

## NOTICES OF RULEMAKING DOCKET OPENINGS

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever 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.

### BANKING DEPARTMENT

1. **Title and its heading:** 4, Commerce, Professions, and Occupations  
**Chapter and its heading:** 4, Banking Department  
**Articles and their headings:** 1, General  
2, Bank Organization and Regulation  
3, Savings and Loan Associations  
5, Small Loans  
6, Debt Management Companies  
7, Escrow Agents  
8, Trust Companies  
9, Mortgage Brokers  
10, Safe Deposit and Safekeeping Code  
11, Public Depositories for Public Monies  
12, Rules of Practice and Procedure Before the Superintendent  
14, Investigations  
15, Collection Agencies  
16, Acquisition of Control of Financial Institutions  
17, Arizona Interstate Bank and Savings and Loan Association Act  
  
**Section numbers:** R4-4-101 through R4-4-106  
R4-4-201 through R4-4-215  
R4-4-301 through R4-4-331  
R4-4-501 through R4-4-536  
R4-4-601 through R4-4-620  
R4-4-701 through R4-4-707  
R4-4-801 through R4-4-816, App. B  
R4-4-901 through R4-4-924  
R4-4-1001  
R4-4-1101 through R4-4-1102  
R4-4-1201 through R4-4-1220  
R4-4-1401 through R4-4-1410  
R4-4-1501 through R4-4-1530  
R4-4-1601 through R4-4-1604  
R4-4-1701 through R4-4-1706
2. **Subject matter of the proposed rule:**  
The new rules will remove outdated and non-essential information. They will clarify existing language and set up uniform format and structure.
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: Fred Witte, Division Manager  
Address: Arizona State Banking Department  
2910 North 44th Street, Suite 310  
Phoenix, Arizona 85018  
Telephone: (602) 255-4421, ext. 122  
Fax Number: (602) 381-1225
5. **The time during which the agency will accept written comments:**  
The Department will accept written comments from 8 a.m. to 5 p.m., Monday through Friday.  
**The time and place where oral comments may be made:**  
The Department has not scheduled a public hearing but will receive oral comments as follows:  
Time: 8 a.m. to 5 p.m., Monday through Friday  
Location: Arizona State Banking Department  
2910 North 44th Street, Suite 310  
Phoenix, Arizona 85018
6. **A timetable for agency decisions or other action in the proceeding:**  
Unknown

*Arizona Administrative Register*  
**Notices of Rulemaking Docket Openings**

**BOARD OF PHARMACY**

1. **Title and its heading:** 4, Commerce, Professions, and Occupations  
**Chapter and its heading:** 23, Board of Pharmacy  
**Articles and their headings:** 1, Administration  
4, Professional Practices  
6, Permits and Distribution of Drugs  
7, Non-Pharmacy Licensed Outlets - General Provisions  
**Section numbers:** R4-23-110, R4-23-402, R4-23-606, R4-23-612, R4-23-651, R4-23-671, R4-23-672, and R4-23-703
2. **Subject matter of the proposed rule:**  
The Limited Service Pharmacy rule establishes the requirements for Class (A) Limited Service Pharmacy (Correctional Pharmacy) and Class (B) Limited Service Pharmacy (Mail-Order Pharmacy). A Limited Service Pharmacy permit is provided for in A.R.S. § 32-1930(A)(2). The new rule creates regulations for two classes of Limited Service Pharmacy and also corrects an error in the rules for Sheltered Care Homes.
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: Arizona Board of Pharmacy  
5060 North 19th Avenue, Suite 101  
Phoenix, Arizona 85015  
Telephone: (602) 255-5125 Ext. 131  
Fax Number: (602) 255-5740
5. **The time during which the agency will accept written comments:**  
The Board will accept written comments Monday through Friday, 8 a.m. to 5 p.m.  
**The time and place where oral comments may be made:**  
The Board has not scheduled a public hearing but will accept oral comments as follows:  
Time: Monday through Friday, 8 a.m. to 5 p.m.  
Location: Arizona Board of Pharmacy  
5060 North 19th Avenue, Suite 101  
Phoenix Arizona  
Nature: Oral comments
6. **A timetable for agency decisions or other action in the proceeding:**  
Not applicable.

**BOARD OF PHARMACY**

1. **Title and its heading:** 4, Commerce, Professions, and Occupations  
**Chapter and its heading:** 23, Board of Pharmacy  
**Articles and their headings:** 1, Administration  
4, Professional Practices  
6, Permits and Distribution of Drugs  
**Section numbers:** R4-23-110, R4-23-402, R4-23-403, R4-23-610, and R4-23-653.
2. **Subject matter of the proposed rule:**  
The Pharmacy Technician rule would recognize the use of Certified Pharmacy Technicians in pharmacy. The new rule will establish standards and duties of pharmacy supportive personnel.
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: Arizona Board of Pharmacy  
5060 North 19th Avenue, Suite 101  
Phoenix, Arizona 85015  
Telephone: (602) 255-5125, ext. 131  
Fax Number: (602) 255-5740
5. **The time during which the agency will accept written comments:**  
The Board will accept written comments Monday through Friday, 8 a.m. to 5 p.m.  
**The time and place where oral comments may be made:**  
The Board has not scheduled a public hearing but will accept oral comments as follows:

Notices of Rulemaking Docket Openings

Time: Monday through Friday, 8 a.m. to 5 p.m.  
Location: Arizona Board of Pharmacy  
5060 North 19th Avenue, Suite 101  
Phoenix, AZ 85015  
Nature: Oral comments

6. A timetable for agency decisions or other action in the proceeding:  
Not applicable.

DEPARTMENT OF ECONOMIC SECURITY

1. Title and its heading: 6, Economic Security  
Chapter and its heading: 3, Department of Economic Security - Income Maintenance  
Articles and their headings: 2, Application and Continued Eligibility  
3, Methods of Eligibility Determination and Budget Procedures  
4, Aid to Families with Dependent Children  
5, Work Incentive (WIN) Program  
Section numbers: R6-3-201 through R6-3-216  
R6-3-301 through R6-3-322  
R6-3-401 through R6-3-433  
R6-3-501 through R6-3-517
2. Subject matter of the proposed rule:  
The Department intends to repeal all current rules governing the Aid to Families with Dependent Children (AFDC) and adopt new rules to govern all aspects of this program, including welfare reform legislation promulgated during the 1994 legislative session. The new rules will be consistent with controlling federal law, except to the extent that the Department obtains approval to deviate from federal law to operate Arizona's welfare reform program, entitled EMPOWER. In addition, the Department will place all rules governing the AFDC program in a separate Chapter of Title 6 of the *Arizona Administrative Code*, so that the AFDC rules will be separate from other income maintenance rules.
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: Vista Thompson Brown  
Address: 1789 West Jefferson, Site Code 837A  
Phoenix, Arizona 85007  
or  
P.O. Box 6123, Site Code 837A  
Phoenix, Arizona 85005  
Telephone: (602) 542-6555  
Fax Number: (602) 542-6000
5. The time during which the agency will accept written comments:  
The Board will accept written comments Monday through Friday, 8 a.m. to 5 p.m.  
The time and place where oral comments may be made:  
The Department has not scheduled a public hearing but will receive oral comments as follows:  
Time: 8 a.m. to 5 p.m., Monday through Friday  
Location: 1789 West Jefferson, Site Code 837A  
Phoenix, Arizona  
Nature: Oral comments
6. A timetable for agency decisions or other action in the proceeding:  
The Department has a draft set of rules. The draft rules reflect the terms of the 1994 welfare reform legislation, which currently cannot be implemented without federal approval of the Department's request for waiver of certain provisions of the Social Security Act. Absent statutory changes during the current legislative session, the Department does not plan to file proposed rules with the Secretary of State's Office until reaching agreement with the Federal Government on the waiver proposals, which may take several months. The Department hopes to file its proposed rules by late spring of 1995 and to conduct public hearings on the proposed rules in the summer of 1995.

DEPARTMENT OF ECONOMIC SECURITY

1. Title and its heading: 6, Economic Security  
Chapter and its heading: 12, Aid to Families with Dependent Children  
Articles and their headings: 1, General Provisions  
2, Application Process and Procedures  
3, Non-Financial Eligibility Criteria

Notices of Rulemaking Docket Openings

- 4, Financial Eligibility: Resources
- 5, Financial Eligibility: Income
- 6, Special AFDC Circumstances
- 7, Determining Eligibility and Benefit Amount
- 8, Payments
- 9, Changes; Adverse Action
- 10, Appeals
- 11, Overpayments
- 12, Intentional Program Violations

**Section numbers:**

- R6-12-101 through R6-12-103
- R6-12-201 through R6-12-211
- R6-12-301 through R6-12-315
- R6-12-401 through R6-12-406
- R6-12-501 through R6-12-508
- R6-12-601 through R6-12-617
- R6-12-701 through R6-12-705
- R6-12-801 through R6-12-807
- R6-12-901 through R6-12-908
- R6-12-1001 through R6-12-1015
- R6-12-1101 through R6-12-1103
- R6-12-1201 through R6-12-1205

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

The Department intends to repeal all current rules governing the Aid to Families with Dependent Children Program (AFDC) and adopt new rules to govern all aspects of this program, including welfare reform legislation promulgated during the 1994 legislative session. The new rules will be consistent with controlling federal law, except to the extent that the Department obtains approval to deviate from federal law to operate Arizona's welfare reform program, entitled EMPOWER. In addition, the Department will place all rules governing the AFDC program in a new Chapter of Title 6 of the *Arizona Administrative Code*, so that the AFDC rules will be separate from other income maintenance rules.

**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: Vista Thompson Brown  
Address: 1789 West Jefferson, Site Code 837A  
Phoenix, Arizona 85007

or

P.O. Box 6123, Site Code 837A  
Phoenix, Arizona 85005

Telephone: (602) 542-6555  
Fax Number: (602) 542-6000

**5. The time during which the agency will accept written comments:**

The Department will accept written comments from 8 a.m. to 5 p.m., Monday through Friday.

**The time and place where oral comments may be made:**

The Department has not scheduled a public hearing but will receive oral comments as follows:

Time: 8 a.m. to 5 p.m., Monday through Friday  
Location: 1789 West Jefferson, Site Code 837A  
Phoenix, Arizona

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

The Department has a draft set of rules. The draft rules reflect the terms of the 1994 welfare reform legislation, which currently cannot be implemented without federal approval of the Department's request for waiver of certain provisions of the Social Security Act. Absent statutory changes during the current legislative session, the Department does not plan to file proposed rules with the Secretary of State's Office until reaching agreement with the Federal Government on the waiver proposals, which may take several months. The Department hopes to file its proposed rules by late spring of 1995 and to conduct public hearings on the proposed rules in the summer of 1995.

GAME AND FISH COMMISSION

- 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  
**Section number:** R12-4-102

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

This rule sets fees for licenses, tags, stamps, and permits. The agency is proposing to reduce fees for hunting and fishing licenses.

Notices of Rulemaking Docket Openings

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: Susan L. Alandar, Administrative Services Manager  
Address: Arizona Game and Fish Department  
2221 West Greenway Road  
Phoenix, Arizona 85023  
Telephone: (602) 789-3289  
Fax Number: (602) 789-3299
5. **The time during which the agency will accept written comments:**  
The Board will accept written comments sent to the contact person at the above address until April 20, 1995.  
**The time and place where oral comments may be made:**  
The Board has not scheduled a public hearing but will accept oral comments as follows:  
Date: April 21, 1995  
Time: 8:30 a.m.  
Location: Wildlife Building, Arizona State Fairgrounds  
1826 West McDowell  
Phoenix Arizona  
Nature: Oral comments  
*However, in the event that ongoing construction is not completed in time, the meeting may be held at the Department's Phoenix office located at 2222 West Greenway Road. Please call the phone number provided OR 789-3279 before the meeting to verify the location.*
6. **A timetable for agency decisions or other action in the proceeding:**  
On April 21, 1995, the Commission will determine whether to approve a Notice of Proposed Rulemaking on this rule. If so approved, it is planned that legal notice would be published in the *Arizona Administrative Register* on May 12, 1995. The Department would then take additional written comment, hold statewide public hearings in June (the dates and locations to be included in the May 12th *Register*). The targeted effective date would be January 1, 1997.

DEPARTMENT OF TRANSPORTATION

1. **Title and its heading:** 17, Transportation  
**Chapter and its heading:** 4, Department of Transportation, Motor Vehicle Division  
**Articles and their headings:** 2, Titles and Registration  
4, Motor Carriers  
**Section numbers:** R17-4-220, R17-4-240, R17-4-435, R17-4-435.01, R17-4-435.02, and R17-4-449
2. **Subject matter of the proposed rule:**  
R17-4-220 sets forth the application procedure and lists the duties and responsibilities for members of the public who wish to process and issue motor vehicle titles and registrations and who wish to conduct motor vehicle inspections. R17-4-240 sets forth surety bond requirements for motor vehicle dealers and automotive recyclers. R17-4-435 amends the current rules by incorporating 49 CFR 390, 391, 392, 393, 395, 396, 397, and 399 of the 1993 edition. R17-4-449 sets forth the application procedure and lists the duties and responsibilities for members of the public who wish to issue over-dimensional permits for motor vehicles.
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: Randall X. Ramsey  
Address: Motor Vehicle Division, Executive Hearing Office  
4747 North Seventh Avenue  
Phoenix, Arizona 85013-2401  
Telephone: (602) 255-7737  
Fax Number: (602) 241-1624
5. **The time during which the agency will accept written comments:**  
The Board will accept written comments Monday through Friday, 8 a.m. to 5 p.m.  
**The time and place where oral comments may be made:**  
The Board has not scheduled a public hearing but will accept oral comments as follows:  
Time: Monday through Friday, 8 a.m. to 4:30 p.m.  
Location: Motor Vehicle Division, Executive Hearing Office  
4747 North Seventh Avenue  
Phoenix, Arizona  
Nature: Oral comments
6. **A timetable for agency decisions or other action in the proceeding:**  
Unknown.