

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 HEALTH SERVICES TOBACCO TAX-FUNDED PROGRAMS

[R06-236]

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 2, Department of Health Services – Tobacco Tax-Funded Programs
Article and its heading: 1, Sliding-fee Schedule
Section number: R9-2-101
- 2. The subject matter of the proposed rule:**
Laws 2003, Ch. 265, § 30, retroactively effective to July 1, 2003, repealed all versions of former A.R.S. § 36-2921, which allocated tobacco tax funds, including allocations to the Department's primary care program under A.R.S. § 36-2907.06. This program and other Department programs formerly receiving tobacco tax funds are now funded by the state's general fund. Therefore, the Department is repealing the Article and Section that remain in 9 A.A.C. 2: Article 1, Sliding-fee Schedule; and R9-2-101, Approval of Sliding-fee Schedule.

In a separate rulemaking the Department is making new sliding fee schedule rules in 9 A.A.C. 1, Article 5, applicable to the Department's programs calling for sliding fee schedules.

The agency docket number, if applicable:
RE-020-06
- 3. A citation to all published notices relating to the proceeding:**
Notice of Proposed Rulemaking: 12 A.A.R. 2458, July 14, 2006
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Myriam Vega, Office Chief
Address: Arizona Department of Health Services
Office of Health Systems Development
1740 W. Adams, Room 410
Phoenix, AZ 85007
Telephone: (602) 542-1219
Fax: (602) 542-2011
E-mail: vegami@azdhs.gov
Or
Name: Kathleen Phillips, Rules Administrator
Address: Arizona Department of Health Services
Office of Administrative Rules
1740 W. Adams, Room 202
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 at the locations listed in item #4 until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
To be announced

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NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES
OCCUPATIONAL LICENSING

[R06-232]

1. **Title and its heading:** 9, Health Services
Chapter and its heading: 16, Department of Health Services – Occupational Licensing
Article and its heading: 1, Licensing of Midwifery
Section numbers: R9-16-101 through R9-16-111 (The Department may add, delete, or modify Sections as necessary.)
2. **The subject matter of the proposed rule:**
The purpose of this rulemaking is to clarify and update the rules in 9 A.A.C. 16, Article 1. In this rulemaking the Department will revise outdated language and update the rules to make them consistent with current statutes, industry standards, and Department policies. This rulemaking will also address the issues described in the five-year review report that the Department intends to submit to the Governor’s Regulatory Review Council in August 2006. The changes will conform to current rulemaking format and style requirements of the Governor’s Regulatory Review Council and the Office of the Secretary of State. The Department may add, delete, or modify Sections as necessary.
The agency docket number, if applicable:
RE-019-06
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: Michael Beaghtler, Program Manager
Address: Department of Health Services
Division of Licensing Services
Office of Special Licensing
150 N. 18th Ave., Suite 460
Phoenix, AZ 85007
Telephone: (602) 364-3046
Fax: (602) 364-4769
E-mail: beaghtlm@azdhs.gov
Or
Name: Kathleen Phillips, Rules Administrator
Address: Office of Administrative Rules
Department of Health Services
1740 W. Adams, Suite 202
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

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NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF WATER RESOURCES

[R06-233]

1. **Title and its heading:** 12, Natural Resources
Chapter and its heading: 15, Department of Water Resources
Article and its heading: 1, Definitions, Fees, Procedural Rules for Hearings
2, Procedural Rules
8, Well Construction and Licensing of Well Drillers
12, Dam Safety Procedures
Section numbers: R12-15-151(B)(4)(a); R12-15-151(B)(4)(b);
R12-15-207; R12-15-224; R12-15-805(E); R12-15-1210 (Sections may be added, deleted, or modified as necessary.)
2. **The subject matter of the proposed rule:**
For each of the referenced rules, the Department proposes technical, minor amendments to the language of the existing rules.
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: Scott M. Deeny
Address: 3550 N. Central Ave.
Phoenix, AZ 85004
Telephone: (602) 771-8482
Fax: (602) 771-8683
E-mail: smdeeny@azwater.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 announced in the Notice of Proposed Rulemaking
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 WATER RESOURCES

[R06-234]

1. **Title and its heading:** 12, Natural Resources
Chapter and its heading: 15, Department of Water Resources
Article and its heading: 7, Assured and Adequate Water Supply
Section numbers: R12-15-701 (Sections may be added, deleted, or modified as necessary.)
2. **The subject matter of the proposed rule:**
The Department is considering changes to the assured water supply rules that would address the unique needs and conditions in the Santa Cruz Active Management Area.
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: Alejandro Barcenas
Address: Santa Cruz Active Management Area
857 W. Bell Rd., Suite 3
Nogales, AZ 85621-4545
Telephone: (520) 761-1814
Fax: (520) 761-1869
E-mail: arbarcenas@azwater.gov

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Name: Nicole D. Swindle
Address: 3550 N. Central Ave.
Phoenix, AZ 85012
Telephone: (602) 771-8472
Fax: (602) 771-8683
E-mail: ndswindle@azwater.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 publish information regarding locations for the receipt of written comments and any oral proceeding to be held once these locations have been determined.

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

The Department will publish a notice of stakeholder meetings and/or workshops in the *Arizona Administrative Register*. Persons wishing to receive direct notice of any stakeholder meeting or workshop should contact one of the agency personnel listed in item #4.