

# 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  
**Articles and their heading:** 1, Retirement System; Defined Benefit Plan  
**Section numbers:** R2-8-115, R2-8-118 (The Department may add, delete, or modify additional Sections as necessary.)

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

A.R.S. § 38-740 provides for the return of contributions for an ASRS member who leaves employment other than by retirement or death. The statute specifies that the ASRS Board shall determine the interest paid on the returned contributions. This rule package identifies the interest rate paid on returned contributions, as determined by the Board at its regular monthly meeting on August 20, 2004. The interest rate is 4%, and becomes effective July 1, 2005. Additionally this rule package updates R2-8-115, termination of membership, and R2-8-118, allocation to funds, by:

1. Removing outdated information and citations,
2. Including interest rate applications from inception of the ASRS forward,
3. Clarifying language,
4. Conforming the rules to current agency practice, and
5. Conforming the rules to current rulemaking standards.

**The agency docket number, if applicable:**

2004-07

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

None

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

Name: Nancy O. Johnson, Rules Coordinator

Address: State Retirement System  
3300 N. Central, 14th Fl.  
Phoenix, AZ 85012

Telephone: (602) 308-5172

Fax: (602) 264-6113

E-mail: nancyj@asrs.state.az.us

or

Name: Susanne Dobel, Manager, External Operations

Address: State Retirement System  
3300 N. Central, 14th Fl.  
Phoenix, AZ 85012

Telephone: (602) 240-2039

Fax: (602) 246-6113

E-mail: susanned@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 Department will accept written comments at the locations listed in paragraph four until the close of record, which is Thursday, January 20, 2005, at 5 p.m. The oral proceeding for this rulemaking is announced in the Notice of Proposed Rulemaking.

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

Notices of Rulemaking Docket Opening

The timetable for agency decisions is announced in the Notice of Proposed Rulemaking.

**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:** 8, Continuing Education  
**Section numbers:** R4-7-801
- 2. The subject matter of the proposed rule:**  
The purpose of the proposed rule is to further define those subjects which may qualify for continuing education credit.
- 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 Pritzl, Executive Director  
Address: Board of Chiropractic Examiners  
5060 N. 19th Ave., Suite No. 416  
Phoenix, AZ 85015  
Telephone: (602) 864-5088, ext. 15  
Fax: (602) 864-5099
- 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**

**ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM  
ADMINISTRATION**

- 1. Title and its heading:** 9, Health Services  
**Chapter and its heading:** 22, Arizona Health Care Cost Containment System – Administration  
**Article and its heading:** 7, Standards for payments  
**Section numbers:** R9-22-701; R9-22-703 (As part of this rulemaking, AHCCCS may add, delete, or modify additional Sections as necessary.)
- 2. The subject matter of the proposed rule:**  
AHCCCS is amending the Acute care rules to provide a clear, concise, and understandable rule that applies to rates, claims and contractor payments.
- 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: Mariaelena Ugarte  
Address: AHCCCS  
Office of Legal Assistance  
701 E. Jefferson, Mail Drop 6200  
Phoenix, AZ 85034  
Telephone: (602) 417-4693  
Fax: (602) 253-9115  
E-mail: proposedrules@ahcccs.state.az.us
- 5. The time which the agency will accept written comments and the time and place where oral comments may be made:**  
The Administration will accept written comments Monday through Friday, 8 a.m. to 5 p.m., at the address indicated in question #4. Public hearings will be scheduled later to provide a forum for interactive discussion with interested parties. E-mail comments will be accepted.

Notices of Rulemaking Docket Opening

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

AHCCCS anticipates filing a Notice of Proposed Rulemaking in January 2005.

**NOTICE OF RULEMAKING DOCKET OPENING**

**ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM**

**ARIZONA LONG-TERM CARE SYSTEM**

**1. Title and its heading:**

9, Health Services

**Chapter and its heading:**

28, Arizona Health Care Cost Containment System – Arizona  
Long-term Care System

**Article and its heading:**

1, Definitions

7, Standards for payments

**Section numbers:**

R9-28-101; R9-28-107; R9-28-701 (As part of this rulemaking,

AHCCCS may add, delete, or modify additional Sections as necessary.)

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

AHCCCS is amending the Long Term Care rules to provide a clear, concise, and understandable rule that applies to rates, claims and contractor payments.

**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: Mariaelena Ugarte

Address: AHCCCS  
Office of Legal Assistance  
701 E. Jefferson, Mail Drop 6200  
Phoenix, AZ 85034

Telephone: (602) 417-4693

Fax: (602) 253-9115

E-mail: proposedrules@ahcccs.state.az.us

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

The Administration will accept written comments Monday through Friday, 8 a.m. to 5 p.m., at the address indicated in question #4. Public hearings will be scheduled later to provide a forum for interactive discussion with interested parties. E-mail comments will be accepted.

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

AHCCCS anticipates filing a Notice of Proposed Rulemaking in January 2005.

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF TRANSPORTATION**

**AERONAUTICS DIVISION**

**1. Title and its heading:**

17, Transportation

**Chapter and its heading:**

2, Department of Transportation – Aeronautics Division

**Article and its heading:**

1, General Provisions

2, Grand Canyon National Park Airport – Operation and Management

**Section numbers:**

R17-2-101 and R17-2-201 through R17-2-206

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

The Aeronautics Division proposes amendment of the existing rule to reflect modernization of rule drafting language, style, and program modifications. Proposed changes will improve rule clarity, effectiveness, and program requirement accuracy. This action is in compliance with recommendations made in the division's Five-Year Review Report of June 30, 2004.

**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: Brent P. Heiss

Address: Administrative Rules Unit  
Department of Transportation, Mail Drop 507M  
3737 N. 7th Street, Suite 160

Notices of Rulemaking Docket Opening

Phoenix, AZ 85014-5079

Telephone: (602) 712-7941

Fax: (602) 241-1624

E-mail: bheiss@azdot.gov

Please visit the ADOT web site to track progress of this rule and any other agency rulemaking matters at [www.dot.state.az.us/about/rules/index.htm](http://www.dot.state.az.us/about/rules/index.htm).

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

An interested person may make comments to the agency official listed in item #4 from 8 a.m. to 4:30 p.m., Monday through Friday except state holidays.

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

To be determined.

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF LIQUOR LICENSES AND CONTROL**

- 1. Title and its heading:** 19, Alcohol, Horse and Dog Racing, Lottery and Gaming  
**Chapter and its heading:** 1, Department of Liquor Licenses and Control  
**Article and its heading:** 1, State Liquor Board  
**Section numbers:** R19-1-102

**2. The subject of the proposed rules:**

This rule provides criteria for the Department and local governing authorities to consider when determining whether the community will be served by the issuance or transfer of a liquor license at a particular location. A 12th criterion is being added to consider the proximity to licensed child care facilities.

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

None

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

Name: Special Investigator Michael Williams or Wes Kuhl

Address: Department of Liquor Licenses and Control  
800 W. Washington, 5th Floor  
Phoenix, AZ 85007

Telephone: (602) 542-9789 or (602) 542-9072

Fax: (602) 542-5707

**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 notice of proposed rulemaking

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

To be determined