

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

DEPARTMENT OF AGRICULTURE

- 1. Title and its heading:** 3, Agriculture
Chapter and its heading: 4, Department of Agriculture - Plant Services Division
Article and its heading: 1, General Provisions
Section numbers: Table 1
- 2. The subject matter of the proposed rule:**
This rulemaking modifies incorrect citations and amends the timeframes for several licenses.
- 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 Conard, Rules Specialist
Address: Arizona Department of Agriculture
1688 West Adams, Room 235
Phoenix, Arizona 85007
Telephone: (602) 542-0962
Fax: (602) 542-0111
E-mail: shirley.conard@agric.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:**
Written comments: 8:00 a.m. - 5:00 p.m., Monday through Friday
Oral comments: 8:00 a.m. - 4:30 p.m., Monday through Friday
Arizona Department of Agriculture
1688 West Adams, Room 235
Phoenix, AZ 85007
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
None

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF AGRICULTURE

- 1. Title and its heading:** 3, Agriculture
Chapter and its heading: 4, Department of Agriculture - Plant Services Division
Article and its heading: 7, Fruit and Vegetable Standardization
Section numbers: R3-4-716
- 2. The subject matter of the proposed rule:**
This rulemaking removes all container and packing requirements for unwrapped or naked head lettuce.
- 3. A citation to all published notices relating to the proceeding:**
None

Arizona Administrative Register
Notices of Rulemaking Docket Opening

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

Name: Shirley Conard, Rules Specialist
Address: Arizona Department of Agriculture
1688 West Adams, Room 235
Phoenix, Arizona 85007
Telephone: (602) 542-0962
Fax: (602) 542-0111
E-mail: shirley.conard@agric.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:

Written comments: 8:00 a.m. - 5:00 p.m., Monday through Friday
Oral comments: 8:00 a.m. - 4:30 p.m., Monday through Friday
Arizona Department of Agriculture
1688 West Adams, Room 235
Phoenix, AZ 85007

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

None

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 22, Board of Osteopathic Examiners in Medicine and Surgery
Article and its heading: 1, General Provisions
Section numbers: R4-22-104, R4-22-105, R4-22-106, R4-22-108, R4-22-109, R4-22-110, R4-22-116

2. The subject matter of the proposed rule:

The proposed rules will change the licensure examination requirements. The proposed rules will also repeal an obsolete rule regarding temporary licenses. The proposed rules will also amend certain provisions of the rules for clarity, conciseness, and understandability. The proposed rules will also amend the rules to include all applicable fees to be charged by the Board in its rules. The proposed rules will also amend the time limit within which an aggrieved party may request rehearing or review of a Board decision. The proposed rules will also adopt a comprehensive set of timeframes, consistent with the requirements of A.R.S. § 41-1073, which requires an agency that issues licenses to have final rules in place establishing timeframes within which the agency will either grant or deny each type of license that it issues.

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: Ann Marie Berger, Executive Director
Address: Board of Osteopathic Examiners in Medicine and Surgery
9535 East Doubletree Ranch Road
Scottsdale, AZ 85258-5539
Telephone: (480) 657-7703
Fax: (480) 657-7715

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, at the location listed above. Public hearings will be scheduled later, during which oral comments may be presented.

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

None

NOTICE OF RULEMAKING DOCKET OPENING

COMMISSION FOR POSTSECONDARY EDUCATION

- 1. Title and its heading:** 7, Education
Chapter and its heading: 3, Commission for Postsecondary Education
Article and its heading: 5, Arizona Family College Savings Program
Section numbers: R7-3-506 (May add, delete, or amend Sections as necessary)
- 2. The subject matter of the proposed rule:**
Pertains to the Arizona Family College Savings Program
- 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: Verna Allen, Executive Director
Address: Commission for Postsecondary Education
2020 N. Central Avenue, Suite 275
Phoenix, Arizona 85004
Telephone: (602) 229-2595
Fax: (602) 229-2599
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments:
8:00 a.m. - 5:00 p.m., Monday through Friday
Commission for Postsecondary Education
2020 N. Central Avenue, Suite 275
Phoenix, Arizona 85004
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
Unknown at this time. To be provided when the Notice of Proposed Rulemaking is filed.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF TRANSPORTATION - HIGHWAYS DIVISION

- 1. Title and its heading:** 17, Transportation
Chapter and its heading: 3, Department of Transportation - Highways Division
Article and its heading: 7, Highway Encroachments and Permits
Section numbers: R17-3-703
- 2. The subject matter of the proposed rule:**
The regulation of junk yards that are within 1,000 feet of the nearest edge of the right-of-way of an interstate highway.
- 3. A citation to all published notices relating to the proceeding:**
None yet published
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Robert Christ, Manager
Maintenance Permits Section
Address: Department of Transportation
206 S. 17th Avenue, MD 176A
Phoenix, Arizona 85007
Telephone: (602) 712-7386
Fax: (602) 258-9877

Arizona Administrative Register
Notices of Rulemaking Docket Opening

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 Monday through Friday, 9:00 a.m. to 4:00 p.m. Date, time, and location for oral comments if scheduled will be posted in the Notice of Proposed Rulemaking.

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

Not known at this time.

NOTICE OF RULEMAKING DOCKET OPENING

BANKING DEPARTMENT

1. Title and its heading: 20, Commerce, Banking, and Insurance

Chapter and its heading: 4, Banking Department

Article and its heading: 15, Collection Agencies

Section numbers: R20-4-1502, R20-4-1504, R20-4-1505

2. The subject matter of the proposed rule:

This rulemaking will amend R20-4-1502 to remove the requirement that an out-of-state collection agency agree, as a condition of licensure, to maintain an office in Arizona for the collection of claims. This revision is needed to reconcile the Section with the legislature's revision of A.R.S. § 32-1024, which removed the statutory requirement of an in-state license. That change was accomplished by the 44th Legislature in its second regular session, by the passage of House Bill 2088, Laws 2000, Ch. 7, § 4.

The same bill also amended A.R.S. § 32-1055 to remove the requirement that an out-of-state collection agency use an Arizona depository for trust funds (Laws 2000, Ch. 7, § 6). This rulemaking addresses that statutory change by amending R20-4-1505.

In addition, this rulemaking will amend R20-4-1504 to permit the use of electronic recordkeeping systems. Additional editorial changes to this rule are intended to streamline the writing style, simplify the language, remove passive constructions, and modernize statutory references in the rule. These editorial changes are not intended to make any substantive changes in the rule.

This rulemaking will also amend R20-4-1505 to permit electronic payments from a collection agency's trust account. Additional editorial changes to this rule are intended to streamline the writing style, simplify the language, remove passive constructions, and modernize statutory references in the rule. These editorial changes are not intended to make any substantive changes in the rule.

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

Notice of Rulemaking Docket Opening: 5 A.A.R. 4325, November 12, 1999

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

Name: John P. Hudock, Esq.

Address: 2910 N. 44th Street, Suite 310
Phoenix, Arizona 85018

Telephone: (602) 251-4421, ext. 167

Fax: (602) 381-1225

E-mail: jhudock@azbanking.com

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 during business hours at the address listed in section 4 of this notice. Comments are welcome at any time until the close of the record in this proceeding. The date for closure of the record depends on the publication date of the proposed rule, which has not yet occurred. Notice of any opportunity to make public oral comment will be published as required by law.

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

No timetable has been projected or established. The Department expects to publish the text of proposed rules in February 2000.