

# 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

[R06-212]

- 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Laws 2003, Ch. 265, § 30, retroactively effective to July 1, 2003, repealed all versions of former A.R.S. § 36-2921, which allocated tobacco tax funds, including allocations to the Department's primary care program under A.R.S. §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 9 A.A.C. 2, Tobacco Tax-funded Programs, including 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-018-06
- 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: 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

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES  
VITAL RECORDS AND STATISTICS

[R06-219]

- 1. Title and its heading:** 9, Health Services  
**Chapter and its heading:** 19, Department of Health Services – Vital Records and Statistics  
**Article and its heading:** 1, Administrative organization, duties and procedures  
2, Duties of persons responsible for birth records; birth certificate amendments  
**Section numbers:** R9-19-101 and Sections in Article 2 to be determined  
(The Department may add, delete, or modify Sections as necessary.)
- 2. The subject matter of the proposed rule:**  
Laws 2004, Chapter 117, effective August 2004, revised A.R.S. Title 36, Chapter 3, Vital Records and Public Health Statistics that provides statutory authority for 9 A.A.C. 19, Department of Health Services, Vital Records and Statistics. A.A.C. Title 9, Chapter 19, contains requirements and procedures for birth certificates for individuals who are born and death certificates for individuals who die in the state of Arizona. The Department has submitted a Notice of Proposed Rulemaking that adds definitions in Article 1 and amends Article 3, which contains requirements and procedures for vital records concerning death. In this rulemaking the Department will add definitions in Article 1 pertinent to birth records and amend Article 3, which contains requirements and procedures for vital records concerning birth, birth certificates, and amending a registered birth certificate, consistent with current statutory authority, Department policies, and industry standards.

**The agency docket number, if applicable:**  
RE-017-06
- 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: Kathleen Phillips, Rules Administrator  
Address: Department of Health Services  
1740 W. Adams St., Suite 202  
Phoenix, AZ 85020  
Telephone: (602) 542-1264  
Fax: (602) 364-1150  
E-mail: phillik@azdhs.gov  
or  
Name: Patricia Adams, Office Chief  
Address: Arizona Department of Health Services  
Division of Public Health Services  
Office of Vital Records  
1818 W. Adams St.  
Phoenix, AZ 85007  
Telephone: (602) 364-1225  
Fax: (602) 364-1257  
E-mail: adamsp@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 Monday through Friday, 8 a.m. to 5 p.m., at the addresses listed in item #4 until the close of record, which has not yet been determined. The schedule for public hearings, at which oral comments may be presented, will be included in the notice of proposed rulemaking.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
The Department has not yet determined a timetable for submitting a Notice of Proposed Rulemaking.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR POLLUTION CONTROL

[R06-216]

- 1. Title and its heading:** 18, Environmental Quality  
**Chapter and its heading:** 2, Department of Environmental Quality – Air Pollution Control  
**Article and its heading:** 7, Existing Stationary Source Performance Standards  
**Section numbers:** R18-2-703, R18-2-704, R18-2-715, R18-2-718, R18-2-729, R18-2-732  
(As part of this rulemaking, the Department may add, delete, or modify additional Sections as necessary.)
- 2. The subject matter of the proposed rule:**  
The Arizona Department of Environmental Quality is in the process of proposing to amend a number of rules in Article 7 to correct several technical and typographical errors. This rulemaking would include the repeal of R18-2-718, Standards of Performance for Existing Kraft Pulp Mills, since there are no longer any operating sources of this sort in Arizona; the deletion of the reference to the now-defunct smelter at San Manuel; and the deletion of language in R18-2-729, Standards of Performance for Cotton Gins, which refers to language in R18-2-702, General Provisions, that is no longer applicable.
- 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: Kevin Force  
Address: 1110 W. Washington St.  
Phoenix, AZ 85007  
Telephone: (602) 771-4480  
Fax: (602) 771-2366
- 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