

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

[R05-307]

- 1. Title and its heading:** 2, Administration
Chapter and its heading: 8, State Retirement System Board
Articles and their headings: 1, Retirement System; Defined Benefit Plan
8, Employer Membership
Section numbers: R2-8-101, R2-8-104, R2-8-122; R2-8-801 through R2-8-805 (The ASRS may add, delete, or modify additional Sections as necessary.)
- 2. The subject matter of the proposed rule:**
The Governor's Regulatory Review Council approved a 5-Year-Review Report on November 7, 2000. The proposed rulemaking will address the issues identified in the Report with regard to R2-8-104, Definitions. Despite the current title of R2-8-104, the rule is less about definitions, and more about substantive provisions regarding Social Security. R2-8-104 and R2-8-122, Remittance of Contributions, will be repealed, and the subject content of those rules will be included in the new Article 8 that will contain rules regarding employer membership, including:

 1. Definitions pertinent to the Article,
 2. The process by which an employer obtains Social Security coverage for its employees or obtains exclusions from coverage,
 3. Eligibility and the process for applying for ASRS membership,
 4. Specifying the employer member's responsibilities,
 5. Identifying the requirements and process for remitting contributions to the ASRS, and
 6. Specifying the process for notifying the ASRS of a retirement incentive program under A.R.S. § 38-749.

The agency docket number, if applicable:
2005-06
- 3. A citation to all published notices relating to the proceeding:**
Notice of Rulemaking Docket Opening: 10 A.A.R. 3190, August 13, 2004
- 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 Ave., 14th Floor
Phoenix, AZ 85012
Telephone: (602) 308-5172
Fax: (602) 240-5303
E-mail: nancyj@asrs.state.az.us

Or

Name: Susanne Dobel, Manager, External Operations
Address: Arizona State Retirement System
3300 N. Central Ave., 14th Floor
Phoenix, AZ 85012
Telephone: (602) 240-2039
Fax: (602) 240-5303
E-mail: susanned@asrs.state.az.us

Notices of Rulemaking Docket Opening

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

The ASRS will accept written comments at the locations listed in item #4 until the close of record, which has not yet been determined. The ASRS 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

NOTICE OF RULEMAKING DOCKET OPENING

STATE RETIREMENT SYSTEM BOARD

[R05-305]

1. Title and its heading:

2, Administration

Chapter and its heading:

8, State Retirement System Board

Article and its heading:

6, Public Participation in Rulemaking

Section numbers:

R2-8-601 through R2-8-605 (The Department may add, delete, or modify additional Sections as necessary.)

2. The subject matter of the proposed rule:

The purpose of this rulemaking is to provide the public with the procedure for participating in the rulemaking process. The rules will:

1. Identify the location of and time for viewing the rulemaking record,
2. Specify the procedure for an individual to:
 - a. Provide written criticism of a rule;
 - b. Petition to make a rule;
 - c. Request a view a rule, agency practice, or substantive policy statement;
 - d. Request an oral proceeding; and
 - e. Petition for a delayed effective date; and
3. Specify how the presiding officer shall conduct an oral proceeding.

The agency docket number, if applicable:

2005-02

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 locations 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

NOTICE OF RULEMAKING DOCKET OPENING

STATE RETIREMENT SYSTEM BOARD

[R05-306]

1. **Title and its heading:** 2, Administration
Chapter and its heading: 8, State Retirement System Board
Article and its heading: 7, Contributions Not Withheld
Section numbers: R2-8-701 through R2-8-705 (The Department may add, delete, or modify additional Sections as necessary.)
2. **The subject matter of the proposed rule:**
A.R.S. § 38-738(B) identifies who pays the various portions of contributions if less than the correct amount of employer or member contributions is paid into ASRS by an employer. These rules specify the procedure for:
 1. Notifying ASRS that less than the correct amount of contributions may have been paid into ASRS by an employer,
 2. Determining whether less than the correct amount of contributions has been paid into ASRS by an employer,
 3. Determining the amount of contributions that shall be paid into the ASRS, and
 4. Specifying how the contributions shall be paid into ASRS.**The agency docket number, if applicable:**
2005-05
3. **A citation to all published notices relating to the proceeding:**
Notice of Rulemaking Docket Opening: 10 A.A.R. 2319, June 11, 2004
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 locations 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