

Nancy Dahlstrom
Lieutenant Governor
State Capitol
Juneau, Alaska 99811
907.465.3520
WWW.LTGOV.ALASKA.GOV



530 West 7th Ave, Suite 1700
Anchorage, Alaska 99501
907.269.7460
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Sara Chambers
Department of Commerce, Community and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor 
465.4081

DATE: March 13, 2024

RE: Filed Permanent Regulations: Board of Dental Examiners

Board of Dental Examiners regulations re: repeal radiological equipment regulations per SB 173 (12 AAC 28.960 - .970)

Attorney General File:	2023200531
Regulation Filed:	3/13/2024
Effective Date:	4/12/2024
Print:	250, July 2024

cc with enclosures: Colleen Bailey, Department of Law
Judy Herndon, LexisNexis
Sylvan Robb, Division Director
Alison Osborne, Regulations Specialist
Stefanie Davis, Regulations Specialist



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Law
CIVIL DIVISION

P.O. Box 110300
Juneau, Alaska 99811
Main: 907.465.3600
Fax: 907.465.2520

March 13, 2024

The Honorable Nancy Dahlstrom
Lieutenant Governor
State of Alaska
P.O. Box 110015
Juneau, AK 99811-0015

Re: *12 AAC 28.960 - .970: Board of Dental Examiners - Repeal radiological
equipment regs per SB 173*
Our file: 2023200531

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Board of Dental Examiners against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This letter constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Board of Dental Examiners after the close of the public comment period.

In accordance with the repeal of AS 08.36.075 under secs. 13 and 17, ch. 56, SLA 2022 (CSSB 173(FIN) am H), and the transfer of authority over dental radiological equipment from the Board of Dental Examiners to the Department of Health, the board repealed corresponding regulations regarding dental radiological equipment.

The relevant provisions of SB 173 took effect on July 1, 2023. Accordingly, we respectfully request that your office file these regulations as soon as possible.

The November 20, 2023 public notice and the February 23, 2024 certification of adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.060 is not required.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.060. The corrections are incorporated into the attached copy of the regulations.

Sincerely,

TREG TAYLOR
ATTORNEY GENERAL

By: **Rebecca C. Polizzotto**
Rebecca C. Polizzotto
Chief Assistant Attorney General
Legislation, Regulations, and
Legislative Research Section

Digitally signed by
Rebecca C. Polizzotto
Date: 2024.03.13
11:27:42 -08'00'

SCW/scw

CC w/enclosure: Alison Osborne
Department of Commerce, Community and Economic Development

Steven C. Weaver, Assistant Attorney General
Department of Law

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE BOARD OF DENTAL EXAMINERS

The attached ^{two} ~~five~~ pages of regulations, dealing with repealing regulations relating to dental radiological equipment to implement statutory changes to AS 08.36 under Chapter 56, SLA 2022 (SB 173), are certified to be a correct copy of the regulation changes that the Board of Dental Examiners adopted at its February 23, 2024 meeting, under the authority of AS 08.36.070, and AS 08.36.075, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.


This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Board of Dental Examiners paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

2/23/2024

DATE: _____

DocuSigned by:


Gregory Johnson, DDS, President
Alaska Board of Dental Examiners

April Simpson for

FILING CERTIFICATION

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on March 13, 2024 at 2:10 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

for 

Nancy Dahlstrom, Lieutenant Governor

Effective: April 12, 2024.

Register: 250, July 2024.

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:

April Simpson, Regulations and Initiatives Specialist

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on May 15th, 2023.



A handwritten signature in blue ink, reading "Nancy Dahlstrom", is written over a horizontal dotted line.

**NANCY DAHLSTROM
LIEUTENANT GOVERNOR**

12 AAC 28.960 is repealed:

12 AAC 28.960. Registration of dental radiological equipment. Repealed. (Eff.

11/7/99, Register 152; am 4/18/2002, Register 162; am 10/19/2008, Register 188; am 3/11/2016, Register 217; repealed 4 / 12 / 2024, Register 250)

((Note to the publisher: Please delete all the editor's notes that follow 12 AAC 28.960, as the repeal of this section renders the editor's notes obsolete.)))

12 AAC 28.965 is repealed:

12 AAC 28.965. Inspection of dental radiological equipment. Repealed. (Eff. 11/7/99,

Register 152; am 4/18/2002, Register 162; am 5/5/2006, Register 178; am 3/11/2016, Register 217; am 9/26/2018, Register 227; repealed 4 / 12 / 2024, Register 250)

((Note to the publisher: Please delete all the editor's notes that follow 12 AAC 28.965, as the repeal of this section renders the editor's notes obsolete.)))

12 AAC 28.970 is repealed:

12 AAC 28.970. Registration and inspection forms; review of completed forms.

Repealed. (Eff. 4/18/2002, Register 162; am 5/5/2006, Register 178; am 3/11/2016, Register 217; repealed 4 / 12 / 2024, Register 250)

((Note to the publisher: Please delete all the editor's notes that follow 12 AAC 28.970, as the repeal of this section renders the editor's notes obsolete.)))

12 AAC 28.990(a)(13) is repealed:

(13) repealed 4 / 12 / 2024;

Register 250, July 2024 PROFESSIONAL REGULATIONS

(Eff. 5/31/81, Register 78; am 4/13/91, Register 118; am 11/7/99, Register 152; am 3/30/2001, Register 157; am 1/15/2003, Register 165; am 7/25/2010, Register 195; am 3/18/2011, Register 197; am 12/15/2013, Register 208; am 4/14/2018, Register 226; am 5/14/2022, Register 242; am 4 / 12 / 2024, Register 250)

Authority: AS 08.32.085 AS 08.36.342 AS 08.36.346
 AS 08.36.070 AS 08.36.344