

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

DEPARTMENT OF ADMINISTRATION PERSONNEL ADMINISTRATION

Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Laws 2009, 3rd Special Session, Ch. 7, § 28. (See the text of § 28 on page 15.) The Governor's Office authorized the notice to proceed through the rulemaking process on December 8, 2009.

[R09-133]

1. **Title and its heading:** 2, Administration
Chapter and its heading: 5, Department of Administration – Personnel Administration
Article and its heading: 1, General
Section number: R2-5-105 (Sections may be added, deleted, or modified as necessary.)
2. **The subject matter of the proposed rule:**
The subsection of R2-5-105, Personnel Records, is being amended in conformance with H.B. 2159, Laws 2008, Ch. 277, to allow records of employee disciplinary actions and the employee's response be open to public inspection and copying under Arizona public records law.
3. **A citation to all published notices relating to the proceeding:**
Notice of Rulemaking Docket Opening: 14 A.A.R. 4669, December 19, 2008
Notice of Proposed Rulemaking: 16 A.A.R. 4, January 1, 2010 (*in this issue*)
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Christine Bronson, Employee Relations Manager
Address: ADOA Human Resources
100 N. 15th Ave., Suite 261
Phoenix, AZ 85007
Telephone: (602) 542-1423
Fax: (602) 542-1980
E-mail: Christine.Bronson@azdoa.gov
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 regular business hours at contact information provided in item 4 until close of record. An oral proceeding regarding the proposed rules will be held as follows:
Date: February 3, 2010
Time: 2:00 p.m.
Location: Department of Administration
100 N. 15th Ave., Room 204
Phoenix, AZ 85007
6. **A timetable for agency decisions or other action on the proceeding, if known:**
Notice of Proposed Rulemaking: 16 A.A.R. 4, January 1, 2010 (*in this issue*)

Notices of Rulemaking Docket Opening

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ADMINISTRATION
PERSONNEL ADMINISTRATION

Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Laws 2009, 3rd Special Session, Ch. 7, § 28. (See the text of § 28 on page 15.) The Governor's Office authorized the notice to proceed through the rulemaking process on December 8, 2009.

[R09-135]

1. **Title and its heading:** 2, Administration
Chapter and its heading: 5, Department of Administration – Personnel Administration
Articles and their headings: 4, Leave; 9, Separations
Section numbers: R2-5-417, R2-5-903 (Sections may be added, deleted, or modified as necessary.)
2. **The subject matter of the proposed rule:**
Current session law (Laws 2009, Third Special Session, Ch. 7) allows agencies to require covered employees to work reduced hours in the event of a reduction in appropriations for personnel expenses and related benefit costs for fiscal year 2009-2010 and authorizes the Director of the Department of Administration to prescribe implementation procedures. The Personnel Rules are being amended to allow for the continuation of these reductions beyond the current fiscal year. As part of this rulemaking, the Department may add, delete, or modify Sections, as necessary.
3. **A citation to all published notices relating to the proceeding:**
Notice of Proposed Rulemaking: 16 A.A.R. 7, January 1, 2010 (*in this issue*)
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Christine Bronson, Employee Relations Manager
Address: ADOA Human Resources
100 N. 15th Ave., Suite 261
Phoenix, AZ 85007
Telephone: (602) 542-1423
Fax: (602) 542-1980
E-mail: Christine.Bronson@azdoa.gov
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 public comments during business hours of 9:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, until close of record, at contact information provided in item 4. An oral proceeding regarding the proposed rules will be held as follows:
Date: Tuesday, February 2, 2010
Time: 3:00 p.m.
Location: Department of Administration
100 N. 15th Ave., Room 204
Phoenix, AZ 85007
6. **A timetable for agency decisions or other action on the proceeding, if known:**
Notice of Proposed Rulemaking: 16 A.A.R. 7, January 1, 2010 (*in this issue*)

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF AGRICULTURE
ANIMAL SERVICES DIVISION

Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Laws 2009, 3rd Special Session, Ch. 7, § 28. (See the text of § 28 on page 15.) The Governor's Office authorized the notice to proceed through the rulemaking process on December 8, 2009.

[R09-130]

1. **Title and its heading:** 3, Agriculture
Chapter and its heading: 2, Department of Agriculture – Animal Services Division
Article and its heading: 7, Livestock Inspection
Section number: R3-2-708 (Sections may be added, deleted, or modified as necessary.)

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2. The subject matter of the proposed rule:

The Department proposes to make a new rule to implement the requirement in A.R.S. § 3-1350 to “establish and maintain a registry of equine rescue facilities and a public list of registered equine rescue facilities at department offices and on the department’s official website.”

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: Casey Cullings
Address: Department of Agriculture
1688 W. Adams St.
Phoenix, AZ 85007
Telephone: (602) 542-0962
Fax: (602) 542-5420
E-mail: casey.cullings@azag.gov

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 address listed in item 4 for at least 30 days following publication of this notice. The Department has not scheduled an oral proceeding at this time.

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

None

NOTICE OF RULEMAKING DOCKET OPENING

INDUSTRIAL COMMISSION OF ARIZONA

Editor’s Note: The following Notice of Rulemaking Docket Opening was reviewed per Laws 2009, 3rd Special Session, Ch. 7, § 28. (See the text of § 28 on page 15.) The Governor’s Office authorized the notice to proceed through the rulemaking process on December 1, 2009.

[R09-132]

1. Title and its heading:

20, Commerce, Financial Institutions, and Insurance

Chapter and its heading:

5, Industrial Commission of Arizona

Article and its heading:

6, Occupational Safety and Health

Section numbers:

R20-5-601, R20-5-602

2. The subject matter of the proposed rule:

In order to conform to the Federal Occupational Safety and Health Standards as required by Section 18(c) of the Federal Occupational Safety and Health Act of 1970 requiring State administered occupational safety and health programs to adopt standards that are at least as effective as those adopted by the U.S. Department of Labor, the Industrial Commission is amending R20-5-601 and R20-5-602, by incorporating by reference, amendments from 29 CFR 1910 Subpart A, G, I, L, Z, and amendments to 29 CFR 1926 Subpart C, D, R, Z as published in *Federal Register* 73 FR 75568-75589, December 12, 2008, which gives clarification of employer’s duty to provide personal protective equipment and train each employee. Further, the Industrial Commission is amending R20-5-602, by incorporating by reference amendments from 29 CFR 1910 Subpart A, G, I, Q, as published in the *Federal Register* 74 FR 46350- 46361, September 9, 2009, which updates OSHA Standards based on National Consensus Standards for personal protective equipment. Copies of the incorporated by reference material are available for inspection or reproduction at the Arizona Division of Occupational Safety and Health, 800 W. Washington St., Room 203, Phoenix, AZ 85007, and can be downloaded from the Federal OSHA web site www.osha.gov.

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

None published

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

Name: William M. Wright, Assistant Director
Address: Division of Occupational Safety and Health
Industrial Commission of Arizona
800 W. Washington St., Suite 203
Phoenix, AZ 85007
Telephone: (602) 542-1695
Fax: (602) 542-1614
E-mail: wright.william.m@dol.gov

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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:

Not yet known