

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

NATUROPATHIC PHYSICIANS BOARD OF EXAMINERS

1. **Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 18, Naturopathic Physicians Board of Examiners
Article and its heading: 3, Dispensing Requirements
6, Medical Assistants
8, Experimental Medicine
Section numbers: R4-18-101, R4-18-301 through R4-18-305, R4-18-601 through R4-18-604, and R4-18-801 through R4-18-805
2. **Subject matter of the proposed rule:**
The proposed rules will add Sections dealing with requirements to dispense, requirements for medical assistants, and requirements for chelation procedures.
3. **A citation to all published notices relating to the proceeding:**
None
4. **The name and address of agency personnel to whom persons may communicate regarding the rule:**
Name: Dr. Craig Runbeck, Executive Director
Address: 1400 W. Washington, Suite 230
Phoenix, AZ 85007
Telephone: (602) 542-8242
Fax: (602) 542-3095
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Oral or written comments will be accepted during business hours at the location listed in item #4.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
To be determined

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF APPRAISAL

1. **Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 46, Board of Appraisal
Article and its heading: 2, Licensing and Certification
Section numbers: R4-46-201 and R4-46-207
2. **Subject matter of the proposed rule:**
To amend the Board's *Appraiser Qualification Criteria*, cited in R4-46-201(A) to include in the incorporation by reference of the Appraisal Foundation's Appraiser Qualification Criteria of February 16, 1994, the subsequent revisions through January 1, 2002, which also includes Criteria Revisions effective January 1, 2003. The latter revisions refer to the requirement for applicants or appraisers to take the National Uniformed Professional Appraisal Practice (USPAP) 15-hour full, or 7-hour update course from nationally approved instructors beginning January 1, 2003 as part of their qualifying or continuing education requirements.

To amend the Board's *Renewal of a License or Certificate* requirements at R4-46-207(B) to conform to the revised Appraisal Foundation criteria cited above, by deleting the current continuing education requirement for a minimum of 14

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hours of course work in USPAP within four years prior to expiration of a license or certificate, replacing it with the new national requirement for the 7-hour USPAP update course to be taken once in each two-year renewal cycle. The 15-hour course will apply only to those who have not previously taken it, which, as the new requirement completes the first renewal cycle, will eventually apply only to new applicants.

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

None to date by the Board. However, The Appraisal Foundation previously published *The Real Property Appraiser Qualification Criteria and Interpretations of the Criteria as of January 1, 2002* after substantial public exposure and comment. It has been available both in print and on the Foundation's web site at www.appraisalfoundation.org.

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

Name: Edward C. Logan
Address: 1400 W. Washington, Suite 360
Telephone: (602) 542-1543
Fax: (602) 542-1598
E-mail: elogan@appraisal.state.az.us

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, 8:00 a.m. to 5:00 p.m. Oral comments will be heard at the Board Meeting beginning at 9:00 a.m. on February 20, 2003 in Basement Conference Room B-2 at 1400 W. Washington, Phoenix, AZ 85007 under agenda item Notice of Proposed Rulemaking.

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

The Board expects to move forward with the Notice of Final Rulemaking immediately after the required public exposure time in order to bring the rules into compliance with the existing Foundation criteria. However, the Foundation's criteria are undergoing yet another revision which at this time is on its third public exposure draft. A fourth draft is expected to be finalized in April 2003. It is possible that this docket could incorporate the April 2003 revisions into the Board's Notice of Proposed Rulemaking for public comment *before* a Notice of Final Rulemaking on all of the criteria changes is submitted to the Governor's Regulatory Review Council for approval.

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BOARD OF APPRAISAL

1. Title and its heading:

4, Professions and Occupations

Chapter and its heading:

46, Board of Appraisal

Article and its heading:

4, Standards of Practice

Section numbers:

R4-46-401

2. Subject matter of the proposed rule:

To amend the Standards of Appraisal Practice to conform, by reference, to the most recent edition of the Uniform Standards of Appraisal Practice (2003 USPAP), published by the Appraisal Foundation, which becomes effective nationally on January 1, 2003.

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

Notice of Proposed Rulemaking: 8 A.A.R. 5210, December 27, 2002

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

Name: Edward C. Logan
Address: 1400 W. Washington, Suite 360
Telephone: (602) 542-1543
Fax: (602) 542-1598
E-mail: elogan@appraisal.state.az.us

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, 8:00 a.m. to 5:00 p.m. Oral comments will be heard at the Board Meeting on February 20, 2003 in Basement Conference Room B-2 at 1400 W. Washington, Phoenix, AZ 85007

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under agenda item Notice of Proposed Rulemaking.

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

The Board expects to move forward with the Notice of Final Rulemaking immediately after the required public exposure time. In the year 2002, this yearly USPAP change became effective on April 3.

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**DEPARTMENT OF TRANSPORTATION
COMMERCIAL PROGRAMS**

- 1. Title and its heading:** 17, Transportation
Chapter and its heading: 5, Department of Transportation
Commercial Programs
Article and its heading: 5, Financial Responsibility
Section numbers: R17-5-508

2. Subject matter of the proposed rule:

In accordance with a ruling by the Governor's Regulatory Review Council of December 3, 2002, the agency initiates rule-making to regulate the applicability of certificates of deposit as alternate proof of financial responsibility under A.R.S. §§ 28-4076 and 28-4084 to one certificate per vehicle insured.

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

None

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

Name: George R. Pavia, Department Rules Supervisor

Address: Administrative Rules Unit
Department of Transportation, Mail Drop 507M
3737 N. 7th Street, Suite 160
Phoenix, AZ 85014-5079

Telephone: (602) 712-8446

Fax: (602) 241-1624

E-mail: gpavia@dot.state.az.us

Please visit the ADOT web site to track progress of this rule and any other agency rulemaking matters at www.dot.state.az.us/about/rules/index.htm.

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

A concerned person may deliver oral or written comment to the agency official listed in item #4 from 8:00 a.m. to 4:30 p.m., Monday through Friday, except state holidays.

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

To be determined

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF INSURANCE

- 1. Title and its heading:** 20, Commerce, Banking, and Insurance
Chapter and its heading: 6, Department of Insurance
Article and its heading: 3, Financial Provisions and Procedures
Section numbers: R20-6-303

2. Subject matter of the proposed rule:

The Department will propose to repeal the current R20-6-303 and propose a new R20-6-303 to establish requirements for an insurer to surrender its certificate of authority to the director and for the release by the Department of the insurer's statutory deposit, if any.

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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: Margaret L. McClelland
Address: Arizona Department of Insurance
2910 N. 44th Street, Suite 210
Phoenix, AZ 85018
Telephone: (602) 912-8456
Fax: (602) 912-8452

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 a public comment period that will be noticed in the publication of the proposed rulemaking in the *Arizona Administrative Register*. The Department may schedule an oral proceeding, within the statutorily mandated time-frame, to be noticed in the *Arizona Administrative Register*.

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

The Department expects to file a Notice of Proposed Rulemaking in December 2002.