

# 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 CHILD CARE GROUP HOMES

- 1. Title and its heading:** 9, Health Services

**Chapter and its heading:** 3, Department of Health Services

**Articles and their headings:** Child Care Group Homes

1, General

2, Certification

3, Administration

4, Program and Equipment Standards

5, Physical Environment Standards

**Section numbers:** R9-3-101 through R9-3-508 (ADHS may add or delete additional Sections as necessary.)
- 2. The subject matter of the proposed rule:**

The current rules for child care group homes are located in 9 A.A.C. 5, Articles 1 and 7 through 10. Chapter 5 also includes the rules for child care facilities. The Department has observed that having the rules for child care facilities and child care group homes in the same Chapter has resulted in confusion among stakeholders regarding the standards that apply to each. To alleviate this confusion, the Department intends, in a separate rulemaking, to repeal the rules for child care group homes in Chapter 5, Articles 7 through 10, and to amend Article 1 as necessary to conform to the repeal of the child care group home rules. In this rulemaking, the Department intends to adopt new rules for child care group homes in a new Chapter 3 entitled "Child Care Group Homes."

In addition to separating the rules for child care group homes from the rules for child care facilities, this rulemaking will update the standards for child care group homes, reorganize the rules, clarify the rules, and bring the rules into compliance with current rulemaking format and style requirements.

**The agency docket number:**

RE-009-03
- 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: Lourdes Ochoa, State Licensing Manager

Address: Arizona Department of Health Services  
Division of Assurance and Licensure Services  
Office of Child Care Licensure  
1647 E. Morten, Suite 230  
Phoenix, AZ 85020

Telephone: (602) 674-4220

Fax: (602) 861-0674

E-mail: lochoa@hs.state.az.us

or

Name: Kathleen Phillips, Rules Administrator

Address: Arizona Department of Health Services  
Office of Administrative Rules  
1740 W. Adams, Room 102  
Phoenix, AZ 85007

Telephone: (602) 542-1264

Fax: (602) 542-1090

Notices of Rulemaking Docket Opening

E-mail: kphilli@hs.state.az.us

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

ADHS will accept written comments until the close of record, which has not yet been determined. ADHS has not scheduled any oral proceedings at this time.

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

None

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF HEALTH SERVICES**

**CHILD CARE FACILITIES**

**1. Title and its heading:**

9, Health Services

**Chapter and its heading:**

5, Department of Health Services

Child Care Facilities

**Articles and their headings:**

1, General

7, Child Care Group Home Certification

8, Child Care Group Home Administration

9, Program and Equipment for Child Care Group Homes

10, Activity Areas and Physical Facility Standards for Child Care Group Homes

**Section numbers:**

R9-5-101, R9-5-102, and R9-5-701 through R9-5-1006 (ADHS may modify additional Sections as necessary.)

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

The current rules for child care group homes are located in 9 A.A.C. 5, Articles 1 and 7 through 10. Chapter 5 also includes the rules for child care facilities. The Department has observed that having the rules for child care facilities and child care group homes in the same Chapter has resulted in confusion among stakeholders regarding the standards that apply to each. To alleviate this confusion, the Department intends to repeal the rules for child care group homes in Chapter 5, Articles 7 through 10; to amend Article 1 as necessary to conform to the repeal of the child care group home rules in Chapter 5; and, in a separate rulemaking, to adopt rules for child care group homes in a new Chapter 3 entitled "Child Care Group Homes." This rulemaking will repeal the current rules for child care group homes in Chapter 5, Articles 7 through 10, and will amend Article 1 as necessary to conform to the repeal of the child care group home rules in Articles 7 through 10.

**The agency docket number:**

RE-010-03

**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: Lourdes Ochoa, State Licensing Manager

Address: Arizona Department of Health Services  
Division of Assurance and Licensure Services  
Office of Child Care Licensure  
1647 E. Morten, Suite 230  
Phoenix, AZ 85020

Telephone: (602) 674-4220

Fax: (602) 861-0674

E-mail: lochoa@hs.state.az.us

or

Name: Kathleen Phillips, Rules Administrator

Address: Arizona Department of Health Services  
Office of Administrative Rules  
1740 W. Adams, Room 102  
Phoenix, AZ 85007

Telephone: (602) 542-1264

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Fax: (602) 542-1090  
E-mail: kphilli@hs.state.az.us

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

ADHS will accept written comments until the close of record, which has not yet been determined. ADHS has not scheduled any oral proceedings at this time.

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

None

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF HEALTH SERVICES**

**COMMUNICABLE DISEASES**

**1. Title and its heading:**

**Chapter and its heading:**

**Articles and their headings:**

**Section numbers:**

9, Health Services  
6, Department of Health Services  
Communicable Diseases  
1, Definitions  
2, Communicable Disease Reporting  
3, Control Measures for Communicable and Preventable Diseases  
5, Rabies Control  
6, Tuberculosis Control  
R9-6-101 through R9-6-106, R9-6-201 through R9-6-206, R9-6-301 through R9-6-385, R9-6-501 through R9-6-504, and R9-6-601 through R9-6-604 (ADHS may modify additional Sections as necessary.)

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

ADHS completed a five-year review report for 9 A.A.C. 6 in December 1999. The five-year review report was approved by the Governor's Regulatory Review Council in March 2000. As a result of the five-year review, ADHS intended to complete three separate rulemakings to take the actions proposed in the five-year review report. Two of those rulemakings have already been completed. This represents the third of the three rulemakings.

In this rulemaking, ADHS will update and clarify the existing definitions, will add definitions as necessary, and will move the definitions into the Articles to which they pertain. In Articles 2, 3, 5, and 6, ADHS will amend the rules as necessary to update and clarify the rules and to bring the rules into compliance with current rulemaking format and style requirements. In addition, ADHS may add new Sections as necessary to ensure adequate detection, reporting, prevention, and control of communicable diseases.

**The agency docket number:**

RE-011-03

**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: Ken Komatsu, Epidemiology Program Manager  
Address: Arizona Department of Health Services  
Bureau of Epidemiology and Disease Control Services  
Office of Infectious Disease Services  
3815 N. Black Canyon Highway  
Phoenix, AZ 85015

Telephone: (602) 230-5932  
Fax: (602) 263-4943  
E-mail: kkomats@hs.state.az.us

or

Name: Kathleen Phillips, Rules Administrator  
Address: Arizona Department of Health Services  
Office of Administrative Rules  
1740 W. Adams, Room 102  
Phoenix, AZ 85007

Notices of Rulemaking Docket Opening

Telephone: (602) 542-1264  
Fax: (602) 364-1150  
E-mail: kphilli@hs.state.az.us

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

ADHS will accept written comments until the close of record, which has not yet been determined. ADHS has not scheduled any oral proceedings at this time.

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

None

**NOTICE OF RULEMAKING DOCKET OPENING**

**GAME AND FISH COMMISSION**

**1. Title and its heading:**

**Chapter and its heading:**

**Article and its heading:**

**Section numbers:**

12, Natural Resources  
4, Game and Fish Commission  
3, Taking and Handling of Wildlife  
R12-4-301, R12-4-302, R12-4-303, R12-4-304, R12-4-305, R12-4-306,  
R12-4-307, R12-4-308, R12-4-310, R12-4-311, R12-4-312, R12-4-313,  
R12-4-314, R12-4-315, 316, R12-4-318, and R12-4-319 (As a part of  
this rulemaking, the Commission may add, delete, or modify additional  
Article 3 Sections as necessary.)

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

- R12-4-301. Amendments related to restrictions for taking wildlife in Maricopa County parks.
- R12-4-302. Amendments related to use of tags.
- R12-4-303. Amendments related to prohibited devices and ammunition.
- R12-4-304. Amendments related to lawful methods for taking wild mammals, birds and reptiles.
- R12-4-305. Amendments related to possessing, transporting, importing, exporting, and selling carcasses or parts of wild mammals, birds, and reptiles.
- R12-4-306. Amendments related to buffalo hunt regulations.
- R12-4-307. Amendments related to trapping regulations: Licensing; methods; tagging of bobcat pelts.
- R12-4-308. Amendments related to wildlife inspections, check stations, and roadblocks.
- R12-4-310. Amendments related to fishing permits.
- R12-4-311. Amendments related to exemptions from requirement to possess an Arizona fishing license while taking aquatic wildlife.
- R12-4-312. Amendments related to special use permits and stamps for fishing on waters with shared jurisdiction.
- R12-4-313. Amendments related to lawful methods of taking aquatic wildlife; restrictions.
- R12-4-314. The Department intends to repeal this Section and move its provisions to R12-4-305.
- R12-4-315. Amendments related to possession of live fish; unattended liveboxes and stringers.
- R12-4-316. Amendments related to possession, transportation, or importation of live baitfish, crayfish, or water-dogs.
- R12-4-318. Amendments related to seasons.
- R12-4-319. Amendments related to use of aircraft to take wildlife.

As a part of this rulemaking, the Commission may add, delete, or modify additional Article 3 Sections as necessary.

**The agency docket number:**

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

Notice of Rulemaking Docket Opening: 8 A.A.R. 2973, July 19, 2003

Notices of Rulemaking Docket Opening

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

Name: Mark E. Naugle, Manager, Rules and Risk Management  
Address: Arizona Game and Fish Department  
2221 W. Greenway Road DORR  
Phoenix, AZ 85023  
Telephone: (602) 789-3289  
Fax: (602) 789-3299  
E-mail: mnaugle@gf.state.az.us

**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 from 8:00 a.m. until 5:00 p.m. The schedule for oral proceedings is to be determined and will be published when scheduled.

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

To be determined

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF REVENUE**

**TRANSACTION PRIVILEGE AND USE TAX SECTION**

**1. Title and its heading:**

15, Revenue

**Chapter and its heading:**

5, Department of Revenue

**Article and its heading:**

Transaction Privilege and Use Tax Section

**Section numbers:**

22, Transaction Privilege Tax - Administration

R15-5-2240

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

R15-5-2240—Motion Picture Production Refund

The Department will repeal this rule.

**The agency docket number, if applicable:**

03-5-02

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

Notice of Proposed Rulemaking: 9 A.A.R. 1746, June 6, 2003

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

Name: Christie Comanita, Manager  
Address: Office of Tax Policy and Legal Support  
Arizona Department of Revenue  
1600 W. Monroe  
Phoenix, AZ 85007  
Telephone: (602) 542-4672  
Fax: (602) 542-4680

**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:**

None

**NOTICE OF RULEMAKING DOCKET OPENING**  
**WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA**

1. **Title and its heading:** 18, Environmental Quality  
**Chapter and its heading:** 15, Water Infrastructure Finance Authority of Arizona  
**Articles and their headings:** 1, Management  
2, Clean Water Revolving Fund  
3, Drinking Water Revolving Fund  
5, Technical Assistance  
6, Hardship Grant Fund  
  
**Section numbers:** R18-15-101, R18-15-102, R18-15-103, R18-15-104, R18-15-105, R18-15-106, R18-15-107, R18-15-108, R18-15-109, R18-15-110, R18-15-111, R18-15-112, R18-15-113, R18-15-202, R18-15-203, R18-15-204, R18-15-205, R18-15-206, R18-15-207, R18-15-208, R18-15-302, R18-15-303, R18-15-304, R18-15-306, R18-15-307, R18-15-501, R18-15-504, R18-15-506, R18-15-507, R18-15-508, R18-15-510, R18-15-511, R18-15-601, R18-15-602, and R18-15-603  
(Other Sections and Articles may be added or deleted as necessary.)
2. **The subject matter of the proposed rule:**  
The overall goal of this proposed rule is to allow WIFA to disburse monies to communities to conceive, develop, plan, and design water and wastewater infrastructure improvements in an efficient manner. In addition to updating definitions and clarifying public notice requirements for modifications to Priority Lists, the proposed rule will streamline and provide communities additional opportunities to waive Environmental Review requirements for projects directly related to public health (that is, arsenic treatment). Additionally, the proposed rule will provide greater flexibility to respond to disadvantaged communities financial assistance requests.
3. **A citation to all published notices relating to the proceeding:**  
Notice of Proposed Rulemaking: 9 A.A.R. 1748, June 6, 2003
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Moncef Tihami  
Address: Water Infrastructure Finance Authority  
1110 W. Washington, Suite 290  
Phoenix, AZ 85007  
  
Telephone: (602) 364-1326 or, toll-free in Arizona: (877) 298-0425  
Fax: (602) 364-1327  
E-mail: Moncef.Tihami@wifa-az.us
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The Authority will publish a Notice of Proposed Rulemaking in the *Arizona Administrative Register*, at which time it will accept comments until the close of record date referenced in the Notice. All comments should be in writing and submitted to the attention of the agency personnel in item #4. The Notice will also contain information on the time and place of any proceedings scheduled by the Authority at which oral comments may be made.
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
It is anticipated that a Notice of Proposed Rulemaking will be filed with the Office of the Secretary of State for publication in the *Arizona Administrative Register* simultaneously with this notice, and that a draft Notice of Final Rulemaking will be filed with the Governor's Regulatory Review Council in July to be placed on the September 2003 Council meeting agenda. Contact the person in item #4 for the current status of the rulemaking, or to arrange for interested parties to inspect the proposed rule, any written submissions on the proposed rule, the economic, small business and consumer impact statement, or the minutes of any pertinent meeting.