

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when 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 RETIREMENT SYSTEM BOARD

- 1. Title and its heading:** 2, Administration
Chapter and its heading: 8, State Retirement System Board
Article and its heading: 1, Retirement System; Defined Benefit Plan
Section numbers: R2-8-123 and Tables 1 through 7, R2-8-126 and Exhibits A through M and their corresponding Tables (The ASRS may add, delete, or modify additional Sections as necessary.)
- 2. The subject matter of the proposed rules:**
The ASRS Board approved new actuarial assumptions at the November 21, 2003 board meeting. This rulemaking amends the tables in R2-8-123. Additionally, this rulemaking updates and clarifies the language in R2-8-123 and R2-8-126 and removes unnecessary exhibits, tables, and language in R2-8-126.
The agency docket number:
2004-01
- 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 rules:**
Name: Susanne Dobel, Manager, External Operations
Address: Arizona State Retirement System
3300 N. Central Avenue, 14th Floor
Phoenix, AZ 85012
Telephone: (602) 240-2039
Fax: (602) 240-5303
E-mail: susanned@asrs.state.az.us
or
Name: Nancy O. Johnson, Rules Coordinator
Address: Arizona State Retirement System
3300 N. Central Avenue, 14th Floor
Phoenix, AZ 85012
Telephone: (602) 308-5172
Fax: (602) 240-5303
E-mail: nancyj@asrs.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:**
The ASRS will accept written comments at the locations listed in item #4 until the close of record, which has not yet been determined. The ASRS has not scheduled any oral proceedings at this time.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
To be announced in the Notice of Proposed Rulemaking

Notices of Rulemaking Docket Opening

NOTICE OF RULEMAKING DOCKET OPENING
GOVERNING COMMITTEE FOR TAX DEFERRED ANNUITY
AND DEFERRED COMPENSATION PLANS

1. **Title and its heading:** 2, Administration
Chapter and its heading: 9, Governing Committee for Tax Deferred Annuity and Deferred Compensation Plans
Article and its heading: 1, General Provisions
Section numbers: R2-9-101 and R2-9-102
2. **The subject matter of the proposed rules:**
The rules pertaining to the expenses of the administration of the state's deferred compensation programs, and the manner in which investment providers will contact state employees and retirees, do not conform to current practice and are not consistent with current rule format and wording. The current rules will be repealed. A new Section reflecting current practice regarding the manner in which investment providers contact state employees will be promulgated.
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 rules:**
Name: Rob Smook, Rules Administrator
Address: Arizona Department of Administration – Management Services Division
100 N. 15th Avenue, Suite 431
Phoenix, AZ 85007
Telephone: (602) 542-1623
Fax: (602) 542-2010
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written and oral comments will be accepted Monday through Friday, from 8:00 a.m. and 5:00 p.m., at the location listed in item #4 for thirty days after a notice of proposed rulemaking is published in the *Arizona Administrative Register*. Oral comments may also be made to the Governing Committee at its monthly meetings during this time period. Should a request for an oral proceeding be received, notice of that oral proceeding will be published in a future issue of the *Register*.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
To be determined

NOTICE OF RULEMAKING DOCKET OPENING
DEPARTMENT OF ADMINISTRATION
RISK MANAGEMENT SECTION

1. **Title and its heading:** 2, Administration
Chapter and its heading: 10, Department of Administration
Risk Management Section
Article and its heading: 1, Coverage and Claims Procedure
Section numbers: R2-10-106 and R2-10-108
2. **The subject matter of the proposed rules:**
The purpose of this rulemaking is to address the issues identified in the previous five-year review report approved by the Governor's Regulatory Review Council. The subject matter of R2-10-106 establishes the valuation basis for personal and real property coverage and the procedure for determining the method of repair or replacement of covered property and lists the types of property that are excluded from coverage provided by the state's self insurance. The subject matter of R2-10-108 establishes the conditions under which a deductible of up to \$10,000 may be assessed to an agency and what actions the agency may take to have its deductible waived.
3. **A citation to all published notices relating to the proceeding:**
None

Notices of Rulemaking Docket Opening

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

Name: John Kindree, Administrative Manager
Address: Arizona Department of Administration – Risk Management Section
100 N. 15th Avenue, Suite 301
Phoenix, AZ 85007
Telephone: (602) 542-1492
Fax: (602) 542-1473

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 from 8:00 a.m. to 5:00 p.m. at the location listed in item #4. The schedule for oral proceedings is to be determined and will be published in a future issue of the *Register*.

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

To be determined

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF AGRICULTURE
AGRICULTURAL COUNCILS AND COMMISSIONS**

1. Title and its heading:

3, Agriculture

Chapter and its heading:

9, Department of Agriculture

Article and its heading:

Agricultural Councils and Commissions

Section numbers:

6, Arizona Agricultural Protection Commission

R3-9-601 through R3-9-607 (As a part of this rulemaking, the Commission may add, delete, or modify additional Sections as necessary.)

2. The subject matter of the proposed rules:

This rulemaking establishes the administrative procedures under which the Commission will operate.

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 rules:

Name: Sherry D. Blatner, Rules Analyst
Address: Arizona Department of Agriculture
1688 W. Adams, Room 235
Phoenix, AZ 85007
Telephone: (602) 542-0962
Fax: (602) 542-5420
E-mail: sherry.blatner@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. to 5:00 p.m., Monday through Friday

Oral comments: 8:00 a.m. to 4:00 p.m., Monday through Friday

Arizona Department of Agriculture
1688 W. Adams, Room 235
Phoenix, AZ 85007

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

Unknown

NOTICE OF RULEMAKING DOCKET OPENING
DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR POLLUTION CONTROL

- 1. Title and its heading:** 18, Environmental Quality
Chapter and its heading: 2, Department of Environmental Quality
Air Pollution Control
Article and its heading: 13, Diesel Conversion Grant Program
Section numbers: R18-2-1301 through R18-2-1306
- 2. The subject matter of the proposed rule:**
The Arizona Department of Environmental Quality (ADEQ) will be proposing rules to establish eligibility requirements and application procedures under A.R.S. § 49-551.01 for incentive grants for owners and lessees of diesel vehicles to reduce diesel engine emissions.
- 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 rules:**
Name: Kevin Force
Address: 1110 W. Washington
Phoenix, AZ 85007
Telephone: (602) 771-4480
Fax: (602) 771-2366
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
To be announced in the Notice of Proposed Rulemaking
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
To be announced in the Notice of Proposed Rulemaking

NOTICE OF RULEMAKING DOCKET OPENING

ARIZONA STATE LOTTERY COMMISSION

1. **Title and its heading:** 19, Alcohol, Horse and Dog Racing, Lottery, and Gaming
Chapter and its heading: 3, Arizona State Lottery Commission
Article and its heading: 7, Design and Operation of Instant Games
Section numbers: R19-3-701 through R19-3-710
2. **The subject matter of the proposed rules:**
Article 7, Design and Operation of Instant Games, provides for the conduct of the Arizona Lottery's instant games. The provision described in these rules explain the common components of instant games: game profiles, how to play an instant game, play styles, determination of a winning ticket, ticket ownership responsibilities, the procedures required to claim prizes and the claim period, ticket validation requirements, prize payments, and disputes concerning a ticket. These rules allow the Lottery to introduce new games in a timely manner and to respond to current market trends as authorized specifically by A.R.S. § 5-504(C). The amended rule will add new language describing the prize fund and clarify existing language.
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 rules:**
Name: Katie Pushor, Executive Director
Address: Arizona State Lottery
4740 E. University Drive
Phoenix, AZ 85034
Telephone: (480) 921-4400
Fax: (480) 921-4488
E-mail: katie@lottery.state.az.us
or
Name: Nena Dawson
Address: Arizona State Lottery
4740 E. University Drive
Phoenix, AZ 85034
Telephone: (480) 921-4430
Fax: (480) 921-4507
E-mail: nena@lottery.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 and oral comments will be accepted between 8:00 a.m. and 5:00 p.m., Monday through Friday (except state holidays), at Arizona State Lottery central office, 4740 E. University Drive, Phoenix, AZ 85034. The date, time, and location of an oral proceeding on the rulemaking will be included in the Notice of Proposed Rulemaking.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
To be determined