

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.

NOTICE OF RULEMAKING DOCKET OPENING

OFFICE OF THE SECRETARY OF STATE

- Title and its heading:** 2, Administration
Chapter and its heading: 12, Office of the Secretary of State
Article and its heading: 1, Registration and Regulation of Lobbyists
2, Voter Registration at Time of Applying for Driver's License
3, Registration of Telemarketing Sellers
4, Charitable Organization Registration
Section numbers R2-12-101 through R2-12-110
R2-12-201 through R2-12-205
R2-12-301 through R2-12-303
R2-12-401
- The subject matter of the proposed rule:**
The listed Articles and rules contain reporting provisions and forms that no longer conform to the law.
- A citation to all published notices relating to the proceeding:**
None published.
- The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Jessica Funkhouser (Articles 1 and 2)
Lynda Reithmann (Articles 3 and 4)
Address: Office of the Secretary of State
1700 West Washington, 7th Floor
Phoenix, Arizona 85007
Telephone: (602) 542-4285
- 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.
- 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

STATE BOARD OF NURSING

- Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 19, State Board of Nursing
Article and its heading: 1, Definitions
Section numbers R4-19-102
- The subject matter of the proposed rule:**
The proposed rules are necessary to be in compliance with A.R.S. § 41-1073 which requires an agency that grants licenses, certificates and program approvals to have final rules in place establishing an overall time-frame during which the agency will either grant or deny each type of licensure, certification or program approval that it issues.
- A citation to all published notices relating to the proceeding:**
Notice of Rulemaking Docket Opening: 3 A.A.R. 1804, July 7, 1997 (for R4-19-301 through R4-19-304, R4-19-306, R4-19-308, R4-19-404, R4-19-504, R4-19-507, and R4-19-511). R4-19-102 will replace the time-frame language proposed in these rules. A notice of termination will be filed.
Notice of Rulemaking Docket Opening: 3 A.A.R. 1934, July 18, 1997 (for R4-19-207 and R4-19-208). R4-19-102 will replace the time-frame language which was to be proposed in these rules.

Arizona Administrative Register
Notices of Rulemaking Docket Openings

4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Mary Griffith, R.N.C., M.N.
Address: Nurse Practice Consultant
State Board of Nursing
1651 East Morten Avenue, Suite 150
Phoenix, Arizona 85020
Telephone: (602) 255-5092, Ext. 149
Fax: (602) 906-9365
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Submissions may be made to the nurse practice consultant identified in paragraph #4, at the designated address, until the close of the record, which has not yet been determined. The specific date for the close of record will be set forth in the Notice of Proposed Rulemaking to be filed with the Secretary of State and published in the *Register*.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
To be determined.

NOTICE OF RULEMAKING DOCKET OPENING

/ **BOARD OF DISPENSING OPTICIANS**

1. **Title and its heading:** Title 4, Professions and Occupations
Chapter and its heading: Chapter 20, Board of Dispensing Opticians
Article and its heading: 1, In General
Section numbers: R4-20-101
R4-20-102
R4-20-107
R4-20-108
R4-20-109
R4-20-111
2. **Subject matter of the proposed rule:**
A.R.S. §§ 41-1072 *et seq.* require all state agencies, boards, and commissions that are subject to the Administrative Procedure Act to establish by rule, time-frames for licensing activities. The proposed rules amend the definitions, set forth the application requirements for licenses issued by the board, establish time-frames for granting or denying the licenses, and repeal R4-20-108. The Board will amend any other sections that require conforming changes due to the proposed rulemaking.
3. **A citation to all published notices relating to the proceeding:**
Not applicable
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Careen Heinze, Executive Director
Address: Board of Dispensing Opticians
1400 West Washington, Room 230
Phoenix, Arizona 85007
Telephone: (602) 542-3095
Facsimile: (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 Board will continue to accept written comments at the location listed in question #4 between 8 a.m. and 5 p.m., Monday through Friday, until the close of record.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
None

NOTICE OF RULEMAKING DOCKET OPENING

/ **BOARD OF OCCUPATIONAL THERAPY EXAMINERS**

1. **Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 43, Board of Occupational Therapy Examiners

Arizona Administrative Register
Notices of Rulemaking Docket Openings

- Article and its heading:** 1, General Provisions
Section numbers R4-43-102
2. **The subject matter of the proposed rule:**
The Arizona Board of Occupational Therapy Examiners has opened rulemaking docket number "Docket102.doc" for the purpose of decreasing the annual licensing fees. Recent Arizona State Legislation changed the licensure year from a 1-year to a 2-year license. The Board did not want to simply double the 1-year licensing fee to arrive at a new 2-year license fee for the various categories of license issued by this Board. The new legislation became effective on July 31, 1997, however, the Board wants the new fee schedule to become effective on and after July 31, 1998. The proposed fees are:
- a. Application fee was \$100 and will remain \$100,
 - b. Reinstatement fee was \$75 and will remain \$75,
 - c. Initial license fee for the Occupational Therapist was \$125 for a 1-year license and that will be changed to \$135 for a 2-year license,
 - d. Initial license fee for the Occupational Therapy Assistant was \$75 for a 1-year license and that will be changed to \$70 for a 2-year license,
 - e. Limited permit fee was \$35 and will remain \$35,
 - f. Annual license fee for the Occupational Therapist was \$100 for a 1-year license and that will be changed to \$135 for 2-year license,
 - g. Annual license fee for the Occupational Therapy Assistant was \$50 for a 1-year license and that will be changed to \$70 for a 2-year license,
 - h. Annual renewal fee for an Occupational Therapist while in inactive status was \$25 for a 1-year license and that will remain \$25 for a 2-year license,
 - i. Annual renewal fee for an Occupational Therapy Assistant while in inactive status was \$15 for a 1-year license and that will remain \$15 for a 2-year license,
 - j. Duplicate license fee was \$10 and that will remain \$10, and
 - k. All fees set forth in the changed rule will remain non-refundable. The requirement that all fees, except license renewal fees shall be remitted in a money order, certified check or in cash remains unchanged.
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: Kenneth D. Fink
Address: Board of Occupational Therapy Examiners
1400 West Washington, Suite 240
Phoenix, Arizona 85007
Telephone: (602) 542-6784
Fax: (602) 542-5469
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments can be submitted through March 9, 1998. Oral comments can be made during open public meetings scheduled for 1:30 p.m. on February 13, 1998, March 13, 1998, and April 10, 1998. All meetings will be held at the address listed in question #4 in room 250.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
It is anticipated that a Notice of Proposed Rulemaking will be made during the open public meeting scheduled for February 13, 1998. It is anticipated that a Notice of Final Rulemaking will be made during the open public meeting held on April 10, 1998. The effective date of the proposed rule will be July 31, 1998.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ECONOMIC SECURITY - STATE ASSISTANCE PROGRAMS

1. **Title and its heading:** Title 6, Economic Security
Chapter and its heading: Chapter 13, Department of Economic Security - State Assistance Programs
Article and its heading: 8, Short Term Crisis Services
Section numbers: R6-13-801 through R16-13-809
2. **Subject matter of the proposed rule:**
These rules govern eligibility for short term crisis services and clarify the requirements of the short term crisis services program described in A.R.S §§ 46-241 through 46-241.05. This Article governs short term crisis services for the following categories of individuals: persons attempting to become self-sufficient and end receipt of cash assistance; low income persons who need shelter in a homeless or domestic violence shelter; low income persons who need rent or mortgage payments to prevent homeless-

Arizona Administrative Register
Notices of Rulemaking Docket Openings

ness; low income persons who need utility assistance to prevent shut-offs; low income persons who need utility repair or replacement; low income persons who need assistance to secure or maintain employment.

The rules in this Article describe general eligibility requirements; financial eligibility requirements; emergent need eligibility requirements; types of assistance and the duration of assistance; the amount of assistance the Department can provide for an eligible person; notification of eligibility and complaints, hearings and assistance requirements.

The Department previously filed these rules as exempt rules.

3. **A citation to all published notices relating to the proceeding:**
Notice of Exempt Rulemaking: 3 A.A.R. 2246, August 22, 1997
4. **The 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
Telephone: (602) 542-6000
Facsimile: (602) 542-6655
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
A person may submit written comments from the present until the close of record, which has not yet been scheduled, to the person named in question #4. The Department has not yet scheduled oral proceedings but will do so at the time of filing the Notice of Proposed Rulemaking.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
The Department expects to file a proposed rulemaking package by January 1998 and conduct oral proceedings in March 1998.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF REVENUE - GENERAL ADMINISTRATION

1. **Title and its heading:** Title 15, Revenue
Chapter and its heading: Chapter 10, Department of Revenue - General Administration
Article and its heading: 3, Authorized Transmission of Funds
Section numbers: R15-10-302 and R15-10-303
2. **Subject matter of the proposed rule:**
The rules provide guidance for the administration of A.R.S. § 42-137.02 "Payment of tax by electronic funds transfer or other available monies."
Agency docket number, if applicable:
97-10-01
3. **A citation to all published notices relating to the proceeding:**
None applicable
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Christie Comanita, Tax Analyst
Address: Department of Revenue
Tax Research & Analysis Section
1600 West Monroe
Phoenix, Arizona 85007
Telephone: (602) 542-4672
Facsimile: (602) 542-4680
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 the Notice of Proposed Rulemaking.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
To be determined.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF TRANSPORTATION - MOTOR VEHICLE DIVISION

1. **Title and its heading:** Title 17, Transportation
Chapter and its heading: Chapter 4, Department of Transportation - Motor Vehicle Division
Article and its heading: 4, Motor Carriers
Section numbers: R17-4-435
R17-4-435.01
R17-4-435.02
R17-4-435.03
R17-4-435.04
2. **Subject matter of the proposed rule:**
R17-4-435 through R17-4-435.04 amends the current rules by incorporating 49 CFR 40, 49 CFR 382, 49 CFR 390, 49 CFR 391, 49 CFR 392, 49 CFR 393, 49 CFR 395, 49 CFR 396, 49 CFR 397, and 49 CFR 399 published October 1, 1996.
3. **A citation to all published notices relating to the proceeding:**
Not applicable
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Glen C. Johnson
Address: Motor Vehicle Division Executive Hearing Office
4747 North Seventh Avenue
Phoenix, Arizona 85013-2401
Telephone: (602) 255-7737
Facsimile: (602) 241-1624
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 can be made until the close of record at the location listed in question #4 between 8 a.m. and 5 p.m., Monday through Friday.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
To be determined.