

## GOVERNOR'S REGULATORY REVIEW COUNCIL

This section of the *Register* contains information submitted for publication by the Governor's Regulatory Review Council, including the tentative agendas for the monthly Council meetings and summaries of action taken by the Council at the meetings.

### GOVERNOR'S REGULATORY REVIEW COUNCIL NOTICE OF ACTION TAKEN AT THE NOVEMBER 2, 2004 MEETING

#### FIVE-YEAR-REVIEW REPORTS:

1. **STATE PARKS BOARD (F-04-0905)**  
Title 12, Chapter 8, Article 1, General Provisions; Article 2, Operation of the Board; and Article 3, State Historic Preservation Office Programs  
**COUNCIL ACTION: APPROVED**
2. **BOARD OF EXAMINERS FOR NURSING CARE INSTITUTION ADMINISTRATORS AND ASSISTED LIVING FACILITY MANAGERS (F-04-1001)**  
Title 4, Chapter 33, Article 4, Assisted Living Facility Manager Certification  
**COUNCIL ACTION: APPROVED**
3. **DEPARTMENT OF HEALTH SERVICES (F-04-1101)**  
Title 9, Chapter 4, Article 1, Definitions; and Article 4, Cancer Registry  
**COUNCIL ACTION: APPROVED**
4. **DEPARTMENT OF HEALTH SERVICES (F-04-1102)**  
Title 9, Chapter 10, Article 11, Home Health Agencies  
**COUNCIL ACTION: APPROVED**
5. **RADIATION REGULATORY AGENCY (F-04-1104)**  
Title 12, Chapter 1, Article 4, Standards for Protection Against Ionizing Radiation  
**COUNCIL ACTION: APPROVED**
6. **MEDICAL RADIOLOGIC TECHNOLOGY BOARD OF EXAMINERS (F-04-1105)**  
Title 12, Chapter 2, Article 1, General Provisions; Article 2, Application and Certification of Technologists; Article 3, Licensing Time-frames; and Article 4, Schools of Practical Radiologic Technology  
**COUNCIL ACTION: APPROVED**
7. **DEPARTMENT OF HEALTH SERVICES (F-04-1107)**  
Title 9, Chapter 10, Article 14, Recovery Care Centers  
**COUNCIL ACTION: APPROVED**
8. **DEPARTMENT OF TRANSPORTATION (F-04-1111)**  
Title 17, Chapter 3, Article 2, Management of Contractor Bidding; Article 3, Relocation Assistance; Article 7, Highway Encroachments and Permits; Article 8, Arizona Parkways and Historic and Scenic Roads; and Article 9, Highway Traffic Control Devices  
**COUNCIL ACTION: APPROVED**

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- 9. DEPARTMENT OF AGRICULTURE (F-04-1116)**  
Title 3, Chapter 3, Article 11, Arizona Native Plants

**COUNCIL ACTION: APPROVED**

**RULES:**

- 1. DEPARTMENT OF INSURANCE (AR-04-0903)**  
Title 20, Chapter 6, Article 10, Long-term Care Insurance

**Renumber:** R20-6-1005 through R20-6-1017, R20-6-1022, R20-6-1023, Appendix A, Appendix B, Appendix C, and Appendix D

**Repeal:** R20-6-1014

**Amend:** R20-6-1001 through R20-6-1004, R20-6-1006, R20-6-1007, R20-6-1010 through R20-6-1014, R20-6-1016, R20-6-1017, R20-6-1022, R20-6-1023, Appendix C and Appendix D

**New Sections:** R20-6-1005, R20-6-1008, R20-6-1009, R20-6-1015, R20-6-1018 through R20-6-1021, R20-6-1024, Appendix A, Appendix B, Appendix E, Appendix F, Appendix G, Appendix H, and Appendix I, and Appendix J

**COUNCIL ACTION: APPROVED**

- 2. BOARD OF PSYCHOLOGIST EXAMINERS (AR-04-1006)**  
Title 4, Chapter 26, Article 1, General Provisions; Article 2, Licensure; and Article 3, Regulation

**Amend:** R4-26-101, R4-26-204, R4-26-205, R4-26-207, Table 1, R4-26-211, and R4-26-308

**COUNCIL ACTION: APPROVED**

- 3. ARIZONA COTTON RESEARCH AND PROTECTION COUNCIL (R-04-1114)**  
Title 3, Chapter 9, Article 3, Arizona Cotton Research and Protection Council

**New Section:** R3-9-302

**COUNCIL ACTION: APPROVED**

- 4. DEPARTMENT OF PUBLIC SAFETY (R-04-1115)**  
Title 13, Chapter 9, Article 1, General Provisions; Article 2, Concealed Weapon Permit (New Article); Article 3, Firearms-safety Training Program (New Article); and Article 4, Hearings and Disciplinary Proceedings (New Article)

**Repeal:** R13-9-102 through R13-9-113

**New Articles:** Articles 2, 3, and 4

**New Sections:** R13-9-102 through R13-9-104, R13-9-201 through R13-9-208, R13-9-301 through R13-9-309, R13-9-401 and R13-9-402

**Amend:** R13-9-101

**COUNCIL ACTION: APPROVED**

- 5. DEPARTMENT OF ENVIRONMENTAL QUALITY (R-04-1117)**  
Title 18, Chapter 2, Article 3, Permits and Permit Revisions; and Article 5, General Permits

**Amend:** R18-2-326 and R18-2-511

**COUNCIL ACTION: APPROVED**

6. **ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) (R-04-1118)**  
Title 9, Chapter 22, Article 7, Standards for Payment

**Repeal:** R9-22-706

**Amend:** R9-22-708

**COUNCIL ACTION: APPROVED**

7. **ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) (R-04-1119)**  
Title 9, Chapter 28, Article 7, Standards for Payments

**Amend:** R9-28-706

**COUNCIL ACTION: APPROVED**

8. **ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) (R-04-1120)**  
Title 9, Chapter 31, Article 16, Services for Native Americans

**Amend:** R9-31-1616

**COUNCIL ACTION: APPROVED**

**GOVERNOR'S REGULATORY REVIEW COUNCIL**

**NOTICE OF PUBLIC MEETING AND AGENDA FOR DECEMBER 7, 2004**

Pursuant to A.R.S. § 38-431.02, notice is hereby given to members of the **Governor's Regulatory Review Council** and to the general public that the **Governor's Regulatory Review Council** will hold a regular meeting, open to the public on **Tuesday, December 7, 2004 at 9:00 a.m. in the boardroom of the Arizona Peace Officer Standards & Training Board, 2643 East University, Phoenix, Arizona**. For additional information, call the **Governor's Regulatory Review Council office at (602) 542-2058**.

Under 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.

The agenda for the meeting is as follows:

- A. 9:00 A.M. – CALL TO ORDER**
  
- B. APPROVAL OF MINUTES OF NOVEMBER 2, 2004 MEETING**
  
- C. CONFLICTS OF INTEREST**
  
- D. CONSIDERATION OF FIVE-YEAR-REVIEW REPORTS:**
  - 1. DEPARTMENT OF TRANSPORTATION (F-04-0904)**  
Title 17, Chapter 2, Article 1, General Provisions; Article 2, Grand Canyon National Park Airport Operation and Management
  
  - 2. BOARD OF EXAMINERS FOR NURSING CARE INSTITUTION ADMINISTRATORS AND ASSISTED LIVING FACILITY MANAGERS (F-04-1001)**  
Title 4, Chapter 33, Article 4, Assisted Living Facility Manager Certification
  
  - 3. VETERINARY MEDICAL EXAMINING BOARD (F-04-1201)**  
Title 3, Chapter 11, Article 1, General Provisions; Article 2, Application and Examination for Licensure; Article 3, Temporary Permittees; Article 4, Continuing Education Requirements; Article 5, Standards of Practice; Article 6, Veterinary Technicians; Article 7, Veterinary Medical Premises and Equipment; Article 8, Drug Dispensing; and Article 9, Investigations and Hearings
  
  - 4. STATE BANKING DEPARTMENT (F-04-1202)**  
Title 20, Chapter 4, Article 6, Debt Management Companies; Article 7, Escrow Agents; Article 8, Trust Companies; Article 10, Safe Deposit and Safekeeping Code; and Article 11, Public Depositories for Public Monies
  
  - 5. DEPARTMENT OF HEALTH SERVICES (F-04-1210)**  
Title 9, Chapter 24, Article 1, General; Article 2, Arizona Medically Underserved Areas; and Article 3, Coordinating Medical Providers
  
- E. CONSIDERATION OF RULES:**
  - 1. RADIATION REGULATORY AGENCY (AR-04-0901)**  
Title 12, Chapter 1, Article 2, Registration, Installation, and Service of Ionizing Radiation-Producing Machines; and Certification of Mammography Facilities; and Article 14, The Control of Nonionizing

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Radiation

**Repeal:** R12-1-209, R12-1-1411, R12-1-1417, R12-1-1440, and R12-1-1441  
**Amend:** Article 14, R12-1-1402 through R12-1-1410, R12-1-1412 through R12-1-1416, R12-1-1421 through R12-1-1423; R12-1-1425 through R12-1-1427, R12-1-1429, R12-1-1433 through R12-1-1437, R12-1-1443, R12-1-1444, and Appendix A  
**New Sections:** R12-1-209, R12-1-1401, R12-1-1418, R12-1-1440 through R12-1-1442, and Appendix B

**2. DEPARTMENT OF TRANSPORTATION (AR-04-1001)**

Title 17, Chapter 3, Article 5, Highway Encroachments and Permits (New Article); and Article 7, Highway Encroachments and Permits

**Repeal:** R17-3-702  
**New Article:** Article 5  
**New Sections:** R17-3-501 through and R17-3-509

**3. LAND DEPARTMENT (R-04-1110)**

Title 12, Chapter 5, Article 1, General Provisions; and Article 2, Practice and Procedure in Administrative Hearings for Protesting Auctions Before the Arizona State Land Commissioner

**Repeal:** R12-5-101 and R12-5-201 through R12-5-222  
**Amend:** Article 2  
**New Sections:** R12-5-101 through R12-5-109 and R12-5-201 through R12-5-218

**4. DEPARTMENT OF PUBLIC SAFETY (R-04-1112)**

Title 13, Chapter 2, Article 1, General Provisions; Article 2, Agency Licenses; Article 3, Registration Certificates; and Article 4, Regulation

**Repeal:** R13-2-01 through R13-2-12  
**New Articles:** Articles 2, 3, and 4  
**New Sections:** R13-2-101 through R13-2-105, R13-2-201 through R13-2-208, R13-2-301 through R13-2-306, and R13-2-401 through R13-2-404

**5. DEPARTMENT OF REVENUE (R-04-1204)**

Title 15, Chapter 5, Article 6, Prime Contracting Classification

**Repeal:** R15-5-617

**6. REGISTRAR OF CONTRACTORS (R-04-1205)**

Title 4, Chapter 9, Article 1, General Provisions

**Amend:** R4-9-109, R4-9-110, R4-9-112, R4-9-115, and R4-9-116

**7. DEPARTMENT OF ADMINISTRATION (R-04-1206)**

Title 2, Chapter 11, Article 3, Solicitation

**Amend:** R2-11-309

**8. DEPARTMENT OF ENVIRONMENTAL QUALITY (R-04-1209)**

Title 18, Chapter 2, Article 16, Visibility; Regional Haze

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**New Sections:** R18-2-1610 through R18-2-1613

**F. COUNCIL DISCUSSION ON FIVE-YEAR-REVIEW REPORTS FOLLOW-UP**

**G. ADJOURNMENT**

**PLEASE NOTE:**

- 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 (602) 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, 100 N. 15TH AVENUE, SUITE 402, PHOENIX, AZ 85007.