

or attempt to molest, harass, or disturb any manatee; injure or harm or attempt to injure or harm any manatee; capture or collect or attempt to capture or collect any manatee; pursue, hunt, wound, or kill or attempt to pursue, hunt, wound, or kill any manatee; or possess, literally or constructively, any manatee or any part of any manatee. Permits to possess manatees for scientific or enhancement purposes may be issued by the U. S. Department of the Interior.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-22-80, 7-1-83, 7-1-85, Formerly 39-27.04, Amended 6-1-86, 5-10-87, 4-27-89, 6-23-99, Formerly 39-27.004, Amended 9-29-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Tim Breault, Division of Habitat and Species Conservation
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 13, 2007
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 4, 2007

published in Vol. 33, No. 14, April 6, 2007 issue of the Florida Administrative Weekly to establish minimum lake levels and guidance levels for certain lakes in Pasco County, Florida, specifically, Crews Lake. Notice of the first public hearing was published in the June 15, 2007, Vol. 33, No. 24 Florida Administrative Weekly. Notices continuing the public hearing published in the Florida Administrative Weekly on August 10, 2007, Vol. 33, No. 32 and on September 14, 2007, Vol. 33, No. 37. This notice continues the public hearing to the date and time listed above.

A copy of the agenda may be obtained by contacting: Karen A. Lloyd, Assistant General Counsel, 2379 Broad Street, Brooksville, Florida 34604-6899, (352)796-7211, extension 4651.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Dianne Lee, (352)796-7211 or 1(800)423-1476, extension 4658; TDD only number 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Section III
Notices of Changes, Corrections and Withdrawals

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-8.624
 RULE TITLE: Guidance and Minimum Levels for Lakes

NOTICE OF PUBLIC HEARING

The Southwest Florida Water Management District announces a hearing regarding the above rule, as noticed in Vol. 33, No. 14, April 6, 2007 Florida Administrative Weekly.

DATE AND TIME: December 18, 2007, 9:00 a.m.
 PLACE: Governing Board Room, Southwest Florida Water Management District Headquarters, 2379 Broad Street, Brooksville, Florida 34604-6899
 GENERAL SUBJECT MATTER TO BE CONSIDERED: James P. Gills, as Trustee, has requested a public hearing pursuant to paragraph 120.54(3)(c), F.S., regarding the District's notice of proposed Rule 40D-8.624, F.A.C.,

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.140
 RULE TITLE: Hospice Services
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 26, June 29, 2007 issue of the Florida Administrative Weekly.

This is the second Notice of Change. The first Notice of Change was published in Vol 33, No. 34, August 24, 2007, issue of the Florida Administrative Weekly. A second public hearing was advertised in Vol. 33, No. 39, September 28, 2007, issue of the Florida Administrative Weekly.

These changes are in response to comments received prior to the second public hearing.

The rule incorporates by reference update January 2007 to the Florida Medicaid Hospice Services Coverage and Limitations Handbook. On page 2-27, Room and Board Reimbursement for a Medicaid-Certified Bed, last paragraph, first sentence, we added "Effective (date of adoption will be entered here after the rule is filed)" room and board reimbursement for hospice recipients residing in a nursing facility does not include the day of discharge from hospice.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NOS.:	RULE TITLES:
59G-13.081	Developmental Disabilities Waiver Provider Rate Table
59G-13.082	Developmental Disabilities Waiver Services Procedure Codes

NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rule development, as noticed in Vol. 33, No. 42, October 19, 2007 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE NOS.:	RULE TITLES:
60BB-3.013	Filing Claims and Providing Documentation
60BB-3.015	Continued Claims for Benefits
60BB-3.024	Short-Time Compensation Plan Application
60BB-3.029	Public Use Forms

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., since publication in Vol. 33, No. 33, August 17, 2007 issue of the Florida Administrative Weekly.

60BB-3.013 Filing Claims and Providing Documentation.

(1) Approved Methods and Forms for Filing Florida Claims. Initial, additional, and reopened claims may be filed:

(a) On the Internet at www.fluidnow.com ~~www.floridajobs.org/unemployment~~. Select "Internet Unemployment Compensation Claim Application (Initial Claim)";

(b) On the Agency's Interactive Voice Response System, (Call 1(800)204-2418 toll-free to obtain ~~local~~ filing information); or

(c) By mailing or faxing a completed claim application, which may be obtained by contacting the Agency toll-free at 1(800)204-2418. These applications are:

1. AWI Form UC-310, "Unemployment Compensation Application for Services" (Rev. 10/05), incorporated by reference in Rule 60BB-3.029, F.A.C., is to be used by Florida residents who file by mail or fax.

2. Form IB-1, "Initial Interstate Claim" (08/03), incorporated by reference in Rule 60BB-3.029, F.A.C., is to be used by non-Florida residents who file by mail or fax.

(d) At a location which may be designated by the Agency when unemployment results from mass separation, labor dispute, declared disaster or emergency, or the claimant needs special assistance or accommodation.

(2) Required Documentation.

(a) The claimant's valid social security number and one other approved form of secondary identification must be provided at the time of filing. Approved secondary identifiers include:

1. Driver's license issued by a state, possession of the United States, or a Canadian government authority, provided it contains a photograph or identifying information such as name, date of birth, sex, height, and address;

2. Documentation issued by a federal, state, or local government agency that contains a photograph or identifying information such as name, date of birth, sex, height, and address;

3. School identification (ID) card with photograph;

4. United States (U.S.) military ID card, dependent's ID card, or U.S. Coast Guard Merchant Mariner card;

5. Native American tribal document;

6. U.S. Passport (unexpired or expired); or

7. Certificate of U.S. Citizenship or Certificate of Naturalization;

(b) Proof will be required if a claimant's employment, social security number, or identity is in question. Circumstances requiring such documentation include, for example:

1. The Social Security Administration does not confirm the validity of the social security number;

2. A previous claim was filed using the same social security number by a person with another name;

3. The Agency receives information indicating fraudulent use of the social security number in question; or

4. Reasonable evidence, such as an unemployment compensation fraud detection crossmatch, that places in question the identity of the claimant or the validity of the claim.

(c) Documentation from the Immigration and Naturalization Service verifying authorization to work in the United States will be required from any alien whose work authorization cannot be identified using the Systematic Alien Verification for Entitlement (SAVE) system. Benefits will be delayed or denied only when neither primary nor secondary verification procedures verify the claimant's authorization to work in the United States. A determination denying benefits due to the absence of authorization to work will be reconsidered when the claimant furnishes the required documentation.

(d) A military veteran filing a military claim will be required to furnish a copy of the Form DD-214 issued to the claimant by the military service at the time of discharge to establish service dates and nature of discharge when the branch of the military in which the claimant served does not promptly respond to the Agency's request.

(e) An individual filing a claim based on federal civilian employment will be required to furnish a copy of Standard Form 50, Form W-2, or paystubs and Standard Form 8, received at the time of separation when the federal employer does not promptly respond to the Agency's request.

(3) Registration for Work. The filing of an unemployment compensation claim also constitutes registration for job search and reemployment assistance with the One-Stop Career Center nearest the claimant's address of record.

(4) Disclosure of Support Obligations. Each individual filing a new or additional claim for unemployment compensation must disclose at the time of filing whether he or she owes support obligations which are being enforced by the Florida Department of Revenue pursuant to 42 USC 503(e)(2)(A)(i) and 42 USC 654.

(5) Effective Date of Claim. Unless otherwise provided by Section 443.036(9), F.S., the effective date of an initial, additional or reopened claim will be the Sunday immediately preceding the filing date, with the following exceptions:

(a) Change of Calendar Quarter. When an initial claim is filed during a week in which a change of calendar quarter occurs, the claimant will have the option of filing the claim effective the beginning of the new calendar quarter.

(b) Group Filing. When arrangements for group filing are made, generally due to mass separation, labor dispute or implementation of a Short Time Compensation Plan, initial and additional claims will be backdated to the Sunday immediately preceding the date on which the unemployment began, provided the claimant reports in accordance with the group filing arrangements.

(c) Sunday Filing. Claims filed on a Sunday will be effective on the date of filing.

Specific Authority 443.1317(1)(b) FS. Law Implemented 443.036, 443.091, 443.101, 443.1116 FS. History--New 8-25-92, Amended

60BB-3.015 Continued Claims for Benefits.

(1) Method of Filing Continued Claims. After filing an initial, additional or reopened claim, the claimant will be instructed and required to report bi-weekly for the duration of the unemployment through agency-established systems including Internet, telephone, mail, or fax. In the event of a mass separation, labor dispute, disaster or emergency, claimants may be permitted or required to report in person at locations designated by the Agency. Continued claims can be filed on-line at www.fluidnow.com, www.floridajobs.com, at www.floridajobs.org/unemployment, or by calling 1(800)204-2418. ~~The forms accessible at the website are incorporated by reference in Rule 60BB-3.029(1)(r) of this Chapter.~~ The forms accessed by means of the toll free number referred to above are incorporated by reference in subsection 60BB-3.029(1)(s) of this Chapter.

(2) Time Limit for Filing Continued Claims.

(a) Scheduled Reports. Continued claims for benefits must be filed within 14 calendar days following the scheduled report date as shown on AWI Form UCB-60V (Rev. 06/04), incorporated by reference in Rule 60BB-3.029, F.A.C., the Internet Confirmation Page, or otherwise communicated to the claimant by the Agency. AWI Form UCB-60V will be mailed to the claimant within 14 days after an initial, additional or re-opened claim is filed and upon receipt of each bi-weekly claim thereafter. The Agency will discontinue mailing AWI Form UCB-60V when the claimant ceases to report, has no additional benefits or weeks to claim, or benefits were denied and no appeal is pending at the end of the appeal period.

(b) Late Reports. If a report is not made within 14 days after the scheduled report date shown on AWI Form UCB-60V, the Internet Confirmation Page, or communicated to the claimant by an Agency representative, the claim will be re-opened effective the first day of the week in which a report is filed. Upon request, the claimant will be permitted to file a late report for weeks that were not claimed within the permissible time period and will be granted appeal rights to any resulting determination denying benefits for the weeks in question.

(c) Resubmitted Continued Claim. When a claimant is directed by the Agency to resubmit a continued claim for completion or correction, the scheduled report date will be extended to 14 days from the date the Agency notifies the claimant that the claim was incomplete or incorrect. If the notification is mailed, the mailing date will be considered the date of notification.

(d) Early Reports. The Agency may accept a continued claim certification prior to the scheduled report date provided each claimed week has ended.

(e) Special Reports. At any time during the pendency of any claim for benefits, the Agency may make a written request for information or documentation from the claimant regarding any question whose resolution is necessary to ascertain the claimant's entitlement to benefits or the amount of any such benefits. The failure of the claimant to respond will result in a determination made from the available evidence.

Specific Authority 443.1317(1)(b) FS. Law Implemented 443.091(1), 443.111(1), 443.151(2) FS. History--New 8-25-92, Amended 4-1-96,

60BB-3.024 Short-Time Compensation Plan Application.

Employers who wish to participate in the Short-Time Compensation program, pursuant to Section 443.1116, F.S., must make application on AWI Form UCB/STC-3, "Short-Time Compensation Plan Application," (11/01), incorporated by reference in Rule 60BB-3.029, F.A.C. Copies may be obtained on the internet at http://www.floridajobs.org/unemployment/uc_prog_stc.html, www.floridajobs.org or by writing to: Agency for Workforce Innovation, P. O. Box 5350; Tallahassee, FL 32314-5350.

Specific Authority 443.1317(1)(b) FS. Law Implemented 443.1116 FS. History—New _____.

60BB-3.029 Public Use Forms.

(1) The following forms and instructions are used by the Agency for Workforce Innovation in its dealings with the public in the administration of the unemployment compensation program, and are incorporated by reference:

(a) AWI Form ERWC – “Employee’s or Employer’s Authorization and Request for Wage Records” (~~New version date 02/06~~), which is available at the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_emp_forms.html, or as provided in subsection (2)(b) of this rule.

(b) AWI Form AWA-01 – “Notarized Authorization for Release of Records” (~~Rev. version date 03/2005~~), which is available at the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_emp_forms.html, or as provided in subsection (2) of this rule.

(c) IB-1 – “Initial Interstate Claim” (Rev. 08/03), which is available at the Agency’s Internet site online at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the “Claim Your Weeks” link.

(d) AWI Form UC-310 – “Unemployment Compensation Application for Services” (Rev. 10/05). This form may also be found in the Florida Unemployment Compensation Claims Book, which is available at the Agency’s Internet site online at: http://www.floridajobs.org/unemployment/uc_claimbooklet.html ~~<http://www.floridajobs.org/unemployment/claimsservices>~~ and clicking on the “Claim Your Weeks” link.

(e) AWI Form UC-310 Supplement (Rev. 08/03).

(f)(e) AWI Form UCB/STC-3 – “Short Time Compensation Plan Application” (Rev. 11/01).

(g)(f) AWI Form UCB-9 (04/01).

(h)(g) AWI Form UCB-11 – “Wage Transcript and Determination” (Rev. 01/04).

(i)(h) AWI Form UCB-45 – “Notice of Determination” (Rev. 02/05).

(j)(i) AWI Form UCB-60V (Rev. 06/04).

(k)(j) AWI Form UCB-412 – “Determination Notice of Unemployment Claim Filed” (Rev. 04/07).

(l)(k) Form AWI-UCW4VT (Rev. 11/06).

(m)(l) Form AWI-UCW4VFL (S) (Rev. 11/06).

(n)(m) Form AWI-UCW4VFL (C) (Rev. 11/06).

(o)(n) Form AWI-UC20A (Rev. 11/06).

(p)(o) Form AWI-UC20A (S) (Rev. 11/06).

(q)(p) Form AWI-UC20A (C) (Rev. 11/06).

(r)(q) UC Bulletin 1 (Rev. 04/05).

(s)(r) Online Internet Unemployment Compensation Claim Application (November 2000), which is available at www.fluidnow.com the Agency’s Internet site listed in subsection (3) of this rule.

(t)(s) Detailed System Design, Appendixes B and C (Interactive Voice Response Script) (~~August 12, 2002 May 2003~~).

(u) Detailed System Design, Appendix C (Interactive Voice Response Script) (June 12, 2007).

(2) These forms may be obtained by:

(a) Writing to the Agency for Workforce Innovation, Unemployment Compensation Records Unit, P. O. Drawer 5750, Tallahassee, FL 32314-5750;

(b) Faxing a request to the Agency’s UC Records Unit at (850)921-9327 or (850)921-3912;

(c) Calling the UC Records Unit at (850)921-3470.

(3) ~~Forms and other information about the unemployment compensation program can be found on the Agency’s Internet site at www.floridajobs.org/unemployment/.~~

Specific Authority 443.1317(1)(b) FS. Law Implemented 443.171(5), 443.1715(1), (2)(b)1. FS. History—New 6-4-06, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-12.011

RULE TITLE: Definitions

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 16, April 20, 2007 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. Subsection (11) shall now read as follows:

(11) A “credit report from a nationally recognized credit agency that reflects the financial responsibility of the applicant, certificateholder or registrant” shall, for the purposes of Section 489.115(6), F.S., mean a current consumer credit report that provides a current consumer credit score derived from the Fair Isaac Corporation’s (FICO) scoring method and:

(a) Payment history;

(b) Credit rating;

(c) Public filings in county, state and federal courts; and

(d) Bankruptcies, business history, suits, liens, and judgments, all on a nationwide basis.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: G. W. Harrell, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.0021
 RULE TITLE: Certification and Registration of Business Organizations
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 16, April 20, 2007 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. This Notice of Change supersedes the previous Notice of Change which published on September 7, 2007, in Vol. 33, No. 36, of the Florida Administrative Weekly. The changes are as follows:

Subsection (3)(b) shall now read as follows:

(b) If the business organization has a financially responsible officer, the financially responsible officer, rather than the qualifying contractor, shall complete the following forms which are incorporated by reference:

1. DBPR CILB 4366, Financially Responsible Officer Application, 2007 August 28,
2. If applicable, DBPR 0050, Explanatory Information for Background Questions, 2007 August 28,
3. If applicable, DBPR 0060, General Explanatory Description, 2007 August 28,
4. DBPR CILB 4356, Bond Application, 2007 August 28,

The forms may be obtained via internet at <http://www.myfloridalicense.com>, or by contacting the Customer Contact Center of the Department of Business and Professional Regulation at 1940 N. Monroe Street, Tallahassee, FL 32399-1039.

In addition, the financially responsible officer shall comply with the requirements of Rule 61G4-15.006, F.A.C., except that the financially responsible officer shall also demonstrate a personal or business organization net worth of at least \$10,000 regardless of the category of contractor's license held by any other qualifier for the business organization, \$10,000 cash and a bond in a form acceptable to the Board's Executive Director made payable to the Florida Homeowners' Construction Recovery Fund in the amount of \$100,000. For purposes of Section 489.105(14), F.S., a "person" means a human being who is at least eighteen (18) years of age.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.006
 RULE TITLE: Financial Responsibility and Financial Stability, Grounds for Denial
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 30, July 27, 2007 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The rule shall now read as follows:

61G4-15.006 Financial Responsibility and Financial Stability, Grounds for Denial.

(1) The financial responsibility ground on which the Board shall refuse to qualify an applicant is failure to provide a current consumer credit report, as defined in Rule 61G4-12.011, F.A.C., which consumer credit report does not disclose any unsatisfied judgments or liens against the applicant. In addition, there must not be any unsatisfied judgments or liens against the business entity which the applicant previously qualified as a primary qualifier or which the applicant has applied to qualify.

(2) The financial stability ground on which the Board shall refuse to qualify an applicant is failure to provide proof of either a financial stability bond or an irrevocable letter of credit from a bank authorized to do business in the State of Florida. The bond or letter of credit must be in a form acceptable to the Board and must remain in effect until the applicant can demonstrate a credit score, FICO derived, of 660 or higher, and must be payable as provided in Rule 61G4-15.0021, F.A.C., for Financially Responsible Officers in the amount of:

- (a) \$20,000 for Division I applicants.
- (b) \$10,000 for Division II applicants.

(3) Fifty percent of the financial stability bond or the letter of credit requirement may be met by completion of a 14-hour financial responsibility course approved by the Board.

(4) An applicant may meet both the financial responsibility and financial stability requirements by providing proof of a current consumer credit report, as defined in Rule 61G4-12.011, F.A.C., with a credit score, FICO derived, of 660 or higher, which consumer credit report does not disclose any unsatisfied judgments or liens against the applicant. In addition, there must not be any unsatisfied judgments or liens against the business entity which the applicant previously qualified as a primary qualifier or which the applicant has applied to qualify.

Specific Authority 489.115(5), (6) FS. Law Implemented 489.115(5), (6) FS. History—New 1-6-80, Amended 5-4-80, Formerly 21E-15.06, 21E-15.006, Amended 10-31-96, 11-13-97, _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.033
 RULE TITLE: Marine Specialty Contractor
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 27, July 6, 2007 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. Subsection (2) shall now read as follows:

(2) Definition. A marine contractor is a specialty contractor qualified and certified by the board to perform any work involving the construction, repair, alteration, extension and excavation for fixed docks, floating docks, boathouses, mooring devices, mooring fields, seawalls, bulkheads, piers, wharfs, boatlifts, boat ramps, revetments, cofferdams, wave attenuators, dune crossovers and other related marine structures and activities, including pile driving, framing, concrete, masonry, dredge and fill, and wood shingle, wood shakes, or asphalt or fiberglass shingle roofing on a new structure of his or her own construction. Nothing in this rule shall be deemed to restrict or limit in any manner the scope of work authorized by law of other contractor classification.
2. Subsection (3) shall now read as follows:

(3) Certified Marine Contractors must maintain applicable workers' compensation and general liability insurance as required by state and federal law, including but not limited to the provisions of the Longshoremen's and Harbor Worker's Compensation Act, 33 U.S.C.A. § 901 et seq. and Title 46 U.S.C.A.
3. Subsection (4) shall now read as follows:

(4) Other certification procedures and fees for certified marine specialty contractors shall be the same as those provided for the certification of other contractors as defined and set forth in Sections 489.109, 489.111, 489.113, 489.114, 489.115 and 489.116 F.S.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: G. W. Harrell, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-3.010
 RULE TITLE: License Reactivation Education for Brokers and Sales Associates
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 35, August 31, 2007 issue of the Florida Administrative Weekly.

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in the August 31, 2007, issue of the Florida Administrative Code, in Vol. 33, No. 35. These changes are being made in response to comments received from the Joint Administrative Procedures Committee. The changes are as follows:

- (2) ~~Effective October 1, 2007, a~~ A licensee may reactivate a license that has been involuntarily inactive for more than 12 months but less than 24 months by satisfactorily completing 28 hours of a Commission-prescribed education course derived from the Florida Real Estate Commission Salesperson Course Syllabus (FREC for licensure as a sales associate Course I). The course shall contain coverage of the following topics: Real Estate License Law and Qualifications for Licensure (Session 2); Real Estate License Law and Commission Rules (Session 3); Authorized Relationships, Duties and Disclosure (Session 4); Real Estate Brokerage Activities: Guides for Salespersons (Session 5); Violations of License Law, Penalties and Procedures (Session 6); Federal and State Laws Pertaining to Real Estate (Session 7); Real Estate Contracts (Session 11); Real Estate Related Computations and Closing of Transactions (Session 14); and Real Estate Investments and Business Opportunity Brokerage (Session 17). The Course I hours must be based on an approved course as set forth in Rule 61J2-3.008, F.A.C. Emphasis shall be placed on the real estate law and license law portions.

THE PERSON TO BE CONTACTED REGARDING THESE CHANGES IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-24.001
 RULE TITLE: Disciplinary Guidelines

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 35, August 31, 2007 issue of the Florida Administrative Weekly.

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in the August 31, 2007, issue of the Florida Administrative Code, in Vol. 33, No. 35. These changes are being made in response to comments received from the Joint Administrative Procedures Committee. The changes are as follows:

~~(oo)(nn) Rule 61J2-10.039, F.A.C.,~~ Section 475.25(1)(c), F.S. Failure to produce records within 5 business days from receipt of request for inspection or audit or to maintain records as required.

Sections 475.22, 475.421 and 475.452, F.S., should be deleted from the Law Implemented.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN THE FAW: December 1, 2006.

THE PERSON TO BE CONTACTED REGARDING THESE CHANGES IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.600 RULE TITLE: Tampa Bay Basin TMDLs

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 31, No. 11, March 18, 2005 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.103 RULE TITLE: Continuing Education Credits; License Renewal; Consultant Pharmacist License Renewal; Nuclear Pharmacist License Renewal

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 31, No. 11, March 18, 2005 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-27.410 RULE TITLE: Pharmacy Technician 1:1 Ratio

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 30, No. 50, December 10, 2004 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NOS.: 64B16-28.900 RULE TITLES: Definitions – Nuclear Pharmacy
64B16-28.902 Nuclear Pharmacy – Minimum Requirements

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 31, No. 23, June 10, 2005 issue of the Florida Administrative Weekly has been withdrawn.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-149.002 RULE TITLE: Scope and Applicability

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 41, October 12, 2007 issue of the Florida Administrative Weekly. The publication date March 16, 2007, Vol. 33, No. 11 is incorrect and should be read as August 3, 2007, Vol. 33, No. 31.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NOS.: 69O-149.003 RULE TITLES: Rate Filing Procedures
69O-149.005 Reasonableness of Benefits in Relation to Premiums
69O-149.007 Annual Rate Certification (ARC) Filing Procedures

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 38, September 21, 2007 issue of the Florida Administrative Weekly has been withdrawn.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-162.203
 RULE TITLE: Adoption of 2001 Commissioners Standard Ordinary (CSO) Preferred Mortality Tables for Determining Reserve Liabilities for Ordinary Life Insurance

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the above proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 30, July 27, 2007, of the Florida Administrative Weekly. These changes are being made to address comments submitted by the Joint Administrative Procedures Committee. The following changes have been made to the rule:

In subsection (2) of the rule, the reference to Rule 69O-138.164.020(5), has been corrected to refer to Rule 69O-164.020(5). Subsection (5)(c) has been removed from the rule. The reference to subsection (7) has been corrected to refer to subsection (6).

The remainder of the reads as previously published.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NOS.: 69O-186.003, 69O-186.005
 RULE TITLES: Title Insurance Rates Premium Schedule Applicable to “Truth in Lending” and Other Endorsements

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 31, No. 22, June 3, 2005 issue of the Florida Administrative Weekly has been withdrawn. This does not impact the rule proceeding relating to the Notice of Proposed Rulemaking that was noticed in Vol. 33, No. 25, June 22, 2007 issue of the Florida Administrative Weekly.

**Section IV
 Emergency Rules**

DEPARTMENT OF REVENUE

Property Tax Administration Program

RULE NO.: 12DER07-10
 RULE TITLE: How to Obtain Forms Used to Disclose and Certify Compliance, or to Exercise the Option to Prefile Documents

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Chapter 2007-321, Laws of Florida, authorizes the Department of Revenue to adopt emergency rules that

remain in effect for 18 months and that may be renewed. This act further provides that all conditions imposed by Chapter 120, Florida Statutes, are deemed to be met.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the Department of Revenue to adopt emergency rules that implement the provisions of Chapter 2007-321, Laws of Florida. The law provides that these emergency rules remain in effect for a period of 18 months and that they may be renewed. The Department of Revenue has taken several actions to inform interested parties about the forms, procedures, and emergency rules that are being developed to implement this new law, and to give such parties an opportunity, to review and comment. These interested parties include Property Appraisers and the professional associations that represent them, counties, municipalities, and independent districts and their associations. The actions that the Department has taken include: requesting the assistance of other state agencies and professional associations in ascertaining if the information in the relevant sections of Chapter 2007-321, Laws of Florida, had been understood; and, establishing a new website on which to post information, forms, and procedures associated with implementation of this act; emailing and/or mailing copies of the draft forms to interested parties; and receiving public comments on the drafts of forms DR-420C, DR-420I, DR-420M, DR-487, DR-487P, and DR-487V.

SUMMARY: This rule explains how to obtain the forms that were previously adopted in Emergency Rule 12DER07-09. This rule is being adopted in response to comments received from the Joint Administrative Procedures Committee of the Florida Legislature.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Sharon Gallops, Department of Revenue, Property Tax Technical Unit, 725 S. Calhoun Street, Tallahassee, Florida 32399-0100; telephone (850)414-6108; Fax (850)488-9482; email address gallops@dor.state.fl.us

THE FULL TEXT OF THE EMERGENCY RULE IS:

12DER07-10 How to Obtain Forms Used to Disclose and Certify Compliance, or to Exercise the Option to Prefile Documents.

(1) Emergency Rule 12DER07-09, which took effect on September 14, 2007, adopted the following forms:

(a) Form DR-487P, Pre-Filing Certification of Compliance, (N. 09/07).

(b) Form DR-420C, County Maximum Millage Levy Calculation Final Disclosure (N. 09/07).

(c) Form DR-420I, Independent Special District Maximum Millage Levy Calculation Final Disclosure (N. 09/07).