

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
DEPARTMENT OF ADMINISTRATION
PUBLIC BUILDINGS MAINTENANCE

- 1. Title and its heading:** 2, Administration

Chapter and its heading: 11, Department of Administration

Articles and their headings: Public Buildings Maintenance

1, General

2, Traffic and Parking

3, Solicitation

4, Special Events

5, Severability

Section numbers: R2-11-101 through R2-11-114, R2-11-201 through R2-11-209,
(R2-11-210 and R2-11-211 may be used at a later date for new
rules) R2-11-301 through R2-11-311, R2-11-401 through R2-11-409,
and R2-11-501
- 2. The subject matter of the proposed rule:**
The purpose of the proposed rules is to re-establish all previous rules of this Title and Chapter.
- 3. A citation to all published notices relating to the proceeding:**
Notice of Rulemaking Docket Opening: 9 A.A.R. 105, January 10, 2003
Notice of Proposed Rulemaking: 9 A.A.R. 578, February 28, 2003
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Cpl. Charles E. Miller, Capitol Police Division, Administrative Supervisor

Address: Arizona Department of Administration
1700 W. Washington, B-15
Phoenix, AZ 85007

Telephone: (602) 542-4508

Fax: (602) 542-0368

E-mail: charlie.miller@ad.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 from 8:00 a.m. to 5:00 p.m. The schedule for oral proceedings is to be determined and will be published when scheduled.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
To be determined

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**DEPARTMENT OF AGRICULTURE
PLANT SERVICES DIVISION**

- 1. Title and its heading:** 3, Agriculture
Chapter and its heading: 4, Department of Agriculture
Plant Services Division
Articles and their headings: 1, General Provisions
3, Nursery Rules
Section numbers: Table 1, R3-4-301, R3-4-302, R3-4-303, R3-4-304, R3-4-305,
and R3-4-306 (As a part of this rulemaking, the Department may
add, delete, or modify additional Articles or Sections as necessary.)
- 2. The subject matter of the proposed rule:**
This rulemaking will clarify existing language, revise outdated references to the Commission and the State Entomologist, and remove or revise outdated incorporations by reference. Fees for nursery inspections will be increased as allowed by statute. The Time-frames Table will be amended to match changes in the rules.
- 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: Sherry D. Blatner, Rules Analyst
Address: Arizona Department of Agriculture
1688 W. Adams
Phoenix, AZ 85007
Telephone: (602) 542-0962
Fax: (602) 542-5420
E-mail: sherry.blatner@agric.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: 8:00 a.m. through 5:00 p.m., Monday through Friday
Oral comments: 8:00 a.m. through 4:00 p.m., Monday through Friday
Arizona Department of Agriculture
1688 W. Adams
Phoenix, AZ 85007
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
Unknown

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TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 12. BOARD OF FUNERAL DIRECTORS AND EMBALMERS

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 12, Board of Funeral Directors and Embalmers
Articles and their headings: 1, General Provisions
2, Licensing Provisions
4, Funeral Service Education
Section numbers: R4-12-101, Table 1, R4-12-109, R4-12-121, R4-12-123, R4-12-125,
R4-12-126, R4-12-210, R4-12-211, R4-12-413, R4-12-414, R4-12-415,
and R4-12-416 (The Board will amend, repeal, or add new Sections as
necessary.)

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2. The subject matter of the proposed rule:

Legislation was passed in the 2002 legislative session that requires the Board to license and regulate cremationists. As a result, the Board is writing rules that specify application requirements for cremationists and provide time-frames for Board action on the applications. The Board is also providing application requirements for reinstatements and renewals of licenses, registrations, and endorsements and time-frames for Board action on the applications. The Board is amending Article 1 by addressing issues identified in its 2002 Five-Year Review Report approved by the Governor's Regulatory Review Council on March 5, 2002 and to conform the rules to current rulewriting style and format requirements. The Board is amending Article 4 to update its continuing education requirements.

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: Rodolfo R. Thomas, Executive Director
Address: Board of Funeral Directors and Embalmers
1400 W. Washington, Room 230
Phoenix, AZ 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 Board will continue to accept written comments at the location listed in item #4 between 8:00 a.m. and 5:00 p.m. Monday through Friday, until the close of record. The Board will schedule oral proceedings, within the statutory mandated time-frame, which will be noticed by publication in the *Arizona Administrative Register*.

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

None

NOTICE OF RULEMAKING DOCKET OPENING
CORPORATION COMMISSION
SECURITIES

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:

R14-4-150

2. The subject matter of the proposed rule:

Section R14-4-150 will provide for a secondary market trading exemption for transactions in securities listed on the Toronto Stock Exchange. Additional Sections may added, deleted, or modified.

The agency docket number:

Docket Number RS-00000A-03-0068

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: Sharleen A. Day, Associate General Counsel
Address: Arizona Corporation Commission, Securities Division
1300 W. Washington, 3rd Floor
Phoenix, AZ 85007
Telephone: (602) 542-4242
Fax: (602) 594-7421
E-mail: sd@ccsd.cc.state.az.us

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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:**
Monday through Friday, 8:00 a.m. to 5:00 p.m. at the Securities Division as noted in item #4. No hearing date has been set.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
Not known

NOTICE OF RULEMAKING DOCKET OPENING
DEPARTMENT OF TRANSPORTATION
ADMINISTRATION

- 1. Title and its heading:** 17, Transportation
Chapter and its heading: 1, Department of Transportation Administration
Article and its heading: 2, Fees
Section number: R17-1-203
- 2. The subject matter of the proposed rule:**
The agency is amending this Section to clarify provisions for assessing a returned check service charge to include specific financial institution or agency reasons for dishonoring check payment. Pursuant to implementing statutes, a driver license or vehicle registration penalty subsection is also being added for returned checks that exceed 45 days with no resolution.
- 3. A citation to all published notices relating to the proceeding:**
Notice of Proposed Rulemaking: 9 A.A.R. 594, February 28, 2003
- 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 written comments 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