

(2)(a) Each local government entity that is determined to be a reporting entity, as defined by generally accepted accounting principles as defined in Section 218.31, F.S.;  
 The remainder of the rule remains as published.

**FINANCIAL SERVICES COMMISSION**

**Finance**

RULE NO.:                   RULE TITLE:  
 69V-85.006                Electronic Filing of Forms and Fees  
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 11, March 20, 2009 issue of the Florida Administrative Weekly. A Statement of Estimated Regulatory Cost (SERC) has been prepared and is available by contacting: Andrea Moreland, Cabinet Affairs Director, Office of Financial Regulation, The Fletcher Building, 200 E. Gaines Street, Suite 118, Tallahassee, Florida 32399; (850)410-9601; andrea.moreland@flofr.com.

**FINANCIAL SERVICES COMMISSION**

**Finance**

RULE NO.:                   RULE TITLE:  
 69V-160.036                Electronic Filing of Forms and Fees  
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 11, March 20, 2009 issue of the Florida Administrative Weekly. A Statement of Estimated Regulatory Cost (SERC) has been prepared and is available by contacting: Andrea Moreland, Cabinet Affairs Director, Office of Financial Regulation, The Fletcher Building, 200 E. Gaines Street, Suite 118, Tallahassee, Florida 32399; (850)410-9601; andrea.moreland@flofr.com.

**Section IV  
 Emergency Rules**

**DEPARTMENT OF LEGAL AFFAIRS**

**Division of Victim Services and Criminal Justice Programs**

RULE NO.:                   RULE TITLE:  
 2AER09-1                   Claims

**SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE:** The proposed emergency rule is necessary to maintain the solvency and financial integrity of the Crimes Compensation Trust Fund. Benefits are being paid at a rate the trust fund cannot continue to support according to an urgent directive from the agency budget director. There is an immediate danger to the public’s welfare because innocent crime victims depend on the trust fund to assist them in paying their crime related expenses. Without access to the medical benefits the trust fund provides, crime victims may not be able

to get the care they need, thereby impacting both the public’s health and safety, because the trust fund’s solvency to pay any benefits is in jeopardy.

**REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES:** The agency concludes this rulemaking procedure is fair under the circumstances, since the crime victims in the State of Florida must be able to make a claim for assistance and receive some benefits, even if it is at a reduced rate. Fiscal prudence dictates that benefits be reduced immediately, and the agency has statutory authority to pay reduced benefits when rules are promulgated (see Section 960.13(9)(b), F.S.).

**SUMMARY:** The emergency rule incorporates amendments to form BVC-P001 that will lower the mental health and domestic violence relocation benefits paid to some victims from the Crimes Compensation Trust Fund.

**THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS:** Ms. Gwen Roache, Bureau Chief, PL-01, The Capitol, Tallahassee, Florida 32399-1050

**THE FULL TEXT OF THE EMERGENCY RULE IS:**

2AER09-1 (2A-2.002) Claims.

Application and benefit payment criteria, limitations and procedures for victim assistance are provided in the publication entitled “Victim Compensation Assistance,” BVC-P001 (Rev. 5/09) (~~Rev. 9/07~~), effective 1-16-08, which is incorporated into these rules by reference. This publication is available by telephoning (850)414-3300, or via website at: [www.myfloridalegal.com/victims](http://www.myfloridalegal.com/victims). In addition, the following documents are incorporated into this rule by reference:

- (1) BVC 100, entitled “Victim Compensation Claim Form,” (rev. 3/03), effective 5-13-03.
- (2) BVC 100SF, entitled “Victim Compensation Claim Form” (Short Form), (10/99), effective 2-3-00.
- (3) BVC 102, entitled “Filing Time Explanation” (1/99), effective 8-17-99.
- (4) BVC 103, entitled “Reporting Time Explanation” (2/99), effective 8-17-99.
- (5) BVC 104, entitled “Non-Cooperation Explanation” (1/99), effective 8-17-99.
- (6) BVC 105, entitled “Domestic Violence Relocation Certification” (8/01), effective 10-23-01.
- (7) BVC 105A, entitled “Domestic Violence Relocation Expense Worksheet,” (8/01), effective 10-23-01.
- (8) BVC 211, entitled “Notice of Rights – Hearing Request,” (3/99), effective 8-17-99.
- (9) BVC 405, entitled “Employment Report,” (1/99), effective 8-17-99.
- (10) BVC 409, entitled “Treatment Statement,” (2/99), effective 8-17-99.
- (11) BVC 410, entitled “Disability Statement,” (1/99), effective 8-17-99.

(12) BVC 421, entitled “Notification of Possible Recoupment or Prosecution for Fraud” (8/01), effective 10-23-01.

Rulemaking Specific Authority 960.045(1) FS. Law Implemented 960.065, 960.07, 960.12, 960.13, 960.15, 960.16, 960.17, 960.18, 960.195 960.198 FS. History–New 1-1-92, Amended 11-1-92, 9-13-94, 1-8-96, 6-25-96, 10-1-96, 9-24-97, 8-17-99, 2-3-00, 10-23-01, 5-13-03, 1-16-08, 5-29-09.

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 29, 2009

**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.”

**STATE BOARD OF ADMINISTRATION**

RULE NO.: 19ER09-1  
 RULE TITLE: Reimbursement Contract

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The hurricane season, the effective date of the Florida Hurricane Catastrophe Fund Reimbursement Contract for the 2009-2010 Contract Year and the effective date of CS/CS/CS/HB 1495, passed by the 2009 Legislature is June 1, 2009. Therefore, time is of the essence in incorporating those changes made by CS/CS/CS/HB 1495, which impact the Reimbursement Contract. Key changes to the law which must be reflected in the Reimbursement Contract is the Legislature’s extension of the \$10 million optional FHCF coverage program to the current Contract Year and the reduction in the amount of Temporary Increase in Coverage Level (TICL) optional coverage. This Emergency Rule is the only way to implement the changes made to the optional coverage s in a timely manner.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: Hurricane Season begins on June 1st and there is no way to get the new legislative changes in place by that time unless an emergency rule is utilized. The emergency rule was authorized at a published meeting open to the public and is posted to the State Board of Administration’s web-site.

SUMMARY: Rule 19ER09-1 (19-8.010, Reimbursement Contract.) Current subsection (15) has been amended to reflect that the contract and addenda have been revised.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Jack E. Nicholson, Chief Operating Officer, Florida Hurricane Catastrophe Fund, State Board of Administration of Florida

THE FULL TEXT OF THE EMERGENCY RULE IS:

19ER09-1 (19-8.010) Reimbursement Contract.

(1) through (14) No change.

(15) The reimbursement contract for the 2009-2010 contract year, including all Addenda, required by Section 215.555(4), F.S., which is called Form FHCF-2009K-“Reimbursement Contract” or “Contract” between (name of insurer) (the “Company”)/NAIC # ( ) and The State Board of Administration of the State of Florida (“SBA”) which administers the Florida Hurricane Catastrophe Fund (“FHCF”), rev. 05/09, as amended, is hereby adopted and incorporated by reference into this rule. This contract is effective from June 1, 2009 through May 31, 2010.

(16) No change.

Rulemaking Authority 215.555(3) FS. Law Implemented 215.555 FS. History–New 5-31-94, Amended 8-29-95, 5-19-96, 6-19-97, 5-28-98, 5-17-99, 9-13-99, 6-19-00, 6-3-01, 6-2-02, 11-12-02, 5-13-03, 5-19-04, 8-29-04, 5-29-05, 11-13-05, 5-10-06, 9-5-06, 5-8-07, 8-13-07, 6-8-08, 9-2-08, 3-30-09, 5-28-09.

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 28, 2009

**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**

**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 BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT on May 1, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 which requires Fire Fighter Service Phase 1 and 2 from Stacia Scofero on behalf of Ironwood Twelfth Condominium Association in Sarasota (VW 2009-117).