

## 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 STATE RETIREMENT SYSTEM BOARD

[R05-76]

- 1. Title and its heading:** 2, Administration  
**Chapter and its heading:** 8, State Retirement System Board  
**Article and its heading:** 3, Employee Membership  
**Section numbers:** R2-8-301 through R2-8-315. As part of this rulemaking, Sections may be added, deleted, or modified as necessary.
- 2. The subject matter of the proposed rule:**  
A.R.S. § 38-727 identifies ASRS membership eligibility, and A.R.S. § 38-740 identifies the circumstances under which contributions may be withdrawn and membership terminated. These rules:

  1. Provide clarification regarding who is an ASRS member;
  2. Specify the different types of membership;
  3. Specify the process for enrolling in the ASRS;
  4. Define dual employment, and specify under what circumstances contributions must be paid when employed by more than one ASRS employer; and
  5. Specify member's responsibilities.

**The agency docket number, if applicable:**  
2005-01
- 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: Nancy O. Johnson, Rules Coordinator

Address: Arizona State Retirement System  
3300 N. Central, 14th Fl.  
Phoenix, AZ 85012

Telephone: (602) 308-5172

Fax: (602) 264-6113

E-mail: nancyj@asrs.state.az.us

or

Name: Susanne Dobel, Manager, External Operations

Address: Arizona State Retirement System  
3300 N. Central, 14th Fl.  
Phoenix, AZ 85012

Telephone: (602) 240-2039

Fax: (602) 246-6113

E-mail: susanned@asrs.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:**  
The Department will accept written comments at the location listed in item #4 until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
To be announced in the Notice of Proposed Rulemaking.

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NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF WATER RESOURCES

[R05-78]

1. **Title and its heading:** 12, Natural Resources  
**Chapter and its heading:** 15, Department of Water Resources  
**Article and its heading:** 7, Assured and Adequate Water Supply  
**Section numbers:** R12-15-701 through R12-15-703, R12-15-705, and R12-15-705.01. As part of this rulemaking, Sections may be added, deleted, or modified as necessary.
2. **The subject matter of the proposed rule:**  
The Department is considering changes to the assured water supply rules that would address the unique needs and conditions present in the Santa Cruz Active Management Area.
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: Alejandro Barcenas  
Address: Santa Cruz AMA  
857 W. Bell Rd., Ste. 3  
Nogales, AZ 85621-4545  
Telephone: (520) 761-1814  
Fax: (520) 761-1869  
or  
Name: Maxine M. Becker  
Address: Legal Division  
500 N. 3rd St.  
Phoenix, AZ 85004  
Telephone: (602) 417-2420  
Fax: (602) 417-2415
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 publish information regarding locations for the receipt of written comments and any oral proceeding to be held once these locations have been determined.
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
The Department will publish a notice of stakeholder meetings and/or workshops in the *Arizona Administrative Register*. Persons wishing to receive direct notice of any stakeholder meeting or workshop should contact one of the agency personnel listed in item #4.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF PUBLIC SAFETY

LOCAL RETIREMENT BOARD

[R05-77]

1. **Title and its heading:** 13, Public Safety  
**Chapter and its heading:** 8, Department of Public Safety – Local Retirement Board  
**Article and its heading:** 1, Procedures  
**Section numbers:** R13-8-103, R13-8-104, R13-8-105, R13-8-106, R13-8-109, R13-8-110, R13-8-111, and R13-8-112. As part of this rulemaking, Sections may be added, deleted, or modified as necessary.
2. **The subject matter of the proposed rule:**  
The purpose of this rulemaking is to update the Board's rules, to ensure their consistency with relevant rules and statutes that have been amended or adopted since the Board's last rulemaking endeavor, and to make any substantive changes deemed necessary to ensure effectiveness of the rules.
3. **A citation to all published notices relating to the proceeding:**  
None

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

Name: Beverly Fuller, Secretary to Local Retirement Board  
Address: Department of Public Safety  
2102 W. Encanto Blvd.  
P.O. Box 6638  
Phoenix, AZ 85005-6638  
Telephone: (602) 223-2147  
Fax: (602) 223-2921

**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 accept written comments between 8:00 a.m. and 3:00 p.m. Monday through Friday, excluding holidays, at the address listed in item #4, until the docket is closed. If an oral proceeding is requested pursuant to A.R.S. § 41-1023, notice of its location and time will be published in the register.

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

Unknown at this time

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF INSURANCE**

[R05-79]

**1. Title and its heading:** 20, Commerce, Banking, and Insurance  
**Chapter and its heading:** 6, Department of Insurance  
**Article and its heading:** 20, Captive Insurers  
**Section number:** R20-6-2002

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

The Department of Insurance (DOI) intends to initiate a rulemaking to amend R20-6-2002 to specify fees for protected cell captive insurers, a subset of captive insurers, and for issuance of an amended certificate of authority for captive insurers.

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

Notice of Rulemaking Docket Opening: 10 A.A.R. 2947, July 23, 2004  
Notice of Proposed Rulemaking: 10 A.A.R. 2988, July 30, 2004  
Notice of Supplemental Proposed Rulemaking: 11 A.A.R. 441, January 21, 2005  
Notice of Termination of Rulemaking: 11 A.A.R. 977, March 11, 2005

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

Name: Margaret L. McClelland  
Address: Department of Insurance  
2910 N. 44th St., Ste. 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. The Department will 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 filed a Notice of Proposed Rulemaking in February 2005.