

## NOTICES OF RULEMAKING DOCKET OPENING

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

#### BOARD OF CHIROPRACTIC EXAMINERS

- 1. Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 7, Chiropractic  
**Article and its heading:** 5, Licenses  
6, Acupuncture Certification  
8, Continuing Education  
**Section Numbers:** R4-7-501, R4-7-601, R4-7-801
- 2. The subject matter of the proposed rule:**  
The purpose of the proposed rules is to clarify that a licensee must keep their certification verifying that their license was renewed available for inspection, add acupuncture techniques to those already defined in rule, and amend the continuing education requirements to allow for some forms of distance learning.  
**The agency docket number if applicable:**  
None
- 3. A citation to all published notices relating to the proceeding:**  
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Patrice A. Pritzl, Executive Director  
Address: Board of Chiropractic Examiners  
5060 North 19th Avenue, Suite No. 416  
Phoenix, Arizona 85015  
Telephone: (602) 255-1444  
Fax: (602) 255-4289
- 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 8:00 a.m. and 5:00 p.m. Monday through Friday. The Board will publish an opportunity to request an oral hearing with the Notice of Proposed Rulemaking.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
None

### NOTICE OF RULEMAKING DOCKET OPENING

#### DEPARTMENT OF HEALTH SERVICES

#### FOOD, RECREATIONAL AND INSTITUTIONAL SANITATION

- 1. Title and its heading:** 9, Health Services  
**Chapter and its heading:** 8, Department of Health Services - Food, Recreational and Institutional Sanitation  
**Article and its heading:** 8, Public and Semipublic Bathing Places  
**Section Numbers:** R9-8-801 through R9-8-852 (ADHS may add, delete, or modify additional Sections as necessary.)

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**2. The subject matter of the proposed rule:**

ADHS promulgated rules for the design, construction, and maintenance of public and semipublic swimming pools and spas and natural and semi-artificial bathing places in 1976. In 1986, the legislature transferred regulatory authority for the design and construction of public and semipublic swimming pools and bathing places to the Arizona Department of Environmental Quality (ADEQ). As a result, ADHS was left with statutory authority to prescribe reasonably necessary measures to prevent pollution of water used in and to prevent deleterious health conditions at public or semipublic swimming pools and bathing places. This includes the authority to establish minimum sanitary standards to be maintained at public and semipublic swimming pools and bathing places, to provide for inspection of the premises, and to provide for abatement as public nuisances of premises and facilities that do not comply with the rules. The ADHS rules are required to be consistent with the ADEQ rules.

ADEQ adopted rules to the design, construction, and disinfection of public and semipublic swimming pools and spas in February 1998. In October 1998, ADHS repealed those rules in 9 A.A.C. 8 that related to the design and construction of public and semipublic swimming pools and spas.

With this rulemaking, ADHS intends to update its rules for public and semipublic swimming pools and bathing places so that the rules are consistent with ADEQ rules, with national standards, and with ADHS's statutory authority. The rules will add an applicability Section, will add a cease and desist and abatement Section, will prescribe a specific time period for inspections at public swimming pools while they are open for bathing, will prescribe the actions to be taken in the event of a fecal accident in a public or semipublic swimming pool or spa, will allow more flexibility in methods of chemical disinfection for public and semipublic swimming pools and spas, and will establish new water quality standards for public and semipublic swimming pools and bathing places. The rule also will eliminate all remaining language that is not consistent with ADHS's statutory authority. The rules will conform to current rulemaking format and style requirements.

ADHS may add, delete, or modify additional Sections as necessary.

**The agency docket number if applicable:**

RE-013-00

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

None

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

Name: Will Humble  
Address: 3815 North Black Canyon Highway  
Phoenix, Arizona 85015  
Telephone: (602) 230-5941  
Fax: (602) 230-5933

OR

Name: Kathleen Phillips  
Address: 1740 West Adams, Room 102  
Phoenix, Arizona 85007  
Telephone: (602) 542-1264  
Fax: (602) 542-1090  
E-Mail: kphilli@hs.state.az.us

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

ADHS will accept written comments until the close of record, which has not yet been determined. ADHS has not scheduled any oral proceedings at this time.

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

None

**NOTICE OF RULEMAKING DOCKET OPENING**

**ARIZONA CORPORATION COMMISSION  
SECURITIES DIVISION**

- 1. Title and its heading:** 14, Public Service Corporations; Corporations and Associations; Securities Regulation  
**Chapter and its heading:** 4, Securities  
**Article and its heading:** 3, Provisions Relating to Enforcement  
**Section numbers:** R14-4-301, R14-4-302, R14-4-303, R14-4-304, R14-4-305, R14-4-306, R14-4-307, and R14-4-308 (Other Sections may be added, deleted, or modified)
- 2. Subject matter of proposed rules:**  
The rulemaking proposal includes the repeal of Sections R14-4-301 through R14-4-308 and new Sections R14-4-301 through R14-4-307. Currently, Section R14-4-301 describes the scope of Article 3, R14-4-302 contains definitions of terms used in Article 3, R14-4-303 provides for confidentiality of specified information or documents, R14-4-304 provides methods of service, R14-4-305 provides the rights of witnesses and interview procedures, R14-4-306 provides procedures for noticing an opportunity for a hearing and for the hearing, R14-4-307 provides for temporary cease-and-desist orders, and R14-4-308 provides procedures for rescission and restitution.  
**Agency docket number:**  
Docket Number RS-00000A-00-0752
- 3. A citation to all published notices relating to the proceeding:**  
None
- 4. Agency contact person:**  
Name: Cheryl T. Farson, General Counsel  
Address: Arizona Corporation Commission, Securities Division  
1300 West Washington, Third Floor  
Phoenix, Arizona 85007  
Phone: (602) 542-4242  
Fax: (602) 594-7470
- 5. Time during which agency will accept written comments:**  
Monday through Friday, 8:00 a.m. through 5:00 p.m.  
**Time and place where oral comments may be made:**  
Monday through Friday, 8:00 a.m. through 5:00 p.m. at the Securities Division as noted in question 4. No hearing date has been set.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
Not known

**NOTICE OF RULEMAKING DOCKET OPENING**

**ARIZONA DEPARTMENT OF REVENUE**

- 1. Title and its heading:** 15, Revenue  
**Chapter and its heading:** 7, Department of Revenue - Bingo Section  
**Article and its heading:** 2, General Provisions  
**Section number:** R15-7-213
- 2. The subject matter of the proposed rule:**  
The rule relates to verification of winning bingo cards.  
**The agency docket number, if applicable:**  
Not applicable
- 3. A citation to all published notices relating to the proceeding:**  
Not applicable

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

Name: Jim Bilski, Tax Analyst  
Address: Tax Research & Analysis Section  
Arizona Department of Revenue  
1600 West Monroe  
Phoenix, Arizona 85007  
Telephone: (602) 542-4672  
Fax: (602) 542-4680  
E-Mail: BilskiJ.revenue.state.az.us

**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 on the proceeding, if known:**

Unknown

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF TRANSPORTATION  
MOTOR VEHICLE DIVISION**

- 1. Title and its heading:** 17, Transportation  
**Chapter and its heading:** 4, Department of Transportation - Motor Vehicle Division  
**Article and its heading:** 4, Motor Carriers  
**Section numbers:** R17-4-405

**2. Subject matter of the proposed rule:**

Under A.R.S. § 28-1104(D), the Arizona Department of Transportation shall make rules to move equipment without a special permit for the purpose of repair or local operation. Using the definition of equipment in A.R.S. § 28-7006(F)(2), the Arizona Department of Transportation proposes a rule to exempt itself from applying for a permit to move its own equipment throughout the state, for repair or local operation.

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

None

**4. The name and address of agency personnel to whom persons may communicate regarding the rule:**

Name: Wendy S. LeStarge, Rules Analyst  
Address: 3737 North Seventh Street, Suite 160  
Phoenix, Arizona 85014  
Telephone: (602) 712-6007  
Fax: (602) 241-1624  
E-Mail: wlestarge@dot.state.az.us

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

Oral or written comments will be accepted at the location listed in question #4 between 8:00 a.m. and 4:30 p.m., Monday through Friday.

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

To be determined.

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

- 1. Title and its heading:** 18, Environmental Quality  
**Chapter and its heading:** 9, Department of Environmental Quality - Water Pollution Control  
**Articles and their headings:** 5, Reserved  
**Section numbers:** R18-9-501
- 2. The subject matter of the proposed rule:**  
This rulemaking implements a surface water quality general grazing permit consisting of voluntary best management practices for grazing activities.
- 3. A citation to all published notices relating to the proceeding:**  
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Shirley J. Conard  
Address: Arizona Department of Environmental Quality  
3033 North Central, M0401A-422  
Phoenix, Arizona 85012-2809  
Telephone: (602) 207-4632  
Fax: (602) 207-4674
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
Written comments will be accepted at the location listed in question #4 between 8:00 a.m. and 5:00 p.m., Monday through Friday. Oral comments will be accepted at the location listed in question #4 between 8:00 a.m. and 4:00 p.m., Monday through Friday. Comments will be accepted until the close of record which has not yet been determined.
- 6. A timetable for agency decisions or other action on the proceeding:**  
None