

## 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

#### DEPARTMENT OF AGRICULTURE

1. **Title and its heading:** 3, Department of Agriculture  
**Chapter and its heading:** 9, Agricultural Councils  
**Article and its heading:** 3, Cotton Research and Protection Council  
**Section numbers:** R3-9-301
  
2. **The subject matter of the proposed rule:**  
This rulemaking establishes the reporting requirements for gin operators; brings the rule up-to-date with the 1996 legislation (A.R.S. § 3-1086) by changing the location for submitting the reports and fees from the Arizona Department of Agriculture to the Arizona Cotton Research and Protection Council; requires the gin number, the name of county where the reporting gin is located, and FSA farm number; and makes clear that the gin operator must report the estimated number of ginned bales on the February 15th report and the actual number of ginned bales on the March 15th report.
  
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: Shirley Conard, Rules Specialist  
  
Address: Department of Agriculture  
1688 W. Adams, Room 235  
Phoenix, Arizona 85007  
  
Telephone: (602) 542-0962  
Fax: (602) 542-5420
  
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
Written comments will be accepted Monday through Friday, 8 a.m. to 5 p.m., and oral comments will be accepted Monday through Friday, 8 a.m. to 4 p.m., at the address listed in question #4.
  
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
None.

### NOTICE OF RULEMAKING DOCKET OPENING

#### BOARD OF MEDICAL EXAMINERS

1. **Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 16, Board of Medical Examiners  
**Article and its heading:** 3, Medical Assistants  
**Section numbers:** R4-16-301 through R4-16-303
  
2. **The subject matter of the proposed rule:**  
To effect its authority in A.R.S. § 32-1456, the Board is adopting rules which address medical assistants. The proposed rules set forth the criteria which the Board of Medical Examiners will use for approving training require-

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ments for medical assistants and the activities which a medical assistant will be permitted to carry out under the direct supervision of a physician or physician assistant.

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: Dominick Spatafora, Legislation and Regulatory Liaison  
  
Address: Board of Medical Examiners  
1651 E. Morten, Suite 210  
Phoenix, Arizona 85020  
  
Telephone: (602) 255-3751
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
Submissions will be accepted by the Legislative and Regulatory Liaison identified in question #4 until the close of record, which is unknown at this time. 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:**  
Not yet known.

**NOTICE OF RULEMAKING DOCKET OPENING**

**BOARD OF NURSING**

1. **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:** R4-19-101
2. **The subject matter of the proposed rule:**  
The proposed amendment to the rule provides additional definitions applicable to Articles 2 through 7 and proposed Article 8, which addresses regulations for certified nursing assistants, as well as the recommendations from the Board's last 5-year-rule review.
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: Janet M. Walsh, RN, JD  
Associate Director  
  
Address: Board of Nursing  
1651 E. Morten, Suite 150  
Phoenix, Arizona 85020  
  
Telephone: (602) 331-8111, Ext. 145  
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 will be accepted by the Associate Director identified in question #4 until the close of record, July 20, 1999, 5 p.m. A public hearing on the proposed amendments to R4-19-101 has been scheduled for July 20, 1999, at 9 a.m.
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
Not yet determined.

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### BOARD OF NURSING

1. **Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 19, State Board of Nursing  
**Article and its heading:** 5, Extended and Advanced Nursing Practice  
**Section numbers:** R4-19-505, R4-19-507, R4-19-508, and R4-19-509
  
2. **The subject matter of the proposed rule:**  
The proposed amendments to Article 5 address the scope of practice of the registered nurse practitioner and the requirements for prescribing and dispensing authority, renewal of prescribing and dispensing authority, and dispensing of medications.
  
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: Janet M. Walsh, RN, JD  
Associate Director  
  
Address: Board of Nursing  
1651 E. Morten, Suite 150  
Phoenix, Arizona 85020  
  
Telephone: (602) 331-8111, Ext. 145  
  
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 will be accepted by the Associate Director identified in question #4 until the close of record, July 20, 1999, 5 p.m. A public hearing on the proposed amendments to Article 5 has been scheduled for July 20, 1999, at 9 a.m.
  
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
Not yet determined.

## NOTICE OF RULEMAKING DOCKET OPENING

### BOARD OF EDUCATION

1. **Title and its heading:** 7, Education  
**Chapter and its heading:** 2, State Board of Education  
**Article and its heading:** 2, State Board of Education Committees  
**Section numbers:** R7-2-205
  
2. **The subject matter of the proposed rule:**  
The Board is proposing to amend R7-2-205 to make minor technical changes. Specifically, the Board will correct an error in the language that requires the governing board member representative to be certified to teach in the State of Arizona (as governing board members are not required to be certified) and to delete references to the Executive Committee, which no longer exists in the process.
  
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: Corinne L. Velasquez, Executive Director

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Address: Board of Education  
1535 W. Jefferson, Room 418  
Phoenix, Arizona 85007

Telephone: (602) 542-5057

Fax: (602) 542-3046

- 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

ARIZON HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)  
ADMINISTRATION

- Title and its heading:** 9, Health Services  
**Chapter and its heading:** 22, Arizona Health Care Cost Containment System (AHCCCS) - Administration  
**Article and its heading:** 2, Scope of Services  
7, Standards for Payments  
**Section numbers:** To be determined
- The subject matter of the proposed rule:**  
This package is updating the scope of services and the payment of services. The Administration will make the language comply with the Secretary of State's requirements as well as make the language more clear, concise, and understandable.
- A citation to all published notices relating to the proceeding:**  
None.
- The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Cheri Tomlinson  
  
Address: AHCCCS Administration  
Office of Policy Analysis and Coordination  
801 E. Jefferson Street, Mail Drop 4200  
Phoenix, Arizona 85034  
  
Telephone: (602) 417-4198  
Fax: (602) 256-6756
- The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
Written comments will be accepted Monday through Friday, 8 a.m. to 5 p.m., at the address listed in question #4. Public hearings will be scheduled later to provide a forum for interactive discussion with stakeholders.
- A timetable for agency decisions or other action on the proceeding, if known:**  
The Administration anticipates filing a proposed rulemaking package in July 1999 and holding a public hearing in September 1999.

NOTICE OF RULEMAKING DOCKET OPENING

ARIZONA CORPORATION COMMISSION

- Title and its heading:** 14, Public Service Corporations; Corporations and Associations; Securities Regulation

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**Chapter and its heading:** 2, Corporation Commission - Fixed Utilities

**Article and its heading:** 16, Retail Electric Competition

**Section numbers** R14-2-1618

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

In December 1996, the Arizona Corporation Commission adopted the Retail Electric Competition Rules (A.A.C. R14-2-1601 et seq.) These rules included the Solar Portfolio Standard (R14-2-1609) and established a number of working groups to consider possible modifications of the rules. One of the working groups, the Unbundled Services and Standard Offer Working Group, created the Solar Portfolio Standard Subcommittee.

In the spring of 1998, Commission staff incorporated most of the Subcommittee recommendations into proposed rule amendments and those changes were approved by the Commission on August 10 and December 11, 1998.

On April 23, 1999, the Commission proposed additional amendments to the Retail Electric Competition Rules. Included was the recommendation to eliminate the Solar Portfolio Standard.

The Commission also decided to open a docket and commence an inquiry into and a hearing process on modifications of the old Solar Portfolio Standard, including the broadening of the scope of the Standard to technologies other than solar electricity and the costs and ratepayer impact of such a Standard.

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

E-00000A-99-0205

**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: Ray T. Williamson, Acting Director, Utilities Division

Address: Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, Arizona 85007

Telephone: (602) 542-0745

Fax: (602) 542-2129

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

The time and place where oral and written comments may be made will be established by the Arizona Corporation Commission in its Decision authorizing the filing of the Notice of Proposed Rulemaking with the Secretary of State or by procedural order following the Commission's Decision. The date, time, and place for the public comment will be in the Notice of Proposed Rulemaking.

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

It is anticipated that the rules will be adopted by the Commission at a regularly scheduled or a special open meeting. As soon as rules are proposed by the Commission, a procedural order will be issued to establish a timetable for written and oral comments. The notice and agenda will be posted in accordance with state law and will be mailed to those entities/individuals on the service list accompanying the Commission Decision authorizing the filing of the Notice of Proposed Rulemaking with the Secretary of State.

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

**1. Title and its heading:** 18, Environmental Quality

**Chapter and its heading:** 9, Department of Environmental Quality - Water Pollution Control

**Article and its heading:** 1, Aquifer Protection Permits: General Provisions;  
2, Aquifer Protection Permits: Individual Permits;  
3, Aquifer Protection Permits: Best Available Demonstrated Control Technology for Individual Permits;

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4, Aquifer Protection Permits: General Permits.

**Section numbers:** To be determined

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

Pursuant to Senate Bill 1379 (Arizona laws 1999, Ch. 26), the Arizona Department of Environmental Quality (ADEQ) expects to establish a Unified Water Quality Permit program that will eliminate the need to obtain multiple water quality permits for the same discharging facility and streamline the water quality permitting process. To implement the program, ADEQ expects to propose rules to consolidate Arizona's current water quality permit and construction management programs, including Aquifer Protection Permit and construction approval for community and on-site wastewater treatment and disposal systems. ADEQ expects that permitting procedures will be made more efficient through reliance on general permits, if feasible, and the incorporation, in rule, of best available demonstrated control technology (BADCT) for municipal and domestic wastewater treatment plant individual permits. ADEQ expects that many types of activities and facilities (including gray water systems), that were previously required to obtain an individual permit will qualify for general permits under the new rules.

ADEQ expects to conduct public meetings with persons who are interested in the Unified Water Quality Permit program. The overall purpose of the meetings is to address how ADEQ should implement the changes to the current Water Quality Permit program mandated by Senate Bill 1379. The meetings will provide the individual subcommittees charged with analysis of specific areas of concern an opportunity to provide progress reports and suggest draft rule language, including draft general permits. The meetings will also provide a forum for interested persons to pose questions and express concerns regarding any aspect of the Unified Water Quality Permit rule package.

**The agency docket number:**

None.

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

Notice of Rulemaking Docket Opening: 3 A.A.R. 2178, August 15, 1997.

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

Name: Patrick Rowe

Address: Arizona Department of Environmental Quality  
554-M0501B  
3033 North Central Avenue  
Phoenix, Arizona 85012

Telephone: (602) 207-4662 (Phoenix area) or 800-234-5677, Ext. 4662 (other areas)

**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 a Notice of Proposed Rulemaking.

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

None.