

## 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 DEPARTMENT OF ADMINISTRATION PERSONNEL ADMINISTRATION

*Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Laws 2009, 3rd Special Session, Ch. 7, § 28. (See the text of § 28 on page 410.) The Governor's Office authorized the notice to proceed through the rulemaking process on December 8, 2009.*

[R10-28]

1. **Title and its heading:** 2, Administration  
**Chapter and its heading:** 5, Department of Administration – Personnel Administration  
**Article and its heading:** 3, Classification and Compensation  
**Section number:** R2-5-303 (Sections may be added, deleted, or modified as necessary.)
2. **The subject matter of the proposed rule:**  
R2-5-303 prescribes the procedures for computing an employee's salary for various types of personnel actions. Subsections (K) and (L) of the referenced rule prescribe the computation of the salary of an employee who is reduced in grade due to a reduction in force (RIF) and who subsequently repromotes to the class held prior to the RIF or an intervening class, respectively. The Department is proposing to amend the salary calculations associated with each of these personnel actions.
3. **A citation to all published notices relating to the proceeding:**  
Notice of Proposed Rulemaking: 16 A.A.R. 376, March 5, 2010 (*in this issue*)
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Christine Bronson, Employee Relations Manager  
Address: ADOA Human Resources  
100 N. 15th Ave., Suite 261  
Phoenix, AZ 85007  
Telephone: (602) 542-1423  
Fax: (602) 542-1980  
E-mail: Christine.Bronson@azdoa.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 during regular business hours at contact information provided in item 4 until close of record. An oral proceeding regarding the proposed rules will be held as follows:  
Date: April 7, 2010  
Time: 2:00 p.m.  
Location: Department of Administration  
100 N. 15th Ave., Room 204  
Phoenix, AZ 85007
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
Notice of Proposed Rulemaking: 16 A.A.R. 376, March 5, 2010 (*in this issue*)

**NOTICE OF RULEMAKING DOCKET OPENING**

**BOARD OF HOMEOPATHIC AND INTEGRATED MEDICINE EXAMINERS**

*Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Laws 2009, 3rd Special Session, Ch. 7, § 28. (See the text of § 28 on page 410.) The Governor's Office authorized the notice to proceed through the rulemaking process on October 21, 2009.*

[R10-21]

- 1. Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 38, Board of Homeopathic and Integrated Medicine Examiners  
**Article and its heading:** 1, General  
**Section numbers:** R4-38-103, R4-38-104, R4-38-105, R4-38-106, R4-38-107, R4-38-108, R4-38-109, R4-38-110, R4-38-111, R4-38-112, R4-38-113, R4-38-114, R4-38-115, R4-38-116, R4-38-117, R4-38-118, R4-38-119  
(Sections may be added, deleted, or modified as necessary.)

- 2. The subject matter of the proposed rule:**  
The Board is amending, renumbering, repealing, and adding Sections to Article 1 to address changes the auditor general recommended in a 2008 performance audit and to place similar Sections in a logical number sequence.

The Board is adding a new Section R4-33-103 and renumbering the current Section R4-33-103 to Section R4-33-104 to establish criteria an applicant must have to meet postgraduate requirements for licensure and clarify what documentation an applicant must provide to show completion of postgraduate coursework. The Board is renumbering the current Section R4-38-104 to R4-38-105 and amending it to clarify preceptor requirements for those applicants that undergo a preceptorship to meet license requirements. The Board is adding a new Section R4-38-106 to define minimum standards of proficiency in each of the recognized homeopathic modalities of practice. Fee information is now located in the Section renumbered as R4-38-107. The current Section R4-38-106 is renumbered to R4-38-108 and deletes the oral examination requirement and clarifies that all applicants must take the written examination. Section R4-38-107 is renumbered to R4-38-109 and informs an applicant of what must be contained in an application. A new Section R4-38-110 informs a licensee of what documents must be submitted with a renewal application. The current Section R4-38-109 is renumbered to Section R4-38-112 and is otherwise unchanged regarding the experimental forms of diagnosis and treatment. The current Section R4-38-111 is renumbered to R4-38-113 with no change to the text of the original rule. The current Section R4-38-113 is renumbered to Section R4-38-114 and makes minor changes to chelation therapy practice requirements. The Section R4-38-114 concerning rehearing or review of decisions made by the Board is renumbered to Section R4-38-115 with no other changes to the original text. Current Section R4-38-115 is renumbered to Section R4-38-116 and makes changes to the use of the title and abbreviation used by licensed homeopathic physicians in Arizona.

Finally, new Sections are added to this Article relating to the new statutory requirement to obtain 20 hours of continuing education annually. Section R4-38-117 describes what types of continuing education coursework is acceptable; Section R4-38-118 describes how a licensee can apply to obtain Board approved continuing education credit; and Section R4-38-119 describes how the Board will conduct an annual random audit of licensees that have completed continuing education.

- 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: Christine Springer  
Address: 1400 W. Washington St., Suite 230  
Phoenix, AZ 85007  
Telephone: (602) 542-8154  
Fax: (602) 542-3093  
E-mail: chris.springer@azhomeopathbd.az.gov

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

Written and oral comments will be accepted between 8:00 a.m. to 5:00 p.m.

Oral Comments may be made at the Board office:

Time: Monday through Friday, 8:00 a.m. to 4:30 p.m.

Location: Board of Homeopathic and Integrated Medicine Examiners  
1400 W. Washington St., Suite 230  
Phoenix, AZ 85015-3214

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

Notices of Rulemaking Docket Opening

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

None

**NOTICE OF RULEMAKING DOCKET OPENING**

**GAME AND FISH COMMISSION**

*Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Laws 2009, 3rd Special Session, Ch. 7, § 28. (See the text of § 28 on page 410.) The Governor's Office authorized the notice to proceed through the rulemaking process on November 30, 2009.*

[R10-26]

1. **Title and its heading:** 12, Natural Resources  
**Chapter and its heading:** 4, Game and Fish Commission  
**Article and its heading:** 3, Taking and Handling of Wildlife  
**Section numbers:** R12-4-309 and R12-4-318

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

The Arizona Game and Fish Commission proposes to promulgate a new rule, R12-4-309, addressing the use of drugs on wildlife and authorization for administering drugs to wildlife and to amend R12-4-309 to allow individuals participating in archery-only or muzzleloader-only seasons to possess a non-hunting handgun for personal protection.

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

Notice of Proposed Rulemaking: 16 A.A.R. 379, March 5, 2010 (*in this issue*)

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

Name: Ron Day  
Address: Arizona Game and Fish Department  
5000 W. Carefree Hwy.  
Phoenix, AZ 85086  
Telephone: (623) 236-7352  
Fax: (623) 236-7929  
E-mail: Rday@azgfd.gov

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

The Commission will accept comments Monday through Friday from 8:00 a.m. until 5:00 p.m. at the address listed in item 4. Information regarding an oral proceeding will be included in the Notice of Proposed Rulemaking.

6. **The timetable for agency decisions or other action on the proceeding:**

Notice of Proposed Rulemaking: 16 A.A.R. 379, March 5, 2010 (*in this issue*)

**NOTICE OF RULEMAKING DOCKET OPENING**

**GAME AND FISH COMMISSION**

*Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Laws 2009, 3rd Special Session, Ch. 7, § 28. (See the text of § 28 on page 410.) The Governor's Office authorized the notice to proceed through the rulemaking process on November 30, 2009.*

[R10-24]

1. **Title and its heading:** 12, Natural Resources  
**Chapter and its heading:** 4, Game and Fish Commission  
**Article and its heading:** 6, Rules of Practice Before the Commission  
**Section numbers:** R12-4-601, R12-4-610, and R12-4-611

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

The Arizona Game and Fish Commission proposes to amend R12-4-601, R12-4-610, and R12-4-611 to provide the Department's current mailing address.

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

Notice of Proposed Rulemaking: 16 A.A.R. 384, March 5, 2010 (*in this issue*)

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

Name: Marty Fabritz  
Address: Arizona Game and Fish Department  
5000 W. Carefree Hwy.

Notices of Rulemaking Docket Opening

Phoenix, AZ 85086  
Telephone: (623) 236-7281  
Fax: (623) 236-7299  
E-mail: mfabritz@azgfd.gov

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

The Commission will accept comments Monday through Friday from 8:00 a.m. until 5:00 p.m. at the address listed in item 4. Information regarding an oral proceeding will be included in the Notice of Proposed Rulemaking.

**6. The timetable for agency decisions or other action on the proceeding:**

Notice of Proposed Rulemaking: 16 A.A.R. 384, March 5, 2010 (*in this issue*)

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF ENVIRONMENTAL QUALITY  
WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA**

*Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Laws 2009, 3rd Special Session, Ch. 7, § 28. (See the text of § 28 on page 410.) The Governor's Office authorized the notice to proceed through the rulemaking process on December 1, 2009.*

[R10-22]

**1. Title and its heading:**  
**Chapter and its heading:**

18, Environmental Quality  
15, Department of Environmental Quality – Water Infrastructure Finance Authority of Arizona

**Article and its heading:**

1, Management; 2, Clean Water Revolving Fund; 3, Drinking Water Revolving Fund; 4, Other Financial Assistance; 5, Technical Assistance; 6, Hardship Grant Fund; 7, Interest Rate Setting and Forgivable Principal

**Section numbers:**

R18-15-101, R18-15-102, R18-15-103, R18-15-104, R18-15-105, R18-15-106, R18-15-107, R18-15-108, R18-15-109, R18-15-110, R18-15-111, R18-15-112, R18-15-113, R18-15-201, R18-15-202, R18-15-203, R18-15-204, R18-15-205, R18-15-206, R18-15-207, R18-15-208, R18-15-301, R18-15-302, R18-15-303, R18-15-304, R18-15-305, R18-15-306, R18-15-307, R18-15-308, R18-15-401, R18-15-402, R18-15-403, R18-15-501, R18-15-502, R18-15-503, R18-15-504, R18-15-505, R18-15-506, R18-15-507, R18-15-508, R18-15-509, R18-15-510, R18-15-511, R18-15-601, R18-15-602, R18-15-603, R18-15-701  
(Sections may be added, deleted or modified as necessary.)

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

The Authority proposes to modify the existing rule so the rule supports and complements the following three statutory changes implemented since the previous rulemaking in 2001: 1) Counties with less than 500,000 persons are eligible to receive grants, staff assistance or technical assistance in the form of a loan repayment agreement or other professional assistance; 2) Political subdivisions with a population of 50,000 persons or less may pledge revenues for repayment of a loan without an election; and 3) Establishment of the Water Supply Development Revolving Fund to be administered by the Authority.

Additionally, the Authority proposes to reorganize the existing rule so the contents of each Article provide for a clearer understanding of the required actions and process of applying for, evaluation of and receiving financial or technical assistance from the Authority. The reorganization will streamline the rule and reduce the duplication of information between articles.

Article 1 will be reorganized and will provide the general information on the Authority and its Financial and Technical Assistance Programs. This Article will focus on the processes that are alike between the three different revolving fund programs (the Clean Water Revolving Fund Program, Drinking Water Revolving Fund Program and Water Supply Development Revolving Fund Program) which provide funding for the Authority's Financial and Technical Assistance Programs. Articles 2, 3 and 4 will then provide information that is specific to each revolving fund program.

Article 2 will be reorganized and will focus on the specifics unique to the Clean Water Revolving Fund Program and the required actions and process for applying for, evaluation of and receiving financial assistance from the Clean Water Revolving Fund.

**Notices of Rulemaking Docket Opening**

Article 3 will be reorganized to focus on the specifics unique to the Drinking Water Revolving Fund Program and the required actions and process for applying for, evaluation of and receiving financial assistance from the Drinking Water Revolving Fund.

The existing Article 4 will be replaced with the Water Supply Development Fund Program. Article 4 will focus on the specifics unique to the Water Supply Development Revolving Fund and the required actions and process for applying for, evaluation of and receiving financial assistance from the Water Supply Development Revolving Fund.

Article 5 will be reorganized and streamlined to focus on the required actions and the process for applying for, evaluation of and receiving technical assistance. Article 5 will also provide clarification between technical assistance grants and other technical assistance the Authority may provide.

Article 6 will be reorganized to clarify program intent.

Article 7 will be amended to correct cross-references.

**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: Sandy Sutton, Chief Financial Officer  
Address: Water Infrastructure Finance Authority  
1110 W. Washington St., Suite 290  
Phoenix, AZ 85007  
Telephone: (602) 364-1310  
Fax: (602) 364-1327  
E-mail: ssutton@azwifa.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:**

None