

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.

CORPORATION COMMISSION

1. **Title and its heading:** 14, Public Service Corporations; Corporations and Associations; Securities Regulation
Chapter and its heading: 4, Corporation Commission - Securities
Article and its heading: 1, In General Relating to the Arizona Securities Act
Section number: R14-4-105
2. **Subject matter of the proposed rule:**
Proposed amendments to R14-4-105 changing the method of calculating and restricting the sale of promotional securities.
3. **A citation to all published notices relating to the proceeding:**
None
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Richard Weinroth, General Counsel
Address: Arizona Corporation Commission, Securities Division
1300 West Washington, Third Floor
Phoenix, Arizona 85007
Telephone: (602) 542-4242
Fax Number: (602) 542-3583
5. **The time during which the agency will accept written comments:**
The Board will accept written comments Monday through Friday, 8:00 a.m. to 5:00 p.m.
The time and place where oral comments may be made:
The Board has not scheduled a public hearing but will accept oral comments as follows:
Time: Monday through Friday, 8:00 a.m. to 5:00 p.m.
Location: Arizona Corporation Commission, Securities Division
1300 West Washington, Third Floor
Phoenix Arizona
Nature: Oral comments
6. **A timetable for agency decisions or other action in the proceeding:**
Unknown.

CORPORATION COMMISSION

1. **Title and its heading:** 14, Public Service Corporations; Corporations and Associations; Securities Regulation
Chapter and its heading: 4, Corporation Commission - Securities
Article and its heading: 1, In General Relating to the Arizona Securities Act
3, Rules Relating to Enforcement
Section number:
R14-4-117
R14-4-301 through R14-4-308
2. **Subject matter of the proposed rule:**
The Board is proposing the repeal of R14-4-117 in conjunction with amendments to the Enforcement Rules under the Arizona Securities Act to incorporate the provisions of the Arizona Investment Management Act.
3. **A citation to all published notices relating to the proceeding:**
None
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Richard Weinroth, General Counsel
Address: Arizona Corporation Commission, Securities Division
1300 West Washington, Third Floor
Phoenix, Arizona 85007

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Telephone: (602) 542-4242
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Time: Monday through Friday, 8:00 a.m. to 5:00 p.m.
Location: Arizona Corporation Commission, Securities Division
1300 West Washington, Third Floor
Phoenix Arizona
Nature: Oral comments

6. **A timetable for agency decisions or other action in the proceeding:**
The Securities Division anticipates submitting the proposed rules to the Arizona Corporation Commission in Summer 1995.

CORPORATION COMMISSION

1. **Title and its heading:** 14, Public Service Corporations; Corporations and Associations; Securities Regulation
Chapter and its heading: 4, Corporation Commission - Securities
Article and its heading: 1, In General Relating to the Arizona Securities Act
Section number: R14-4-139

2. **Subject matter of the proposed rule:**
The proposed rule will clarify the provisions of A.R.S. § 44-1843(B) and (C).

3. **A citation to all published notices relating to the proceeding:**
None

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

Name: Lynn Naefach, Esq.
Address: Arizona Corporation Commission, Securities Division
1300 West Washington, Third Floor
Phoenix, Arizona 85007
Telephone: (602) 542-4242
Fax Number: (602) 542-3583

5. **The time during which the agency will accept written comments:**
The Board will accept written comments Monday through Friday, 8:00 a.m. to 5:00 p.m.

The time and place where oral comments may be made:
The Board has not scheduled a public hearing but will accept oral comments as follows:

Time: Monday through Friday, 8:00 a.m. to 5:00 p.m.
Location: Arizona Corporation Commission, Securities Division
1300 West Washington, Third Floor
Phoenix Arizona
Nature: Oral comments

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

CORPORATION COMMISSION

1. **Title and its heading:** 14, Public Service Corporations; Corporations and Associations; Securities Regulation
Chapter and its heading: 4, Corporation Commission - Securities
Article and its heading: 1, In General Relating to the Arizona Securities Act
Section number: R14-4-140

2. **Subject matter of the proposed rule:**
The proposed rule creates an exemption from securities and dealer registration for offers and sales of securities issued to accredited investors as defined in A.A.C. R14-4-126 in reliance on federal Rule 504 of Regulation D under the Securities Act of 1933.

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3. **A citation to all published notices relating to the proceeding:**
None
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Richard Weinroth, General Counsel
Address: Arizona Corporation Commission, Securities Division
1300 West Washington, Third Floor
Phoenix, Arizona 85007

Telephone: (602) 542-4242
Fax Number: (602) 542-3583
5. **The time during which the agency will accept written comments:**
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The time and place where oral comments may be made:
The Board has not scheduled a public hearing but will accept oral comments as follows:
Time: Monday through Friday, 8:00 a.m. to 5:00 p.m.
Location: Arizona Corporation Commission, Securities Division
1300 West Washington, Third Floor
Phoenix Arizona

Nature: Oral comments
6. **A timetable for agency decisions or other action in the proceeding:**
The Securities Division anticipates submitting the proposed rules to the Arizona Corporation Commission in Spring 1995.

CORPORATION COMMISSION

1. **Title and its heading:** 14, Public Service Corporations; Corporations and Associations; Securities Regulation
Chapter and its heading: 4, Corporation Commission - Securities
Article and its heading: 1, In General Relating to the Arizona Securities Act
Section number: R14-4-141
2. **Subject matter of the proposed rule:**
The proposed rule creates an exemption from registration for offers of securities made for the sole purpose of soliciting an indication of interest from an investor for certain types of offerings.
3. **A citation to all published notices relating to the proceeding:**
None
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Richard Weinroth, General Counsel
Address: Arizona Corporation Commission, Securities Division
1300 West Washington, Third Floor
Phoenix, Arizona 85007

Telephone: (602) 542-4242
Fax Number: (602) 542-3583
5. **The time during which the agency will accept written comments:**
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The time and place where oral comments may be made:
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Time: Monday through Friday, 8:00 a.m. to 5:00 p.m.
Location: Arizona Corporation Commission, Securities Division
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Phoenix Arizona

Nature: Oral comments
6. **A timetable for agency decisions or other action in the proceeding:**
The Securities Division anticipates submitting the proposed rules to the Arizona Corporation Commission in Spring 1995.

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CORPORATION COMMISSION

1. **Title and its heading:** 14, Public Service Corporations; Corporations and Associations; Securities Regulation
Chapter and its heading: 4, Corporation Commission - Securities
Article and its heading: 5, Stock Exchange Rules
Section number: R14-4-501 et seq.
2. **Subject matter of the proposed rule:**
The proposed rules provide for the regulation of stock exchanges in Arizona.
3. **A citation to all published notices relating to the proceeding:**
None
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Richard Weinroth, General Counsel
Address: Arizona Corporation Commission, Securities Division
1300 West Washington, Third Floor
Phoenix, Arizona 85007
Telephone: (602) 542-4242
Fax Number: (602) 542-3583
5. **The time during which the agency will accept written comments:**
The Board will accept written comments Monday through Friday, 8:00 a.m. to 5:00 p.m.
The time and place where oral comments may be made:
The Board has not scheduled a public hearing but will accept oral comments as follows:
Time: Monday through Friday, 8:00 a.m. to 5:00 p.m.
Location: Arizona Corporation Commission, Securities Division
1300 West Washington, Third Floor
Phoenix Arizona
Nature: Oral comments
6. **A timetable for agency decisions or other action in the proceeding:**
Unknown.

CORPORATION COMMISSION

1. **Title and its heading:** 14, Public Service Corporations; Corporations and Associations; Securities Regulation
Chapter and its heading: 6, Corporation Commission - Investment Management
Article and it heading: 1, General Rules Relating to the Arizona Investment Management Act
2, Duties of Investment Advisers and Investment Adviser Representatives
Section number: R14-6-101 et seq.
2. **Subject matter of the proposed rule:**
The proposed rules implement the provisions of the Arizona Investment Management Act adopted by the Legislature in 1994.
3. **A citation to all published notices relating to the proceeding:**
None
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Richard Weinroth, General Counsel
Address: Arizona Corporation Commission, Securities Division
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The time and place where oral comments may be made:
The Board has not scheduled a public hearing but will accept oral comments as follows:
Time: Monday through Friday, 8:00 a.m. to 5:00 p.m.
Location: Arizona Corporation Commission, Securities Division

Arizona Administrative Register

Notices of Rulemaking Docket Openings

1300 West Washington, Third Floor
Phoenix Arizona

Nature: Oral comments

6. **A timetable for agency decisions or other action in the proceeding:**
The Securities Division anticipates submitting the proposed rules to the Arizona Corporation Commission in Summer 1995.

DEPARTMENT OF ENVIRONMENTAL QUALITY

1. **Title and its heading:** 18, Environmental Quality
Chapter and its heading: 12, Department of Environmental Quality - Underground Storage Tanks
Article and its heading: 6, Underground Storage Tank Assurance Fund
Section number: R18-12-607
2. **Subject matter of the proposed rule:**
Priority of payment, direct pay and pre-approval of funds from the underground storage tank assurance fund.
The agency docket number, if applicable:
Not applicable.

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

<u>91</u>	A.A.R.	<u>193</u>	<u>December 2, 1991</u>
Vol. #		Page #	Issue date
<u>92</u>	A.A.R.	<u>98</u>	<u>November 2, 1992</u>
Vol. #		Page #	Issue date

The Notice of Proposed Rulemaking appears in this issue of the *Arizona Administrative Register*.

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

Name: Martha L. Seaman, Manager, Rule Development Section
Address: Department of Environmental Quality
3033 North Central, Room 831
Phoenix, Arizona 85012

Telephone: (602)-207-2222
Fax Number: (602)-207-2218

5. **The time during which the agency will accept written comments:**
The Department will accept written comments for 30 days following publication of the proposed rulemaking.
The time and place where oral comments may be made:
The Department shall schedule an oral proceeding, within the statutorily mandated time frame, to be noticed in the *Register*.
6. **A timetable for agency decisions or other action in the proceeding:**
At this time, it is anticipated that the proposed rules will be published in the *Register* in March.