

lock that is not accessible to children. Hot tubs and spas shall be required to have a safety cover that is locked when not in use.

4. Water safety devices shall be provided for residential pools. A shepherd's hook shall be provided securely attached to a one piece pole not less than 16 feet in length, and at least one 18 inch diameter lifesaving ring with sufficient rope attached to reach all parts of the pool from the pool deck. Safety equipment shall be mounted in a conspicuous place and be readily available for use.

Rulemaking Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.019, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Alan Abramowitz, Family Safety Director
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: George H. Sheldon, Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 11, 2010
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 22, 2010

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."

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NOS.:	RULE TITLES:
61K1-1.003	Licenses, Permits; Requirement, Procedure and Period, Fee
61K1-1.004	Weight Classes; Weigh-In; Pre-Match Physical of Participant and Referee
61K1-1.005	Promoter and Matchmaker; Licensing and Bond; Duties and Conduct

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. 36, No. 30, July 30, 2010 issue of the Florida Administrative Weekly.

These changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee in a letter dated August 27, 2010. The changes are as follows: 61K1-1.003(2)(b)3, shall read as:

The promoter or matchmaker shall be required to provide the proposed fight card not later than 7 calendar days prior to the proposed date of the program. The promoter or matchmaker shall utilize Form BPR-0009-456, entitled "Proposed Fight Card" (1/10), and Form BPR-0009-480 entitled "Pro Debut Information Sheet" (1/10), incorporated herein by reference. The forms can be obtained from the Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016, or at the Commission's website at: <http://www.myfloridalicense.com/dbpr/pro/sbc/index.html>. Once a promoter has identified a licensed matchmaker for a specific program of matches, any proposed matches submitted by the promoter will be deemed to be received from the matchmaker. The promoter or matchmaker will be allowed to propose additional matches until 12 noon on the day prior to the scheduled program of matches. After such time, matches may only be proposed if records can be verified to the satisfaction of the executive director and prior to the conclusion of the weigh-in. At the conclusion of the weigh-in no further matches may be proposed or approved. The executive director shall review the proposed fight card and, if he determines that all the proposed matches meet the requirements of Chapter 548, F.S., and the rules set forth herein, he shall approve the proposed fight card or match(es). If the executive director determines that the proposed fight card or match(es) is not in compliance with Chapter 548, F.S., or the rules set forth herein, the executive director shall not approve the proposed fight card and shall immediately advise the promoter or matchmaker that the proposed fight card has been disapproved and the reasons for the disapproval. Approvals and disapprovals may be communicated for individual matches comprising the proposed fight card.

61K1-1.004(2)(f), shall read as:

~~The participant shall be required to complete the first part of a participant information form which shall be provided by the commission. The participant shall utilize Form BPR-0009-455, entitled "Participant Information and Medical Sheet" (1/10), incorporated herein by reference and effective June 21, 2004.~~ This form can be obtained from the Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016. The participant shall also complete the first part of submit a completed Form BPR-0009-665, entitled "Dilated Ophthalmological Exam" (1/10), incorporated herein by reference. This form can be obtained from the Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016, or at the Commission's website at: <http://www.myfloridalicense.com/dbpr/pro/sbc/index.html>. Both of these forms must be completed by an examining physician certifying that the participant is able to engage in a match

~~before the participant can participate. Any participant who refuses to submit either of these completed forms shall not be allowed to engage in any match in Florida.~~

61K1-1.004(3)(a), shall read as:

Each participant shall, at the time of the weigh-in, be examined by a physician. The physician shall certify in writing the participant's physical condition and a professional assessment as to whether or not the participant may engage in the match. The physician shall, prior to the match, file with the commission representative a written report of examination of the participant, which report shall state whether or not, in the opinion of the physician, the participant is physically fit to engage in the match. No participant shall be permitted to engage in a match unless he has been examined and pronounced fit to do so by a physician. Physicians shall utilize the information provided on the front and complete the reverse side of Form BPR-0009-455, entitled "Participant Information and Medical Sheet" (1/10), ~~incorporated herein by reference and effective June 21, 2004.~~

61K1-1.005(1)(c)2, shall read as:

Any license issued to and in the name of a corporation shall not be transferable or assignable to another. If such corporation is no longer in business or no longer operates as the corporation, the license shall become void. If any officer of the corporation is added or deleted, the licensee shall, within 10 calendar days, notify the commission of such addition or deletion. A newly added officer shall be required to submit ~~an~~ Form BPR-0009-450, entitled "Application for License" (1/10), incorporated herein by reference. This form can be obtained from the Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016, or at the Commission's website at: <http://www.myfloridalicense.com/dbpr/pro/sbc/index.html>. ~~Promoter or Foreign Copromoter.~~

61K1-1.005(2)(d)1., shall read as:

Contracts between each participants and the promoter for each bout shall be filed with the commission no later than at the time of weigh-in and shall be on Form BPR-0009-466, entitled "Letter of Agreement Between Promoter and Participant" (1/10), incorporated herein by reference. The form can be obtained from the Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016, or at the Commission's website at: <http://www.myfloridalicense.com/dbpr/pro/sbc/index.html>., and shall contain:

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas Molloy, Executive Director, Florida State Boxing Commission, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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 HEALTH

Board of Medicine

RULE NO.: 64B8-1.007
 RULE TITLE: List of Approved Forms; Incorporation
NOTICE OF PUBLIC HEARING

The Board of Medicine hereby gives notice of a public hearing on Rule 64B8-1.007 to be held on Thursday, December 2, 2010, at 3:00 p.m., or as soon thereafter as can be heard, at the at the Renaissance Orlando, 5445 Forbes Place, Orlando, FL 32812.

The rule was originally published in Vol. 36, No. 36, of the September 10, 2010, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry McPherson, Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-4.009
 RULE TITLE: Applications
NOTICE OF PUBLIC HEARING

The Board of Medicine hereby gives notice of a public hearing on Rule 64B8-4.009, F.A.C., to be held on Thursday, December 2, 2010, at 3:00 p.m., or as soon thereafter as can be heard, at the at the Renaissance Orlando, 5445 Forbes Place, Orlando, FL 32812.

The rule was originally published in Vol. 36, No. 36, of the September 10, 2010, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry McPherson, Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please

contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.206
 RULE TITLE: Application for Pharmacist Licensure by Endorsement (Foreign Pharmacy Graduates)

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 39, October 2, 2009 issue of the Florida Administrative Weekly.

The rule number was published as 64B16-26.205, but the correct rule number is 64B16-26.206. The foregoing correction does not affect the substance of the Notice or the subsequent adoption of the rule.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kelli Ferrell, Acting Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.206
 RULE TITLE: Application for Pharmacist Licensure by Endorsement (Foreign Pharmacy Graduates)

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. 35, No. 39, October 2, 2009 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee and a vote by the Board at the October 12, 2010 meeting. The changes are as follows:

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

(1) All applications for licensure by endorsement must be made on form DH-MQA 1196, effective October 2010, Pharmacist Licensure by Endorsement Application and Instructions (Foreign Graduates), which is incorporated by reference, and shall be accompanied with a non-refundable endorsement application fee and initial licensure fee as set forth in Rules 64B16-26.1001 and 64B16.1002, F.A.C. Contact the Board of Pharmacy at 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254 or (850) 488-0595 to request a form or download the form from the Board’s website at <http://www.doh.state.fl.us/mqa/pharmacy>.

2. A Notice of Correction for the rule will publish on November 12, 2010 in the Florida Administrative Weekly. The Notice of Correction corrects the rule number by changing it to 64B16-26.206. The rule was inadvertently noticed as 64B16-26.205.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kelli Ferrell, Acting Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NO.: 69B-210.005
 RULE TITLE: Unlawful Inducements, Generally

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 43, October 29, 2010 issue of the Florida Administrative Weekly.

Notice is hereby given that the following correction has been made to the additional hearing notice published in the October 29, 2010 issue of the Florida Administrative Weekly. The hearing on Rule 69B-210.005, F.A.C., will be held on the following date and time:

DATE AND TIME: November 15, 2010, 9:30 a.m.

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

The prior notice incorrectly stated that the hearing on Rule 69B-210.005 would be held at 2:00 p.m. The public hearing on Rule 69B-210.010 will still be held at 2:00 p.m. on November 15, 2010 in Room 116 of the Larson Building.

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 proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 35, September 3, 2010 issue of the Florida Administrative Weekly.

Subparagraphs (4)(a)1. and 2. of Proposed Rule 69O-162.203 will now read:

1. On valuation dates beginning with December 31, 2010, for policies issued on or after January 1, 2005 for policies not issued in this state, and on or after June 8, 2005, for policies issued in this state, and prior to January 1, 2007 wherever issued, these tables may be substituted at the option of the

insurer and subject to the conditions of subsection (5), if the Regulatory Asset Adequacy Issues Summary required by rule Chapter 69O-138, F.A.C., includes, if applicable, the impact of the insufficiency of assets to support the payment of benefits and expenses and the establishment of statutory reserves during one or more interim periods.

2. On valuation dates beginning with December 31, 2010, these tables may be substituted by an insurer not domiciled in this state at its option to value the policies identified in (a)(1), if the insurer provides the office with a statement from the commissioner of its state of domicile that the conditions for substituting these tables required by that state have been met.

The remainder of the rule remains the same.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-164.020 RULE TITLE: Valuation of Life Insurance Policies
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. 36, No. 35, September 3, 2010 issue of the Florida Administrative Weekly.

Proposed Rule 69O-164.020(1)(a)1. will now read, “Tables of select mortality factors, identified as Appendix to Rule 69O-164.020, F.A.C., included as an Appendix to NAIC model regulation 830 effective January 1, 2000, which is hereby adopted by reference, and rules for their use;”

The remainder of the rule remains the same.

**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 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.”

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Verizon Florida LLC’s petition for waiver of subsection 25-4.040(2), Florida Administrative Code, filed June 14, 2010, in Docket No.: 100327-TL was denied by the Commission by Order No.: PSC-10-0599-PAA-TL, issued September 30, 2010, consummated by Order No.: PSC-10-0635-CO-TL, issued October 25, 2010. The rule addresses the requirement of a local exchange company to furnish one copy of the residential listings section of the telephone directory to its subscribers on an up front basis. The petition was denied; however, a temporary rule waiver for a period of two (2) years was granted. The Commission found that the waiver request recognized advances in technology while protecting the interests of subscribers who want to continue to receive a free printed residential white pages directory. The Commission granted a temporary rule waiver to allow Verizon Florida LLC and Commission staff an opportunity to solicit feedback from Florida consumers to determine how they feel about the discontinuance of an up-front copy of the residential white pages directory. Notice of the petition was published in the FAW on July 2, 2010. A copy of the Order can be obtained from the: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on October 14, 2010, the South Florida Water Management District (District) Governing Board has issued an order.

SFWMD Order No.: 2010-188-DAO-ROW was issued to Miami-Dade County Parks and Recreation Department (Application No.: 10-0524-1M). The petition for waiver was received by the District on June 15, 2010. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 36, No. 25, on June 25, 2010. No public comment was received. This Order provides a waiver of the District’s criteria to allow drainage improvements consisting of filling a ditch, installation of risers and French