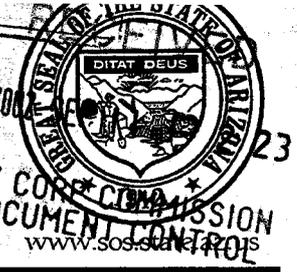




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Arizona Administrative Register



A Weekly Publication of the Office of the Secretary of State

Volume 8, Issue 36

September 6, 2002

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Arizona Administrative Register
Notices of Proposed Rulemaking

- B. The requirements of subsection (A) do not apply to Commission orders establishing:
1. ~~Depredation~~ Supplemental hunts as prescribed in R12-4-115, and
 2. Special seasons for persons possessing special license tags issued under A.R.S. § 17-346 and R12-4-120.
 3. ~~Emergency seasons when the Commission adopts, amends, or repeals a Commission order for emergency reasons constituting an immediate threat to the health, safety, or management of wildlife or its habitat or public health or safety:~~
 - a. ~~When the number of hunters to participate in an emergency big game season must be limited, hunters may be randomly selected from the list of applicants established pursuant to R12-4-115; the Department may advertise for and accept new applications as needed.~~
 - b. ~~The restrictions in R12-4-309 do not apply to an emergency season.~~
 - c. ~~The provisions of R12-4-104, R12-4-107, and R12-4-114 do not apply to an emergency season.~~
- C. The Department shall publish the content of all Commission orders and make them available to the public without charge.

NOTICE OF PROPOSED RULEMAKING

**TITLE 14. PUBLIC SERVICE CORPORATIONS; CORPORATIONS AND ASSOCIATIONS;
SECURITIES REGULATION**

CHAPTER 4. CORPORATION COMMISSION – SECURITIES

PREAMBLE

1.

<u>Sections Affected</u>	<u>Rulemaking Action</u>
R14-4-116	Amend
2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute: A.R.S. § 44-1821

Implementing statute: A.R.S. § 44-1891

Constitutional authority: Arizona Constitution Article XV §§ 6 and 13
3. A list of all previous notices appearing in the Register addressing the proposed rules:

Notice of Rulemaking Docket Opening: 8 A.A.R. 2400, May 31, 2002
4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:

Name: Sharleen A. Day, Associate General Counsel

Address: Arizona Corporation Commission, Securities Division
1300 W. Washington, 3rd Floor
Phoenix, AZ 85007-2996

Telephone: (602) 542-4242

Fax: (602) 594-7421
5. An explanation of the rules, including the agency's reasons for initiating the rules:

A.A.C. R14-4-116 ("rule 116") formally identifies and incorporates by reference certain policy statements issued by the North American Securities Administrators Association ("NASAA") regarding the registration of securities. The Securities Division ("Division") of the Arizona Corporation Commission ("Commission") requires issuers registering securities to comply with the terms of these policy statements. The Commission proposes to amend rule 116 to add the NASAA Guidelines for General Obligation Financing by Religious Denominations and the NASAA Statement of Policy Regarding Church Bonds. The NASAA Guideline for General Obligation Financing by Religious Denominations will be the standard of review for debt issued by a denomination for the purpose of funding projects of various affiliated churches or related religious organizations. The Statement of Policy Regarding Church Bonds will be the standard of review for debt issued by individual religious entities to fund projects associated with the individual entity. States coordinate in the drafting of NASAA guidelines and adopt them in order to facilitate uniformity among the states regarding the standards imposed on applicants for registration of securities. The Division believes that the proposed adoption of these two NASAA guidelines will benefit both the industry and potential investors by providing appropriate and consistent registration standards.

Arizona Administrative Register
Notices of Proposed Rulemaking

6. Reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study, and other supporting material:

None

7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

The economic, small business, and consumer impact statement for the amendments to Section R14-4-116 ("the rule") analyzes the costs, savings, and benefits that accrue to the Commission, the office of the attorney general, the regulated public, and the general public. With the adoption of the proposed rule amendment, the impact on established Commission procedures, Commission staff time, and other administrative costs is minimal. The estimated additional cost to the office of the attorney general is minimal. The benefits provided by the rule amendment are nonquantifiable. The rule should benefit the Commission's relations with the regulated public because it provides definite standards for registration of certain types of securities offerings. The public will benefit from the continuation of certain standards for registered securities offerings. The Commission anticipates that the proposed rulemaking will not significantly increase monitoring, recordkeeping, or reporting burdens on businesses or persons. The costs of implementation or enforcement are only marginally increased.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Sharleen A. Day, Associate General Counsel
Address: Arizona Corporation Commission, Securities Division
1300 W. Washington, 3rd Floor
Phoenix, AZ 85007-2996
Telephone: (602) 542-4242
Fax: (602) 594-7421

10. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule, or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

Date: October 22, 2002
Time: 9:30 a.m.
Location: Arizona Corporation Commission
1200 W. Washington
Phoenix, AZ 85007
Nature: Oral proceeding. Subsequent to the oral proceeding, the Arizona Corporation Commission will take final action at an open meeting with respect to the making of the proposed rule.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

None

12. Incorporations by reference and their location in the rules:

All the following are policy statements issued by the North American Securities Administrators Association and published in the CCH Blue Sky Reporter. All references to the policy statements are located in R14-4-116(A).

- Guidelines for general obligation financing by religious organizations, adopted April 17, 1994
- Statement of policy regarding church bonds, adopted April 14, 2002

13. The full text of the rule follows:

**TITLE 14. PUBLIC SERVICE CORPORATIONS; CORPORATIONS AND ASSOCIATIONS;
SECURITIES REGULATION**

CHAPTER 4. CORPORATION COMMISSION – SECURITIES

ARTICLE 1. IN GENERAL RELATING TO THE SECURITIES ACT

Section

R14-4-116. NASAA Statements of Policy

ARTICLE 1. IN GENERAL RELATING TO THE SECURITIES ACT

R14-4-116. NASAA Statements of Policy

- A. Unless otherwise provided in A.R.S. Title 44, Chapter 12, Article 7, Securities or transactions that fall within one or more of the following North American Securities Administrators Association (NASAA) statements of policy shall comply with the requirements of those statements of policy to qualify for registration or renewal under A.R.S. Title 44, Chapter 12, Article 7. This Section shall not apply to the registration of securities under A.R.S. § 44-1901.
1. Statement of policy regarding loans and other material affiliated transactions, amended November 18, 1997.
 2. Registration of asset-backed securities, adopted October 25, 1995.
 3. NASAA mortgage program guidelines, adopted September 10, 1996.
 4. Registration of commodity pool programs, adopted on September 21, 1983, effective January 1, 1984; amended and adopted August 30, 1990.
 5. Equipment programs, adopted on November 20, 1986, effective January 1, 1987, amended April 22, 1988, and October 24, 1991.
 6. Registration of oil and gas programs, adopted on September 22, 1976, amended October 12, 1977, October 31, 1979, April 23, 1983, July 1, 1984, September 3, 1987, September 14, 1989, and October 24, 1991.
 7. Statement of policy regarding real estate investment trusts, revised and adopted on September 29, 1993.
 8. Real estate programs, last revised September 29, 1993.
 9. Statement of policy regarding unequal voting rights, adopted and effective October 24, 1991.
 10. Omnibus Guidelines, adopted on March 29, 1992.
 11. Guidelines for general obligation financing by religious denominations, adopted April 17, 1994.
 12. Statement of policy regarding church bonds, adopted April 14, 2002.
- B. The statements of policy listed in subsection (A) are incorporated by reference. The incorporated statements of policy do not contain later editions or amendments, ~~made after the effective date of this Section.~~ The statements of policy are published in *NASAA Reports* by Commerce Clearing House, Inc., 4025 West Peterson Avenue, Chicago, Illinois 60646. Copies are also available from NASAA, 10 G Street, N.E., Suite 710, Washington D.C. 20002, and at the Office of the Secretary of State and the Commission.

NOTICE OF PROPOSED RULEMAKING

TITLE 17. TRANSPORTATION

CHAPTER 4. DEPARTMENT OF TRANSPORTATION

TITLE, REGISTRATION, AND DRIVER LICENSES

PREAMBLE

- | | |
|------------------------------------|---------------------------------|
| 1. <u>Sections Affected</u> | <u>Rulemaking Action</u> |
| R17-4-401 | New Section |
| R17-4-402 | Amend |
- 2. The statutory authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
- Authorizing statute: A.R.S. § 28-366
- Implementing statutes: A.R.S. §§ 28-4143 through 28-4145
- 3. A list of all previous notices appearing in the Register addressing the proposed rule:**
- Notice of Rulemaking Docket Opening: 8 A.A.R. 2904, July 12, 2002