

NAME OF PERSON ORIGINATING PROPOSED RULE: Al Willis, Director, Life and Health Financial Oversight, Office of Insurance Regulation  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Al Willis, Director, Life and Health Financial Oversight, Office of Insurance Regulation  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 15, 2007  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 11, 2007

violator is other than a business licensee, the registered name of the business licensee that employed the violator at the time of the violation and the county or city in which the violator's business address is located will listed. If the violator operated an unlicensed pest control business the name of the unlicensed business will also be listed.

Specific Authority 482.051, 5570.07(23) FS. Law Implemented 482.161, 482.163, 482.165, 570.07(36) FS. History--New 6-22-06, Amended\_\_\_\_\_.

### Section III Notices of Changes, Corrections and Withdrawals

**DEPARTMENT OF STATE**

**Division of Elections**

RULE NO.:	RULE TITLE:
IS-5.002	Voting System Equipment Regulations Supplement: Minimum Standards for Voter Verifiable Paper Audit Records

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 16, April 20, 2007 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services, Bureau of Entomology and Pest Control**

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
5E-14	Entomology – Pest Control Regulations
RULE NO.:	RULE TITLE:
5E-14.149	Enforcement and Penalties

NOTICE OF WITHDRAWAL:

Notice is hereby given that an amendment to the above rule, as noticed in Vol. 32, No. 28, July 14, 2006, Florida Administrative Weekly has been withdrawn. The text of the proposed amendment that is being withdrawn is:

5E-14.149 Enforcement and Penalties.

(1) through (10) No change.

(11) Quarterly List. All disciplinary actions taken by the department pursuant to Chapter 482, Florida Statutes or the rules adopted pursuant to it, shall be published as required in Section 482.161(9), F.S., and on the Department's website and shall include the identity of each individual or entity against which disciplinary action was taken, and a brief description of the offense and the disciplinary action, whether it was a warning letter, fine, probation, suspension or revocation. If the

**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 NOS.:	RULE TITLES:
40D-2.091	Publications Incorporated by Reference
40D-2.801	Water-Use Caution Areas

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 28, July 13, 2007 issue of the Florida Administrative Weekly has been withdrawn.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE NO.:	RULE TITLE:
40E-4.051	Exemptions From Permitting

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. 21, May 25, 2007 issue of the Florida Administrative Weekly.

40E-4.051 Exemptions From Permitting.

The District will exempt from regulation under Section 373, Part IV, F.S., those activities that the District determines will have only minimal or insignificant individual or cumulative adverse impacts on the water resources of the district. Exemptions from permitting under Chapters 40E-4, 40E-40 and 40E-400, F.A.C., are set forth below. The performance of activities pursuant to the provisions of the exemptions set forth in this section does not relieve the person or persons who are using the exemption or who are constructing or otherwise implementing the activity from meeting the permitting or performance requirements of other District rules. Nothing in this section shall prohibit the Department of Environmental Protection from taking appropriate enforcement action pursuant to Chapter 403, F.S., to abate or prohibit any activity

otherwise exempt from permitting pursuant to this section if the Department can demonstrate that the exempted activity has caused water pollution in violation of Chapter 403, F.S.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Hotels and Restaurants**

RULE NO.:                   RULE TITLE:  
61C-1.004                   General Sanitation and Safety Requirements

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 18, May 4, 2007 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE NO.:                   RULE TITLE:  
61G4-15.0021               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. The changes are as follows:

The Board voted to change paragraph (3)(b) to 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, 2006 December 13,
2. DBPR 0030, Attest Statement, 2006 December 13,
3. If applicable, DBPR 0050, Explanatory Information for Background Questions, 2006 December 13,
4. If applicable, DBPR 0060, General Explanatory Description, 2006 December 13,
5. DBPR CILB 4356, Bond Application, 2006 December 13,

The forms may be obtained via internet at <http://www.myflorida.com/dbpr/>, 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 Rules 61G4-15.005 and 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 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 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.:                   RULE TITLE:  
62-343.110                   Duration of Permits  
**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. 25, June 22, 2007 issue of the Florida Administrative Weekly.

62-343.110 Duration of Permits.

(1) Unless revoked, extended or otherwise modified, the duration of a permit under this Chapter is:

(d) No change.

1. The permittee or authorized agent has, within thirty (30) days after completion of construction of the permitted activity, filed a written statement of completion and certification by a registered professional or other individual as required by Chapter 471, 472, 481 or ~~492~~ 493, F.S., utilizing Form 62-343.900(5), indicating that the system is constructed and ready for inspection, and complied with all other general and specific conditions of the permit; and

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May ~~4~~ 25, 2007

**DEPARTMENT OF JUVENILE JUSTICE**

**Residential Services**

RULE NOS.:                   RULE TITLES:  
63E-7.006                   Quality of Life and youth Grievance Process  
63E-7.007                   Youth Hygiene and Dress Code  
63E-7.008                   Facility and Food Services  
63E-7.009                   Behavior Management

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 27, July 6, 2007 issue of the Florida Administrative Weekly. The notice of proposed

rule development was published in the May 25, 2007, Florida Administrative Weekly. The publication date was inadvertently omitted from the original notice.

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE NO.: 64B9-15.003  
 RULE TITLE: Eligibility for Certification  
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 31, No. 44, November 4, 2005 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NO.: 64B14-1.004  
 RULE TITLE: Address of Record and Place of Practice  
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 45, November 9, 2006 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Division of Family Health Services**

RULE NO.: 64F-20.002  
 RULE TITLE: Criteria for Distributing Monies  
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 20, May 18, 2007 issue of the Florida Administrative Weekly.

The changes are in response to written comments received from the Joint Administrative Procedures Committee (JAPC) and the Florida Council Against Sexual Violence (FCASV). The rule is amended to address concerns raised by JAPC and FCASV and shall read as follows:

- (1)(a) No change.
- (b) If governed by a board of directors, the rape crisis center’s board of directors must meet no less than four times out of the year;
- (c) The rape crisis center must have been in operation for at least a year;
- (d) No change.
- (e) A rape crisis center must complete and submit a rape crisis trust fund survey form, DH 3230, 7/07, to the Florida Department of Health Sexual Violence Prevention Program on or before March 31st of each year. The Rape Crisis Trust Fund Survey as published May 18, 2007, is incorporated by reference and a copy of the form may be obtained from <http://www.doh.state.fl.us/Family/svpp/index.html> or writing

to the Florida Department of Health, Sexual Violence Prevention Program, 4052 Bald Cypress Way, BIN #A-13, Tallahassee, Florida 32399-1723; and,

- (f) No change.
- (2) through (5) No change.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elvira Hanson, 4052 Bald Cypress Way, Bin A-13, Tallahassee, Florida 32399

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

RULE NO.: 65A-1.712  
 RULE TITLE: SSI-Related Medicaid Resource Eligibility Criteria  
 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. 24, June 15, 2007 issue of the Florida Administrative Weekly.

IF REQUESTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: August 13, 2007, 1:30 p.m.  
 PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pat Whitford, Economic Self-Sufficiency Services, Phone (850)410-3479

THE FULL TEXT OF THE PROPOSED RULE CHANGE:

- (3) Transfer of Resources and Income.
- (e) Each individual shall be given the opportunity to rebut the presumption that a resource or income was transferred for the purpose of qualifying for Medicaid eligibility. No period of ineligibility shall be imposed if the individual provides proof that they intended to dispose of the resource or income at fair market value or for other valuable consideration, or provides proof that the transfer occurred solely for a reason other than to become Medicaid eligible or if the individual’s total countable resources (including the transferred resources) are below the program limits.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.903, 409.904, 409.906, 409.919 FS. History—New 10-8-97, Amended 1-27-99, 4-1-03, 9-28-04, 8-10-06(1), 8-10-06(2), 8-10-06(3), \_\_\_\_\_.