

# 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

[R06-225]

- 1. Title and its heading:** 2, Administration  
**Chapter and its heading:** 8, State Retirement System Board  
**Article and its heading:** 1, Retirement System; Defined Benefit Plan  
**Section numbers:** 3, Employee Membership  
R2-8-115; R2-8-301 through R2-8-315 (The Department may add, delete, or modify additional Sections 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ASRS membership eligibility, and A.R.S. § 38-740 identifies the circumstances under which contributions may be withdrawn and membership terminated.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;
  5. Provide the process for terminating membership; and
  6. Specify employee member's responsibilities.

This rulemaking will also amend R2-8-115, removing from it the subject matter regarding terminating membership that will be moved to the new Article, Employee Membership.

**The agency docket number, if applicable:**  
2006-02
- 3. A citation to all published notices relating to the proceeding:**  
Notice of Rulemaking Docket Opening: 11 A.A.R. 1061, March 11, 2005
- 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@azasrs.gov

Or

Name: Patrick M. Klein, Assistant Director, External Affairs  
Address: Arizona State Retirement System  
3300 N. Central, 14th Fl.  
Phoenix, AZ 85012

Telephone: (602) 240-2044  
Fax: (602) 246-6113  
E-mail: patk@azasrs.gov
- 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.

Notices of Rulemaking Docket Opening

**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**

[R06-226]

**1. Title and its heading:**

2, Administration

**Chapter and its heading:**

8, State Retirement System Board

**Article and its heading:**

1, Retirement System; Defined Benefit Plan

9, Retirement and Survivor Benefits

**Section numbers:**

R2-8-116, R2-8-119; R2-8-901 through R2-8-920 (The Department may add, delete, or modify additional Sections as necessary.)

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

A.R.S. § 38-760 through A.R.S. § 38-773 identify the various benefits for survivors of ASRS members, and for ASRS members upon their retirement. These rules specify the:

1. Types of retirement and when an ASRS member is eligible for each type of retirement;
2. Process for commencing retirement;
3. Process for survivors to request a deceased member's account balance or survivor benefits;
4. Process for selecting, deleting, or changing beneficiaries;
5. Process for correcting errors in benefit computation;
6. Circumstances under which a retired member may return to work for an ASRS employer after retirement; and
7. Process for a retired member returning to work for an ASRS employer.

This rulemaking will also repeal R2-8-116, Reemployment after Retirement, and R2-8-119, Retirement benefit payments. The subject matter in R2-8-116 and R2-8-119 that apply to the new Article, Retirement and Survivor Benefits, will be moved to the new Article.

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

2006-01

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

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

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