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**NOTICES OF RULEMAKING DOCKET OPENING**

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This section of the *Arizona Administrative Register* contains Notices of Rulemaking Docket Opening.

A docket opening is the first part of the administrative rulemaking process. It is an "announcement" that the agency intends to work on its rules.

When an agency opens a rulemaking docket to consider rulemaking, the Administrative Procedure Act (APA) requires the publication of the Notice of Rulemaking Docket Opening.

Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process. Many times an agency may file the Notice of Rulemaking Docket Opening with the Notice of Proposed Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these notices. Questions about the interpretation of this information should be directed to the agency contact person listed in item #4 of this notice.

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**NOTICE OF RULEMAKING DOCKET OPENING****DEPARTMENT OF HEALTH SERVICES  
OCCUPATIONAL LICENSING**

[R16-190]

- 1. Title and its heading:** 9, Health Services  
**Chapter and its heading:** 16, Department of Health Services - Occupational Licensing  
**Articles and their headings:** 4, Registration of Sanitarians  
**Section numbers:** R9-16-401 through R9-16-409 and Table 1 (*The Department may add, delete, or modify Sections, as necessary.*)
- 2. The subject matter of the proposed rules:**

Arizona Revised Statutes (A.R.S.) § 36-136.01 requires the Department to establish a sanitarians council and establish rules for the registration of sanitarians. The Department adopted at Arizona Administrative Code (A.A.C.) Title 9, Chapter 16, Article 4 rules to implement A.R.S. § 36-136.01. The rules were originally promulgated in September 1976; substantially amended effective May 16, 2002; and last amended effective September 11, 2004. The rules in contains definitions; examination, registration, and renewal registration requirements; continuing education requirements; time-frames; registered sanitarian's authority; and criteria for the denial, suspension, or revocation of a sanitarian registration.

Presently, a statewide shortage of registered sanitarians limits most county health departments (CHD) from conducting the functions and duties, including enforcement actions to remediate public nuisances, required by Delegation Agreements between the Department and the CHDs. To address the shortage in registered sanitarians and eliminate the threat to public health and safety, the Department plans to amend the rules in A.A.C. Title 9, Chapter 16, Article 4 to: 1.) increase the number of qualified individuals approved to take the sanitarian examination by expanding the eligibility criteria to sit for the sanitarian examination administered by the Department; 2.) simplify the application process to decrease burden to applicants and reduce the Department's administrative costs; and 3.) adjust the sanitarian examination fee to cover the actual cost of the examination and remove the burden from taxpayers who are currently subsidizing the cost of sanitarian examinations administered by the Department. The proposed amendments will conform to 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.
- 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: Brigitte Dufour, Chief  
Address: Arizona Department of Health Services  
Division of Public Health Services, Public Health Preparedness  
Office of Environmental Health  
150 N. 18th Ave. Suite 140  
Phoenix, AZ 85007-3232  
Telephone: (602) 364-3142  
Fax: (602) 364-3146  
E-mail: Brigitte.Dufour@azdhs.gov  
or



Name: Robert Lane, Manager  
Address: Arizona Department of Health Services  
Office of Administrative Counsel and Rules  
150 N. 18th Ave., Suite 200  
Phoenix, AZ 85007-3232  
Telephone: (602) 542-1020  
Fax: (602) 364-1150  
E-mail: Robert.Lane@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

## NOTICE OF RULEMAKING DOCKET OPENING

### DEPARTMENT OF PUBLIC SAFETY CRIMINAL IDENTIFICATION SECTION

[R16-191]

- 1. Title and its heading:** 13, Public Safety  
**Chapter and its heading:** 1, Department of Public Safety - Criminal Identification Section  
**Article and its heading:** 5, Department Records  
**Section numbers:** R13-1-504 (*Sections may be added, deleted, or modified as necessary.*)

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

In an effort to comply with the Governor's initiative to provide modern electronic reports to the public over traditional paper, R13-1-504 requires amendment to establish fees for additional delivery options for public records; such as, compact disk, flash/memory drives and other electronic delivery methods. This rulemaking establishes those standards.

The Department was granted an exception to the rulemaking moratorium contained in Executive Order 2016-03 in an e-mail from Mr. Tim Roemer dated September 1, 2016.

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

None published.

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

Name: Captain Darryll Willis  
Address: Department of Public Safety  
Mailing: POB 6638 Mail drop 1205  
Phoenix, AZ 85005-6638  
Telephone: (602) 223-2500  
E-mail: dwillis@azdps.gov  
Web site: www.azdps.gov  
or  
Name: Ms. Rebecca Luera  
Address: Department of Public Safety  
Mailing: POB 6638 Mail Drop 3240  
Phoenix, AZ 85005-6638  
In Person: 2222 W. Encanto Blvd.  
Phoenix, AZ 85009  
Telephone: (602) 223-2226  
E-mail: rluera@azdps.gov  
Web site: www.azdps.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 comments during business hours at the address listed in Item 4 until the close of record. Information regarding an oral proceeding 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.