

NOTICES OF RULEMAKING DOCKET OPENINGS

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.

BOARD OF PHYSICAL THERAPY EXAMINERS

1. **Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 24, Board of Physical Therapy Examiners
Articles and their headings: 2, Licensing Provisions
3, Regulatory Provisions
Section numbers: R4-24-201, R4-24-202, R4-24-204, R4-24-301, and R4-24-302
2. **Subject matter of the proposed rule:**
These rules set forth the application procedures, examination requirements, and fees for physical therapy license applicants. They also set forth each licensee's professional responsibilities and supervisory responsibilities.
The agency docket number, if applicable:
None.
3. **A citation to all published notices relating to the proceeding:**
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Janice Stille, Executive Director
Board of Physical Therapy Examiners
Address: 1400 West Washington, Suite 230
Phoenix, Arizona 85007
Telephone: (602) 542-3095
Fax: (602) 542-3093
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 and oral comments at the location listed above between 7 a.m. and 4 p.m., Monday through Friday.
6. **A timetable for agency decisions or other action in the proceeding:**
To be determined.

DEPARTMENT OF ECONOMIC SECURITY

1. **Title and its heading:** 6, Economic Security
Chapter and its heading: 6, Department of Economic Security - Developmental Disabilities
Article and its heading: 2, Family Support
Section number: Unknown
2. **Subject matter of the proposed rule:**
The Department is required by A.R.S. Title 36, Chapter 5.1, Article 5, to develop and implement a program of family support. This program will impact consumers and family members who are served by the Division of Developmental Disabilities. Rules are required to clarify the responsibilities and duties of the Division of Developmental Disabilities to those individuals who are impacted by this program.
The agency docket number, if applicable:
None.
3. **A citation to all published notices relating to the proceeding:**
None published.

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

Name: Vista Thompson Brown
Department of Economic Security
Address: 1789 West Jefferson, Site Code 837A
Phoenix, Arizona 85007
or
P.O. Box 6123, Site Code 837A
Phoenix, Arizona 85005
Telephone: (602) 542-6555
Fax: (602) 542-6000

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 until the close of record at the location listed above. No date has been selected for the close of record and no oral proceedings have yet been scheduled.

6. A timetable for agency decisions or other action in the proceeding:

The Division of Developmental Disabilities intends to submit a rule packet to the Secretary of State for publication during the summer of 1995.

DEPARTMENT OF ECONOMIC SECURITY

1. **Title and its heading:** 6, Economic Security
Chapter and its heading: 6, Department of Economic Security - Developmental Disabilities
Article and its heading: 19, Contracts
Section number: Unknown

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

The Department is required by Laws 1995, Ch. 84 to develop rules regarding procurement procedures for provider contracts executed under the exemption from statutory requirements of A.R.S. Title 41, Chapter 23. The new rules will prescribe the contracting process the division utilizes under this exemption.

The agency docket number, if applicable:

None.

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

None published.

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

Name: Vista Thompson Brown
Address: Department of Economic Security
1789 West Jefferson, Site Code 837A
Phoenix, Arizona 85007
or
P.O. Box 6123, Site Code 837A
Phoenix, Arizona 85005
Telephone: (602) 542-6555
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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:**

The Department will accept written comments during regular business hours until the close of record at the location listed above. No date has been selected for the close of record and no oral proceedings have yet been scheduled.

6. **A timetable for agency decisions or other action in the proceeding:**

Laws 1995, Ch. 84 requires that the Department submit emergency rules by July 28, 1995. Within 30 days of the approval of the emergency rules by the Attorney General's Office, the Department must file proposed rules with the Secretary of State.

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GAME AND FISH COMMISSION

1. **Title and its heading:** 12, Natural Resources
Chapter and its heading: 4, Game and Fish Commission
Article and its heading: 1, Definitions and General Provisions
Section number: R12-4-102
2. **Subject matter of the proposed rule:**
This rule established fees for licenses, tags, stamps, and permits. In response to a petition from the Arizona Trappers Association, the Commission proposes to reduce fees for trapping licenses and bobcat tags.
The agency docket number, if applicable:
None.
3. **A citation to all published notices relating to the proceeding:**
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Susan L. Alandar, Administrative Services Manager
Address: Game and Fish Commission
2221 West Greenway Road DO HQ
Phoenix, Arizona 85023
Telephone: (602) 789-3289
Fax: (602) 789-3299
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
The Commission will accept written comments at the above address until July 16, 1995.

The Commission will accept oral comments in an open meeting as follows:
Date: August 4, 1995
Location: Pinetop-Lakeside Town Council Chambers
1360 North Niels Hansen Lane
Lakeside, Arizona

Note: At the time of publication for this *Register*, the exact time of the open meeting was not known. Interested persons should call Susan Alandar at the phone number listed above the week before the meeting for the exact time.
6. **A timetable for agency decisions or other action in the proceeding:**
On August 4, 1995, the Commission will determine whether to approve a Notice of Proposed Rulemaking on this rule.

GAME AND FISH COMMISSION

1. **Title and its heading:** 12, Natural Resources
Chapter and its heading: 4, Game and Fish Commission
Article and its heading: 3, Taking and Handling of Wildlife
Section numbers: R12-4-302, R12-4-304, R12-4-305, R12-4-308, and R12-4-318
2. **Subject matter of the proposed rule:**
R12-4-302. Use of Big Game Tags and Hunt-Permit Tags: A.R.S. § 17-331 requires that any person taking wildlife have a valid license in possession. A.R.S. § 17-333 prescribes the tags which validate a license for the take of big game. Pursuant to R12-4-114, a hunt permit-tag is also required for taking other wildlife for which harvest must be limited. This rule prescribes requirements for possession and use of tags in the field.

On April 7, 1995, a Notice of Rulemaking Docket Opening was published in the *Register* for R12-4-114, with tag designs and the proposal to change the requirement to punch out the month and day of take on a tag. It is also proposed to amend R12-4-302 to remove the requirement to punch out the month and day. R12-4-302 may also be amended to be consistent with proposals made regarding R12-4-217, Disabled Shooters Permits (notice also published in the *Register* on April 7, 1995). The agency may also consider an amendment to allow sandhill cranes to be tagged around the neck.

R12-4-304. Lawful Methods of Taking Wild Mammals, Birds, and Reptiles: The agency may consider an amendment to address the lawful method of take for turkey and to address methods of take for wildlife which result in habitat damage or loss.

R12-4-305. Possession, Sale, Transportation, Importation, and Exportation of Carcasses of Wild Mammals, Birds, and Reptiles: This rule allows for lawful possession, transport, import, or export of wild mammals, birds, and reptiles by prescribing the methods for complying with governing statutes. The agency may consider an amendment to prescribe methods for proving

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evidence of legality for species of quail.

R12-4-308. Wildlife Inspections, Checking Stations, and Roadblocks: This rule contains authority and procedures for inspections, check stations, and roadblocks. The agency may consider a revision to check-in/check-out requirements for bighorn sheep.

R12-4-318. Seasons: The agency may consider establishing a new limited weapon season.

The agency docket number, if applicable:

None.

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

None published.

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

Name: Susan L. Alandar, Administrative Services Manager

Address: Game and Fish Commission
2221 West Greenway Road DO HQ
Phoenix, Arizona 85023

Telephone: (602) 789-3289

Fax: (602) 789-3299

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

R12-4-302: Written comments will be accepted until August 21, 1995. Oral comments will be accepted in conjunction with related R12-4-114. It is anticipated that a Notice of Proposed Rulemaking could be published in the *Register* July 7, 1995.

R12-4-304, R12-4-305, R12-4-308, and R12-4-318: Written comments will be accepted until November 21, 1995. The schedule for oral comments will be developed in conjunction with the Notice of Proposed Rulemaking, which the Commission may consider at its meeting on August 4, 1995, at the Pinetop-Lakeside Town Council Chambers, 1360 North Niels Hansen Lane, in Lakeside, Arizona.

Note: At the time of publication for this *Register*, the exact time of the open meeting was not known. Interested persons should call Susan Alandar at the phone number listed above the week before the meeting for the exact time.

6. A timetable for agency decisions or other action in the proceeding:

Changes to R12-4-302 would be considered in conjunction with related R12-4-114 and R12-4-217. It is anticipated that a Notice of Proposed Rulemaking could be published in the *Register* July 7, 1995.

It is anticipated that a Notice of Proposed Rulemaking for R12-4-304, R12-4-305, R12-4-308, and R12-4-318 would be considered by the Commission at the August meeting listed above.

DEPARTMENT OF TRANSPORTATION

- 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 number: R17-3-702

2. Subject matter of the proposed rule:

The proposed rule includes procedures to assist the Highways Division to control adequately the highway rights-of-way and prevent their abuse and unauthorized use. The scope of the proposed rule includes the permit-application procedures and requirements.

The agency docket number, if applicable:

None.

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

None published.

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

Name: Karen C. Holloway, Division Rules Coordinator

Address: Arizona Department of Transportation
206 South 17th Avenue, 102A
Phoenix, Arizona 85007

Telephone: (602) 255-6880

Fax: (602) 255-8315

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or

Name: Debbie Sykes
Address: 1221 South Second Avenue
Tucson, Arizona 85713
Telephone: (520) 620-5451

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 between 8 a.m. and 5 p.m. Monday through Friday.
The Department will accept oral comments between 8 a.m. and 3:30 p.m. Monday through Friday.
6. A timetable for agency decisions or other action in the proceeding:
None.