

## 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

#### BOARD OF ACCOUNTANCY

[R08-59]

1. **Title and its heading:** 4, Professions and Occupations.  
**Chapter and its heading:** 1, Board of Accountancy  
**Article and its heading:** 4, Regulation  
**Section number:** R4-1-453
2. **Subject matter of the proposed rules:**  
Changes to continuing professional education requirements which would require all certified public accountants, not just those in public accounting, to complete 80 hours, require 16 hours to be live or interactive, and require 16 hours in accounting, auditing or taxation. In addition, members of the accounting, taxation and peer review oversight advisory committees would be allowed to earn continuing professional education hours for their service.
3. **A citation to all published notices relating to the proceeding:**  
14 A.A.R. 802, March 21, 2008 (*in this issue*)
4. **The name and address of agency personnel with whom persons may communicate regarding the rules:**  
Name: Valerie M. Elliott, Executive Director  
Address: Board of Accountancy  
100 N. 15th Ave., Suite 165  
Phoenix, AZ 85007  
Telephone: (602) 364-0804  
Fax: (602) 364-0903  
E-mail: velliott@azaccountancy.gov
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 comment during regular business hours at the address listed above until the close of record, which has not yet been determined.  
The oral proceeding will be announced with the Notice of Proposed Rulemaking.
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
To be determined

### NOTICE OF RULEMAKING DOCKET OPENING

#### BOARD OF PHARMACY

[R08-56]

1. **Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 23, Board of Pharmacy  
**Article and its heading:** 4, Professional Practices  
**Section numbers:** R4-23-415 (Sections may be added, modified or deleted as necessary.)
2. **Subject matter of the proposed rule:**  
During the 46th Legislative Session in 2003, the Legislature made changes to A.R.S. § 32-1932.01 by taking the words “pharmacists and interns” out and inserting the word “licensees.” A.R.S § 32-1932.01 deals with the substance abuse treatment and rehabilitation program. The Board staff has determined that the R4-23-415 (Impaired Licensees - Treatment and Rehabilitation) still contains the phrase “pharmacists and interns” and therefore needs to be updated to conform to the statute.  
R4-23-415 will be amended by replacing the words “pharmacists and interns” with the word “licensees” in subsections (A), and (C)(4) and (5). The rule will include format, style, and grammar necessary to comply with the current rules of the Secretary of State and the Governor’s Regulatory Review Council.

*Arizona Administrative Register / Secretary of State*  
**Notices of Rulemaking Docket Opening**

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

R0807

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

None

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

Name: Dean Wright, Compliance Officer  
Address: Board of Pharmacy  
1700 W. Washington St., Suite 250  
Phoenix, AZ 85007  
Telephone: (602) 771-2744  
Fax: (602) 771-2749  
E-mail: dwright@azpharmacy.gov

**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 Monday through Friday, 8:00 a.m. to 5:00 p.m. Oral comments may be made at the Board office Monday through Friday, 8:00 a.m. to 4:30 p.m.

Location: Board of Pharmacy  
1700 W. Washington St., Suite 250  
Phoenix, AZ 85007

Written and oral comments will be accepted until the close of record on a date and time as yet undetermined.

**6. A timetable for agency decisions or other action in the proceeding:**

None

**NOTICE OF RULEMAKING DOCKET OPENING**  
**DEPARTMENT OF HEALTH SERVICES**  
**COMMUNICABLE DISEASES AND INFESTATIONS**

[R08-61]

**1. Title and its heading:**

9, Health Services

**Chapter and its heading:**

6, Department of Health Services – Communicable Diseases and Infestations

**Article and its heading:**

7, Required Immunizations for Child Care or School Entry

**Sections numbers:**

R9-6-701 through R9-6-707, Table 1, Table 2, and R9-6-708 (Sections may be added, modified or deleted as necessary.)

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

The purpose of this rulemaking is to amend the rules for required immunizations for child care or school entry. The rules for required immunizations for child care or school entry are in Title 9, Chapter 6, Article 7 of the *Arizona Administrative Code*. The Department is amending the rules to address the issues identified in the Five-Year-Review Report submitted to the Governor's Regulatory Review Council in January 2008 and improve the clarity and understandability of the rules. The amended rules will also conform to current rulemaking format and style requirements, industry practice, and departmental policy.

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

RE-001-08

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

None

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

Name: Kathy Fredrickson, Office Chief  
Arizona Immunization Program Office  
Address: Department of Health Services  
150 N. 18th Ave., Suite 120  
Phoenix, AZ 85007  
Telephone: (602) 364-3630  
Fax: (602) 364-3285  
E-mail: fredrik@azdhs.gov

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or

Name: Kathleen Phillips, Esq.  
Rules Administrator  
Address: Department of Health Services  
Office of Administrative Rules and Counsel  
1740 W. Adams St., Suite 200  
Phoenix, AZ 85007  
Telephone: (602) 542-1264  
Fax: (602) 364-1150  
E-mail: phillik@azdhs.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 until close of the 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  
DEPARTMENT OF HEALTH SERVICES  
FOOD, RECREATIONAL, AND INSTITUTIONAL SANITATION**

[R08-57]

- 1. Title and its heading:** 9, Health Services  
**Chapter and its heading:** 8, Department of Health Services – Food, Recreational, and Institutional Sanitation  
**Article and its heading:** 13, Hotels, Motels, and Tourist Courts  
**Section numbers:** R9-8-1301 through R9-8-1309, R9-8-1312, R9-8-1314, R9-8-1321, R9-8-1322, R9-8-1331 through R9-8-1338 (Sections may be added, modified or deleted as necessary.)

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

The purpose of this rulemaking is to amend the rules for hotels, motels, and tourist courts in 9 A.A.C. 8, Article 13, in order to make them consistent with current statutory authority, Department policy, and issues raised in the five-year-review-report approved by the Governor’s Regulatory Review Council in 2007. The amended rules will conform to rulemaking format and style requirements of the Governor’s Regulatory Review Council and the Office of the Secretary of State.

**The agency docket number:**

RE-006-08

**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 rules:**

Name: Ben C. Stepleton, Food Safety Manager  
Address: Department of Health Services  
Office of Environmental Health  
150 N. 18th Ave., Suite 430  
Phoenix, AZ 85007  
Telephone: (602) 364-3140  
Fax: (602) 364-3146  
E-mail: stepleb@azdhs.gov

or

Name: Kathleen Phillips, Esq.  
Rules Administrator  
Address: Department of Health Services  
Office of Administrative Rules and Counsel  
1740 W. Adams St., Suite 200

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Phoenix, AZ 85007  
Telephone: (602) 542-1264  
Fax: (602) 364-1150  
E-mail: phillik@azdhs.gov

**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 at the addresses 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**

**DEPARTMENT OF TRANSPORTATION  
HIGHWAYS**

[R08-64]

- 1. Title and its heading:** 17, Transportation  
**Chapter and its heading:** 3, Department of Transportation – Highways  
**Article and its heading:** 7, Highway Encroachments and Permits  
**Section numbers:** R17-3-701 & Exhibits 1 through 9 (Sections may be added, modified or deleted as necessary.)

**2. Subject matter of the proposed rule:**

This rulemaking is being initiated as a result of a Five-Year-Rule Review approved by the Governor’s Regulatory Review Council on November 2, 2004 (F-04-1111). The Agency proposes to:

- Renumber the existing rule Section into smaller, more manageable Sections,
- Amend to update any related citations and to ensure conformity to Arizona Administrative Procedures Act, Secretary of State, and Governor’s Regulatory Review Council rulemaking format and style requirements,
- Repeal antiquated statutory language, and
- Repeal Exhibits that the Agency has determined not to be clear, concise, or understandable and which are unnecessary.

**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: Janette M. Quiroz  
Administrative Rules Analyst  
Address: Maintenance Permits Services  
Department of Transportation  
206 S. 17th Ave., Mail Drop 176A  
Phoenix, AZ 85007  
Telephone: (602) 712-6185  
Fax: (602) 712-6745  
E-mail: jmquiroz@azdot.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 Monday through Friday, 8:00 a.m. to 5:00 p.m. at the address indicated in item 4, except during legal holidays. A public hearing may be scheduled later to provide a forum for interactive discussion with interested parties.

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

To be determined

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY  
WATER QUALITY ASSURANCE REVOLVING FUND PROGRAM

[R08-62]

1. **Title and its heading:** 18, Environmental Quality  
**Chapter and its heading:** 16, Department of Environmental Quality – Water Quality Assurance Revolving Fund Program  
**Article and its heading:** 2, Preliminary Investigations and Site Scoring  
**Section numbers:** R18-16-202 (Sections may be added, modified or deleted as necessary.)
2. **The subject matter of the proposed rule:**  
This rule will amend the existing rule regarding the scoring of sites for placement on the Water Quality Assurance Revolving Fund (WQARF) Registry. The current site scoring rule incorporates by reference an eligibility and evaluation site scoring model that was established in October 1996. ADEQ plans to update the current rule (R18-16-202) with a new eligibility and evaluation site scoring model.
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: Peggy J. Guichard-Watters  
Address: 1110 W. Washington St.  
Phoenix, AZ 85007  
Telephone: (602) 771- 4117  
Fax: (602) 771- 4138  
E-mail: pgw@azdeq.gov
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
To be published in the Notice of Proposed Rulemaking
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
To be published in the Notice of Proposed Rulemaking

NOTICE OF RULEMAKING DOCKET OPENING

INDUSTRIAL COMMISSION OF ARIZONA

[R08-58]

1. **Title and its heading:** 20, Commerce, Financial Institution, and Insurance  
**Chapter and its heading:** 5, Industrial Commission of Arizona  
**Article and its heading:** 5, Elevator Safety  
**Section numbers:** R20-5-504, R20-5-505, R20-5-507, R20-5-508, R20-5-509, R20-5-510, R20-5-11, R20-5-513 (Sections may be added, modified or deleted as necessary.)
2. **The subject matter of the proposed rule:**  
The purpose of these rule changes are to incorporate by reference, new code changes to existing rules used to maintain safe operation of existing elevators, escalators and personnel hoists and to ensure the installation of new elevators, personnel hoists and escalators meet new safety code changes. Copies of the incorporated by reference material are available for inspection or reproduction at the Arizona Division of Occupational Safety and Health, 800 W. Washington St., Room 203, Phoenix, AZ 85007, and can be downloaded from the American Society of Mechanical Engineers at Three Park Avenue, New York, www.asme.org/.
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: William M. Wright, Assistant Director  
Address: Division of Occupational Safety and Health  
Industrial Commission of Arizona  
800 W. Washington St., Suite 203  
Phoenix, AZ 85007  
Telephone: (602) 542-1695

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Fax: (602) 542-1614

E-mail: wright.william.m@dol.gov

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

To be published in Notice of Proposed Rulemaking

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

Not yet known