

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 GAME AND FISH COMMISSION

Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Laws 2010, Ch. 287, § 18. (See the text of § 18 on page 2522.) The Governor's Office authorized the notice to proceed through the rulemaking process on August 19, 2010.

[R10-180]

- 1. Title and its heading:** 12, Natural Resources
Chapter and its heading: 4, Game and Fish Commission
Article and its heading: 1, Definitions and General Provisions; 2, Miscellaneous Licenses and Permits
Section numbers: R12-4-102, R12-4-205 (Sections may be added, deleted, or modified as necessary.)
- 2. The subject matter of the proposed rule:**
Laws 2009, 3rd Special Session, Ch. 7, § 28(B)(3) allows an agency to pursue rulemaking for an authorization enacted by the legislature after January 1, 2009. On August 19, the Governor's office approved the Department's request to pursue rulemaking to implement Laws 2010, 2nd Regular Session, Ch. 216.
Laws 2010 amended A.R.S. § 17-336, authorizing the Commission to offer, for a reduced fee, a Youth Class F License to eligible Arizona residents. A.R.S. § 17-336(B) establishes that an eligible applicant is a member of the Boy or Girl Scouts of the United States of America who has either attained the rank of Eagle Scout or received the Gold Award. The Department proposes to amend R12-4-102 to establish the reduced-fee and promulgate a new rule, R12-4-205, to establish the reduced-fee application and documentation requirements for the reduced-fee Youth Class F License Combination Hunting and Fishing License.
- 3. A citation to all published notices relating to the proceeding:**
Notice of Proposed Rulemaking: 16 A.A.R. 2476, December 31, 2010 (*in this issue*)
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Celeste Cook, Rule Writer
Address: Arizona Game and Fish Department
5000 W. Carefree Highway
Phoenix, AZ 85086
Telephone: (623) 236-7390
Fax: (623) 236-7677
E-mail: ccook@azgfd.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 determined
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
Notice of Proposed Rulemaking: 16 A.A.R. 2476, December 31, 2010 (*in this issue*)

NOTICE OF RULEMAKING DOCKET OPENING DEPARTMENT OF WATER RESOURCES

Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Laws 2010, Ch. 287, § 18. (See the text of § 18 on page 2522.) The Governor's Office authorized the notice to proceed through the rulemaking process on December 6, 2010.

[R10-178]

- 1. Title and its heading:** 12, Natural Resources
Chapter and its heading: 15, Department of Water Resources

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Articles and their headings:

1, Fees; 7, Assured and Adequate Water Supply; 8, Well Construction and Licensing of Well Drillers; 12, Dam Safety Procedures
R12-15-101, R12-15-102, R12-15-103, R12-15-104, R12-15-105, R12-15-106, R12-15-151, R12-15-702, R12-15-703, R12-15-704, R12-15-705, R12-15-706, R12-15-707, R12-15-708, R12-15-710, R12-15-712, R12-15-713, R12-15-714, R12-15-730, R12-15-806, R12-15-1208, R12-15-1210, R12-15-1211, R12-15-1213, R12-15-1219 (Sections may be added, deleted, or modified as necessary.)

Section numbers:

2. The subject matter of the proposed rule:

Pursuant to Laws 2010, 7th Special Session, Ch. 7, § 5 (“2010 Session Law”), the Department increased many of its application and filing fees and adopted several new fees through a Notice of Exempt Rulemaking published in the *Arizona Administrative Register* on July 9, 2010 (16 A.A.R. 1205, July 9, 2010) and amended through a Notice of Exempt Rulemaking published in the *Arizona Administrative Register* on October 1, 2010 (16 A.A.R. 1950, October 1, 2010). The purpose of the increased and new fees was to allow the Department to fully recover its costs in processing applications and other filings and in conducting dam safety inspections during fiscal year 2010-2011. As required by the 2010 Session Law, the increased and new fees will repeal automatically effective July 1, 2011, at which time the fees previously in effect will become effective again. The purpose of this rulemaking is to make the increased and new fees permanent (with several adjustments) through a rulemaking proceeding pursuant to A.R.S. Title 41, Chapter 6. The Department will not increase any fees set in statute. The Department has received authorization from the Governor’s office for this rulemaking.

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

Notice of Proposed Rulemaking: 16 A.A.R. 2486, December 31, 2010 (*in this issue*)

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

Name: Ken Slowinski, ADWR Chief Counsel
Address: Department of Water Resources
3550 N. Central Ave.
Phoenix, AZ 85012
Telephone: (602) 771-8472
Fax: (602) 771-8683
E-mail: kcslowinski@azwater.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 may be submitted at any time during normal business hours prior to the close of the public record on January 31, 2011 at 5:00 p.m. Written comments not submitted at the oral proceeding described below should be submitted to: Docket Supervisor, Legal Division, Arizona Department of Water Resources, 3550 N. Central Ave., Second Floor, Phoenix, AZ 85012. An oral proceeding will be held on January 31, 2011 at 10:00 a.m. at the offices of the Arizona Department of Water Resources, 3550 N. Central Ave., Second Floor, Verde Conferences Rooms, Phoenix, AZ 85012. Oral comments may be made at the oral proceeding.

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

Notice of Proposed Rulemaking: 16 A.A.R. 2486, December 31, 2010 (*in this issue*)

NOTICE OF RULEMAKING DOCKET OPENING
DEPARTMENT OF TRANSPORTATION
ADMINISTRATION

Editor’s Note: The following Notice of Rulemaking Docket Opening was reviewed per Laws 2010, Ch. 287, § 18. (See the text of § 18 on page 2522.) The Governor’s Office authorized the notice to proceed through the rulemaking process on November 16, 2010.

[R10-175]

1. Title and its heading:

17, Transportation

Chapter and its heading:

1, Department of Transportation – Administration

Article and its heading:

6, Solicitation

Section numbers:

R17-1-601 through R17-1-610 (Sections may be added, deleted, or modified as necessary.)

2. The subject matter of the proposed rules:

The Arizona Department of Transportation proposes to adopt rules that provide formal guidelines for all solicitation activities sought to be conducted on Department property. Although similar solicitation guidelines are set forth in rules promulgated by the Arizona Department of Administration, ADOT buildings are not subject to the ADOA reg-

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ulations as provided under A.R.S. § 41-791(B)(3)(a)(i). The Department's need for its own rules on this subject is therefore immediate, due to a sharp increase in the number of requests received from persons and organizations seeking permission to conduct solicitations at high volume Motor Vehicle Division Customer Service offices located throughout the state, as well as a corresponding increase in the number of complaints the Department has received about the intrusive nature of these solicitation activities and their propensity to disrupt and unreasonably delay the business activities of the Department and its customers.

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: John Lindley, Administrative Rules Analyst
Address: Administrative Rules Unit
Department of Transportation, Motor Vehicle Division
1801 W. Jefferson St., Mail Drop 517M
Phoenix, AZ 85007
Telephone: (602) 712-8804
Fax: (602) 712-3373
E-mail: jlindley@azdot.gov

Please visit the ADOT web site to track the progress of this rule and any other agency rulemaking matters at www.azdot.gov/mvd/mvdrules/index.asp.

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

Written comments may be submitted at any time. Oral comments may be made during regular business hours. All comments should be directed to the person listed under item 4. The date, time, and location of any oral proceeding on the rulemaking will be included in the Notice of Proposed Rulemaking.

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

To be determined