's approval of the RBT IV will expire March 10, 1996, unless R9-14-403(G) is amended to include the RBT IV in accordance with R9-14-403(K).

The agency docket number, if applicable:

Not applicable.

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

None published.

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

Name: Wynand H. Nimmo  
Address: Department of Health Services  
3443 North Central Avenue, Suite 810  
Phoenix, Arizona 85012  
Telephone: (602) 255-3454  
Fax: (602) 255-3462

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 oral and written comments between 8 a.m. and 5 p.m., Monday through Friday, until the close of record which is anticipated to be approximately November 27, 1995.

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

It is anticipated that the Notice of Proposed Rulemaking will be filed in early October with one public hearing and the close of record approximately November 27, 1995. Thereafter the final rules will be adopted and submitted to GRRC for its consideration at the February 1996 meeting.

NOTICE OF RULEMAKING DOCKET OPENING

LAND DEPARTMENT

1. Title and its heading:

12, Natural Resources

Chapter and its heading:

5, Land Department

Article and its heading:

4, Sales

Section number:

R12-5-413

2. Subject matter of the proposed rule:

In 1993, the Arizona Legislature enacted A.R.S. § 37-132(B)(2) which authorized the State Land Commissioner to use private real estate brokers to assist in any sale or long-term lease of state land. The proposed rule will enable the Department to offer a commission for each publicly offered sale or long-term commercial lease, at the Land Commissioner's discretion. The amount of the commission will not exceed 3% of the consideration paid for the land sold or long-term leased.

The agency docket number, if applicable:

Not applicable.

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

None published.

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4. Name and address of agency personnel with whom persons may communicate regarding the rule:
  - Name: William P. Foster, Director  
Planning and Disposition Division
  - Address: Land Department  
1616 West Adams  
Phoenix, Arizona 85007
  - Telephone: (602) 542-1704
  - Fax: (602) 542-2590
  
  - Name: Richard B. Oxford, Director  
Operations Division
  - Address: Land Department  
1616 West Adams  
Phoenix, Arizona 85007
  - Telephone: (602) 542-4602
  - Fax: (602) 542-5223
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 written comments between 8 a.m. and 5 p.m. Monday through Friday.  
The Department will accept oral comments between 8 a.m. and 4 p.m., Monday through Friday, at the address listed above.
6. A timetable for agency decisions or other action in the proceeding:

None.

NOTICE OF RULEMAKING DOCKET OPENING

WASTEWATER MANAGEMENT AUTHORITY OF ARIZONA

1. Title and its heading: 18, Environmental Quality  
Chapter and its heading: 10, Wastewater Management Authority of Arizona  
Article and its heading: 1, Financing of Wastewater Facilities and Nonpoint Source Discharge Programs  
Section numbers: R18-10-101 through R18-10-114
2. Subject matter of the proposed rule:

The subject matter of the proposed rules is the financing of wastewater facilities and nonpoint source discharge programs. The financing includes the types of financial assistance available, eligibility criteria, federal requirements, and fund administration. The Article was originally designed after the federal construction grants program for wastewater facilities. Terminology has changed, new financial assistance has become available, and the requirements for financial assistance have been made more flexible. Therefore, the rule is being amended to reflect the changes from the federal regulations and state statutes.

The agency docket number, if applicable:  
Not applicable.
3. A citation to all published notices relating to the proceeding:

None published.
4. Name and address of agency personnel with whom persons may communicate regarding the rule:
  - Name: Martha L. Seaman, Manager, Rule Development Section
  - Address: Department of Environmental Quality  
3033 North Central Avenue, Room 831  
Phoenix, Arizona 85012
  - Telephone: (602) 207-2222
  - Fax: (602) 207-2251
5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

To be published in the Notice of Proposed Rulemaking.
6. A timetable for agency decisions or other action in the proceeding:

The proposed rule is expected to be published in October.