

Specific Authority 456.072(1)(gg), 456.073(3), 456.079, 468.1685(1) FS. Law Implemented 456.072, 456.073(3), 456.079, 468.1685(4), (5), (6), 468.1755(1)(a), (j), (q) FS. History–New 11-23-86, Amended 4-22-87, Formerly 21Z-14.004, 61G12-14.004, 59T-14.004, Amended 10-12-97, 10-16-00, 2-13-01, 2-10-03, 5-1-03, 7-27-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing Home Administrators
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing Home Administrators
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 29, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 21, 2008

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-11.006
RULE TITLE: Incomplete Applications
PURPOSE AND EFFECT: The Board proposes the rule amendment in order to clarify language regarding incomplete applications.
SUMMARY: Language concerning incomplete applications will be clarified.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.
Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.
SPECIFIC AUTHORITY: 120.60(1), 490.004(4) FS.
LAW IMPLEMENTED: 456.013(1), 490.005(1) FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-11.006 Incomplete Applications.

(1) The Board will not review incomplete applications, and applications that remain incomplete for one year following a timely filed notice of deficiency shall expire and be automatically closed by the department.

(2) Applicants whose files are closed and who wish further consideration must submit new applications. Likewise, applicants who delay timely responses to notices of deficiencies may be required to update their applications with the department prior to the Board’s consideration.

Specific Authority 120.60(1), 490.004(4) FS. Law Implemented 456.013(1), 490.005(1) FS. History–New 6-23-91, Formerly 21U-11.008, 61F13-11.008, 59AA-11.006, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Psychology
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Psychology
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 4, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 18, 2008

**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

Suwannee River Water Management District

RULE NO.: 40B-4.3020
RULE TITLE: Content of Works of the District Development Permit Applications
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. 34, No. 13, March 28, 2008 issue of the Florida Administrative Weekly.

40B-4.3020 Content of Works of the District Development Permit Applications.

(1)(h) Where applicable, the applicant must provide the name and address of the person who prepared the plans and specifications of construction.

(i) Where applicable, the applicant must provide the name and address of the person who will construct the proposed work.

(2)(g) Where applicable, the applicant must provide the name and address of the person who prepared the plans and specifications of construction.

(h) Where applicable, the applicant must provide the name and address of the person who will construct the proposed work.

The change reflects comments received from the Joint Administrative Procedures Committee, which incorporates language required in Section 373.413, Florida Statutes.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.070
RULE TITLE: Durable Medical Equipment and Supplies

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 31, August 3, 2007 issue of the Florida Administrative Weekly has been withdrawn.

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."

**Section IV
Emergency Rules**

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."

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER08-29
RULE TITLE: Replacement of Obsolete Emergency Rule

SUMMARY: This emergency rule is replacing Rule 53ER08-15, F.A.C., which has been determined to be obsolete or unnecessary by the Department of the Lottery.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER08-29 Replacement of Obsolete Emergency Rule.

The following Department of the Lottery emergency rule relating to Lottery games or promotions is being replaced because the provisions of the rule are unnecessary. This rule shall replace the following Rule 53ER08-15, F.A.C.

Specific Authority 24.105(2), 24.109(1) FS. Law Implemented 24.109(1), 120.74(1)(c) FS. History—New 5-9-08. Replaces 53ER08-15, F.A.C.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: May 9, 2008

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."

**Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver**

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN THAT on May 8, 2008, the Criminal Justice Standards and Training Commission has issued an order.

Petitioner, Michael Christoff, requested a waiver of subsection 11B-27.00212(17), F.A.C., and CJSTC form 86A, to permit the use of a reduced-size target that simulated a 15 yard shoot in an 11 yard environment in a mobile shooting trailer. This request was received by the CJSTC staff on April 9, 2008. Notice of this petition was published in the Florida Administrative Weekly, Vol. 34, No. 17, on April 25, 2008. The Commission denied the requested waiver by Petitioner, Michael Christoff, at its regularly scheduled and noticed Business Agenda meeting held in Naples, Florida, on May 8, 2008. The Commission has reviewed similar requests in the past and has denied them. There was no demonstration that the application of the rule affected this Petitioner any differently from other similarly situated persons, or that the application of the rule violated the principles of fairness. The Petitioner also failed to show that the purposes of the underlying statute would be met by granting the requested waiver.

A copy of the Order may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302-1489, (850)410-7676.

NOTICE IS HEREBY GIVEN THAT on May 8, 2008, the Criminal Justice Standards and Training Commission has issued an order.

Petitioner, David Imparato, requested a waiver of Rule 11B-30.006, F.A.C., which requires officers to meet certain specific criteria before they will be granted a refund of fees paid for taking the State Officer Certification Examination. The Petition was received on April 29, 2008. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 34, No. 19, May 9, 2008. The Commission voted to deny the requested waiver at its regularly scheduled and noticed Business Agenda meeting held in Naples, Florida, May 8, 2008. The Petitioner failed to demonstrate that the operation