

## 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

#### VETERINARY MEDICAL EXAMINING BOARD

[R08-230]

- 1. Title and its heading:** 3, Agriculture  
**Chapter and its heading:** 11, Veterinary Medical Examining Board  
**Article and its heading:** 1, General Provisions  
**Section numbers:** R3-11-105 (Sections may be added, deleted or modified as necessary.)
- 2. The subject matter of the proposed rule:**  
To assist it to continue to protect the public from unlawful, incompetent, unqualified, impaired, or unprofessional practitioners of veterinary medicine, the Board is increasing the fee that licensees and certificate holders pay to renew their licenses or certificates.
- 3. A citation to all published notices relating to the proceeding:**  
Notice of Proposed Rulemaking: 14 A.A.R. 2962, August 1, 2008 (*in this issue*)
- 4. Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Jenna Jones  
Address: Veterinary Medical Examining Board  
1400 W. Washington St., Suite 240  
Phoenix, AZ 85007  
Telephone: (602) 542-8150  
Fax: (602) 364-1039  
E-mail: Jenna.jones@vetboard.az.gov
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The Board will accept comments during business hours at the address listed in item 4. 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

### NOTICE OF RULEMAKING DOCKET OPENING

#### DEPARTMENT OF ECONOMIC SECURITY UNEMPLOYMENT INSURANCE

[R08-232]

- 1. Title and its heading:** 6, Economic security  
**Chapter and its heading:** 3, Department of Economic Security – Unemployment Insurance  
**Articles and their headings:** 14, Administrations and Enforcement; 15, Decisions, Hearings, and Orders  
**Sections numbers:** All Sections contained in the above mentioned article. Other Sections to be added as necessary.
- 2. The subject matter of the proposed rules:**  
This rulemaking is in response to HB2204 passed by the legislature in 2008.
- 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: Beth Broeker  
Address: Department of Economic Security

Notices of Rulemaking Docket Opening

P.O. Box 6123, Site Code 837A  
Phoenix, AZ 85005

or

Department of Economic Security  
1789 W. Jefferson St., Site Code 837A  
Phoenix, AZ 85007

Telephone: (602) 542-6555  
Fax: (602) 542-6000  
E-Mail: bbroecker@azdes.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 during business hours by the person named in item 4, until further notice is provided. The Department has not scheduled oral proceedings at this time.

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

None

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF HEALTH SERVICES  
VITAL RECORDS AND STATISTICS**

[R08-233]

- 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:** 4, Access to Records; Copies; Fees  
**Section numbers:** R9-19-413 (Sections may be added, deleted or modified as necessary.)

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

Laws 2004, Ch. 117, § 8, effective August 25, 2004, established the Vital Records Electronic Systems Fund consisting of 40 percent of the fees collected for searches, copies of registered certificates, certified copies of registered certificates, amending registered certificates, and correcting certificates. Laws 2006, Ch. 331, § 30 required the Department to amend the fees so that the monies deposited in the vital records electronic systems fund generated no more than \$500,000 in fiscal year 2006-2007. The Department amended the fees effective January 1, 2007 in order to comply with Laws 2006, Ch. 331, § 30. Subsequent to fiscal year 2006-2007, the Department determined it must raise fees to offset the costs of issuing certified copies of registered certificates.

In addition to obtaining a certified copy of an individual's registered vital record from the State Registrar, a person may obtain a certified copy of an individual's registered vital record from local registrars (county health departments) if the person meets the eligibility requirements in R9-19-403, R9-19-404, R9-19-405, or R9-19-406 and the application requirements in R9-19-402. Although Laws 2006, Ch. 331, § 30 allows local registrars to set the fees the local registrar charges for certified copies of registered certificates, local registrars currently charge the fees established by the State Registrar in R9-19-413.

**The agency docket number:**

RE-015-08

**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: Patricia Adams, Office Chief

Address: Department of Health Services  
Office of Vital Records  
1818 W. Adams St.  
Phoenix, AZ 85007

Telephone: (602) 364-1225

Fax number: (602) 364-1257

E-mail: adamsp@azdhs.gov

or

Name: Kathleen Phillips, Rules Administrator and Administrative Counsel

Notices of Rulemaking Docket Opening

Address: Department of Health Services  
Office of Administrative Rules and Administrative Counsel  
1740 W. Adams St., Suite 200  
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

**NOTICE OF RULEMAKING DOCKET OPENING  
ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM  
CHILDREN'S HEALTH INSURANCE PROGRAM**

[R08-219]

- 1. Title and its heading:** 9, Health Services  
**Chapter and its heading:** 31, Arizona Health Care Cost Containment System – Children's Health Insurance Program  
**Article and its heading:** 4, Repealed (Employer Sponsored Insurance Program)  
**Section numbers:** R9-31-401 through R9-31-408 (Sections may be added, deleted, or modified as necessary.)

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

As a result of Legislation 2007, A.R.S. § 36-2982(I) permits the Administration to implement the Employer Sponsored Insurance Program. The Administration is proposing rule language describing the requirements for this program. It is a voluntary program that will be made available to families of Kids Care eligible children, who have access to employer sponsored health insurance. If the family chooses the ESI program, the Administration will subsidize the ESI premium.

**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: Mariaelena Ugarte  
Address: AHCCCS  
Office of Administrative Legal Services  
701 E. Jefferson St., Mail Drop 6200  
Phoenix, AZ 85034  
Telephone: (602) 417-4693  
Fax: (602) 253-9115  
E-mail: AHCCCSrules@azahcccs.gov

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

The Administration will accept written comments Monday through Friday, 8:00 a.m. to 5:00 p.m., at the address indicated in item 4. Public hearings will be scheduled later to provide a forum for interactive discussion with interested parties. E-mail comments will be accepted.

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

Notice of Proposed Rulemaking is intended to be filed by August 2008.

Notices of Rulemaking Docket Opening

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF WATER RESOURCES

[R08-223]

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:**  
Notice of Rulemaking Docket Opening: 12 A.A.R. 2517, July 14, 2006  
Notice of Rulemaking Docket Opening: 13 A.A.R. 2687, August 3, 2007
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Doug Dunham  
Address: 3550 N. Central Ave.  
Phoenix, AZ 85012  
Telephone: (602) 771-8599  
Fax: (602) 771-8689  
E-mail: dwdunham@azwater.gov  
or  
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:**  
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 TRANSPORTATION  
ADMINISTRATION

[R08-225]

1. **Title and its heading:** 17, Transportation  
**Chapter and its heading:** 1, Department of Transportation – Administration  
**Article and its heading:** 4, Electronic Funds Transfer  
**Section numbers:** R17-1-401 through R17-1-407 (Sections may be added, deleted, or modified as necessary.)
2. **The subject matter of the proposed rules:**  
The Arizona Department of Transportation, Motor Vehicle Division proposes to repeal antiquated language within existing rules regulating electronic funds transfers and create new rules under 17 A.A.C. 8.
3. **A citation to all published notices relating to the proceeding:**  
Not applicable
4. **The name and address of agency personnel with whom persons may communicate regarding the rules:**  
Name: Celeste M. Cook, Administrative Rules Analyst  
Address: Administrative Rule Unit

Notices of Rulemaking Docket Opening

Department of Transportation, Motor Vehicle Division  
1801 W. Jefferson St., Mail Drop 530M  
Phoenix, AZ 85007

Telephone: (602) 712-7624  
Fax: (602) 712-3081  
E-mail: ccook@azdot.gov

Please visit the ADOT web site to track progress of this rule and any other agency rulemaking matters at [www.azdot.gov/mvd/MVDRules/rules.asp](http://www.azdot.gov/mvd/MVDRules/rules.asp).

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

Oral, written, or faxed comments may be made to the agency official listed in item 4 above, Monday through Friday, 8:00 a.m. to 4:30 p.m. except state holidays.

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

To be determined

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF TRANSPORTATION  
MOTOR CARRIER AND TAX SERVICES PROGRAM**

[R08-226]

**1. Title and its heading:** 17, Transportation  
**Chapter and its heading:** 8, Department of Transportation – Motor Carrier and Tax Services Program  
**Article and its heading:** 4, Electronic Funds Transfers  
**Section numbers:** R17-8-401 through R17-8-410 (Sections may be added, deleted, or modified as necessary.)

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

The Arizona Department of Transportation, Motor Vehicle Division proposes to promulgate rules to require licensees, authorized by the Department to file electronic reports, and any other entity or licensee determined by the Director to submit payments by electronic funds transfer.

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

Not applicable

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

Name: Celeste M. Cook, Administrative Rules Analyst  
Address: Administrative Rule Unit  
Department of Transportation, Motor Vehicle Division  
1801 W. Jefferson St., Mail Drop 530M  
Phoenix, AZ 85007  
Telephone: (602) 712-7624  
Fax: (602) 712-3081  
E-mail: ccook@azdot.gov

Please visit the ADOT web site to track progress of this rule and any other agency rulemaking matters at [www.azdot.gov/mvd/MVDRules/rules.asp](http://www.azdot.gov/mvd/MVDRules/rules.asp).

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

Oral, written, or faxed comments may be made to the agency official listed in item 4 above, Monday through Friday, 8:00 a.m. to 4:30 p.m. except state holidays.

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

To be determined

Notices of Rulemaking Docket Opening

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF TRANSPORTATION  
MOTOR CARRIER AND TAX SERVICES PROGRAM

[R08-224]

- 1. Title and its heading:** 17, Transportation  
**Chapter and its heading:** 8, Department of Transportation – Motor Carrier and Tax Services Program  
**Article and its heading:** 5, Electronic Fuel Tax Reporting  
**Section numbers:** R17-8-501 through R17-8-506 (Sections may be added, deleted, or modified as necessary.)
- 2. The subject matter of the proposed rules:**  
The Arizona Department of Transportation, Motor Vehicle Division proposes to promulgate rules to prescribe the reporting and record keeping requirements necessary to administer the Electronic Fuel Tax Reporting Program.
- 3. A citation to all published notices relating to the proceeding:**  
Not applicable
- 4. The name and address of agency personnel with whom persons may communicate regarding the rules:**  
Name: Celeste M. Cook, Administrative Rules Analyst  
Address: Administrative Rule Unit  
Department of Transportation, Motor Vehicle Division  
1801 W. Jefferson St., Mail Drop 530M  
Phoenix, AZ 85007  
Telephone: (602) 712-7624  
Fax: (602) 712-3081  
E-mail: ccook@azdot.gov  
Please visit the ADOT web site to track progress of this rule and any other agency rulemaking matters at [www.azdot.gov/mvd/MVDRules/rules.asp](http://www.azdot.gov/mvd/MVDRules/rules.asp).
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
Oral, written, or faxed comments may be made to the agency official listed in item 4 above, Monday through Friday, 8:00 a.m. to 4:30 p.m. except state holidays.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
To be determined

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY  
REMEDIAL ACTION

[R08-227]

- 1. Title and its heading:** 18, Environmental Quality  
**Chapter and its heading:** 7, Department of Environmental Quality – Remedial Action  
**Article and its heading:** 4, Greenfields Pilot Program  
**Section numbers:** R18-7-401
- 2. The subject matter of the proposed rule:**  
ADEQ plans to repeal this rule. The rule became obsolete following the repeal of the authorizing statutes (A.R.S. § 49-153 through 157), effective January 1, 2008 (Laws 1997, Chapter 296, § 7).
- 3. A citation to all published notices relating to the proceeding:**  
Notice of Proposed Rulemaking: 14 A.A.R. 2975, August 1, 2008 (*in this issue*)
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Peggy J. Guichard-Watters  
Address: 1110 W. Washington St.  
Phoenix, AZ 85007  
Telephone: (602) 771- 4117  
Fax: (602) 771- 4138

*Arizona Administrative Register / Secretary of State*  
**Notices of Rulemaking Docket Opening**

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E-mail: pgw@azdeq.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:**  
To be published in the Notice of Proposed Rulemaking