

alternatively, the item shall be relocated to its assigned location and custodian or custodian's delegate shown in the individual property record.

(b) Items not located during the inventory process shall be promptly reported to the custodian or the custodian's designee (who shall be an individual other than the custodian's delegate responsible for the unaccounted for property) and the custodian shall cause a thorough investigation to be made. If the investigation determines that the item was stolen, the individual property record shall be so noted and a report filed with the appropriate law enforcement agency describing the missing item and the circumstances surrounding its disappearance.

(7) Unaccounted for Property – For items identified as unaccounted for, recording the items as dispositions or otherwise removing the items from the property records shall be subject to approval of the State’s Chief Financial Officer as provided in Section 17.04, F.S., and Rule 69I-21.002, F.A.C.

Specific Authority 273.02 FS. Law Implemented 273.02 FS. History–New_____.

69I-72.007 Capitalization of Property.

For statewide financial reporting purposes, all tangible personal property with a value or cost of \$1,000 or more and having a projected useful life of one year or more must be capitalized. Any hardback book with a value or cost of \$25 or more and having a useful life of one year or more that is circulated to students or the general public, and any hardback book with a value or cost of \$250 or more that is not circulated must be capitalized.

Specific Authority 273.025 FS. Law Implemented 273.025 FS. History–New_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Molly Merry, Chief, Bureau of Accounting

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Doug Darling, Director, Division of Accounting and Auditing

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 10, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 28, 2007

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF COMMUNITY AFFAIRS
Division of Housing and Community Development

RULE NO.: 9B-7.0042
RULE TITLE: Florida Accessibility Code for Building Construction

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. 22, June 1, 2007 issue of the Florida Administrative Weekly.

9B-7.0042 Florida Accessibility Code for Building Construction.

The 1997 Florida Accessibility Code for Building Construction (the Code) is adopted by reference as the rule of this Commission, effective October 1, 1997. The 2001 and 2004 revisions to the Code are herein incorporated into this rule by reference and shall take effect on the effective date of this rule. Copies of the Code and the 2001 and 2004 revisions are available by writing to the Codes and Standards Section, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

Section 11-4.6.4 is amended: Each such parking space must be prominently outlined with blue paint, and must be repainted, when necessary, to be clearly distinguishable as a parking space designated for persons who have disabilities and must be posted with a permanent above grade sign of a color and design approved by the Department of Transportation which is placed on or at a distance of 84 inches above the ground to the bottom of the sign and which bears the international symbol of accessibility, ADAAG s. 4.30.7 and the caption “PARKING BY DISABLED PERMIT ONLY”. Such sign erected after October 1, 1996 must indicate the penalty for illegal use of the space.

[No change to the remaining text of Section 11-4.6.4.]

~~Section 11-4.7.3 is amended: Width. The minimum width of a curb ramp shall be 36 inches (915 mm), exclusive of flared side.~~

Specific Authority 553.503 FS. Law Implemented 553.503 FS. History–New 9-14-97, Amended 10-31-99, 1-20-02,_____.

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.”

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-3.2085
RULE TITLE: Department and Services

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 39, September 28, 2007 issue of the Florida Administrative Weekly.

This change is based on written material received on the date of the public hearing held on October 30, 2007.

The proposed rule text is being changed in subparagraph 59A-3.2085(17)(a)7., F.A.C., to read as follows:

59A-3.2085 Department and Services.

(17)(a)7. Hospitals with Level II adult cardiovascular services programs must renew their licenses at the time of the hospital licensure renewal, providing the information in two through four above. Failure to renew the hospital's license or failure to update the information in two through four above shall cause the license to expire.

All other proposed rule text remains the same as published in Vol. 33, No. 39, September 28, 2007 issue of the Florida Administrative Weekly.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NO.: 61A-5.0105 RULE TITLE: Beverage Licenses, New Quota Issue
 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. 29, July 20, 2007 issue of the Florida Administrative Weekly.

61A-5.0105 Beverage Licenses, New Quota Issue.

The division will follow the below listed procedures when entry forms are accepted for inclusion in the drawing for the right to apply for new state liquor licenses authorized by Florida Law, when they become available by reason of an increase in the population of a county voting to permit the sale of intoxicating beverages when such sale had previously been prohibited, or by revocation of a license as provided in Section 561.19(2)(a), F.S.:

(1) The entry period for each quota alcoholic beverage drawing shall begin on the third Monday in August of each year issuance of quota alcoholic beverage licenses has been authorized, and last 45 days. The division shall publish legal notices in the Florida Administrative Weekly and on AB&T's page of the Department of Business and Professional Regulation's web site at: <http://www.myflorida.com/dbpr/abt/>. Each legal notice published will include the deadline for filing entry forms, the number of licenses available for issuance in each county and the location of the division's office where entry forms may be obtained.

(2) All persons seeking entry into each drawing shall file DBPR form ABT-6033, QUOTA LICENSE DRAWING ENTRY FORM, effective _____ and incorporated herein, together with the non-refundable filing fee stated on the form. The entry form shall be delivered to the division on or before the final date, set forth in the legal notice. Forms not complete, not signed, or not accompanied by the required non-refundable filing fee shall result in a deficiency letter. Corrected entry

forms must be delivered to the division on or before fourteen (14) days from the date of the deficiency letter. The division will not grant any other extensions of time. This form is available on the division's Internet website, from any division office, by e-mail or phone request to the department, or by writing to Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399.

(3) A list of all entrants selected may be obtained from any of the division's offices.

(4) The division shall notify those entrants who are selected as a result of the double random selection drawing by certified mail. Such notification will be sent to the mailing address listed on the entry form or subsequently filed with the division. It shall be the entrant's responsibility to maintain a correct mailing address with the division.

(5) All entrants selected for the opportunity to apply for licenses shall file a completed application, referenced in Rule 61A-5.010, F.A.C. Failure to file a completed application package within 45 days of the date of the selection notice, shall result in the denial of the application filed.

(6) When any application has been disapproved and all hearings and appeals, pursuant to Sections 120.57 and 561.19(5), F.S., have been completed, the division shall notify the next person in order of priority from the random drawing by certified mail of their opportunity to obtain an available license in accordance with the procedures for notifying the originally selected parties. The division shall follow such procedure until all available licenses have been awarded.

(7) Any person or persons who have been selected for licenses shall not be prohibited from having the license issued in the name of a corporation, or other legal entity, if 100% of the business is owned by the person or persons listed on the winning entry form for inclusion in the drawing.

(8) For the purposes of this section, "more than one applicant" shall mean that an entrant may have a direct or indirect interest in only one application in each county for which a license is available, but may file separate entry forms for licenses in different counties for an opportunity to obtain an available license.

(9) For the purposes of this section, "method of double random selection by public drawing" shall mean a computer program which determines the order of selection for the director as prescribed in Section 561.19(2)(a), F.S.

Specific Authority 561.11 FS. Law Implemented 120.57, 561.14, 561.15, 561.17, 561.18, 561.19, 561.20 FS. History--New 1-20-97, Amended 1-8-98, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NO.: RULE TITLE:
61A-5.747 Quota License Drawing Entry Form
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. 29, July 20, 2007 issue of the Florida Administrative Weekly.

61A-5.747 Quota License Drawing Entry Form.

(1) DBPR form ABT-6033, QUOTA LICENSE DRAWING ENTRY FORM, incorporated herein by reference and effective _____, must be used by an entrant to gain entry into a quota license drawing. This form is available on the division’s Internet website, from any division office, by e-mail or phone request to the department, or by writing to Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399.

(2) The information contained in the form must be affirmed and must be completed by all parties listed on the entry form or an authorized representative.

(3) The division will only accept entry forms which are complete. A complete entry form includes the payment required to enter the drawing. Incomplete entry forms delivered to the division will result in a deficiency letter advising the reason the entry form is incomplete. Entrants must deliver corrected entry forms to the division on or before fourteen (14) days from the date of the deficiency letter. The division will not grant any other extensions of time.

Specific Authority 561.08, 561.11 FS. Law Implemented 561.08, 561.17, 561.19, 561.20 FS. History—New 3-6-90, Amended 6-28-90, 5-24-92, Formerly 7A-5.747, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: RULE TITLE:
61G4-12.011 Definitions
CORRECTED 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. 32, August 10, 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 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:
62-304.600 Tampa Bay Basin TMDLs
CORRECTED 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 JUVENILE JUSTICE

Residential Services

RULE NOS.: RULE TITLES:
63E-7.012 Transfer, Release and Discharge
63E-7.014 Staff Training
63E-7.015 Research Projects
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. 33, August 17, 2007 issue of the Florida Administrative Weekly.

- 63E-7.012 Transfer, Release and Discharge.
- (1) No change.
 - (2) Release.

(a) When planning for the release of any youth who is clearly not subject to involuntary commitment as a Sexually Violent Predator (SVP), a residential commitment program shall comply with the following provisions.

1. through 3. No change.
4. Prior to a youth’s release, the program shall comply with the following departure procedures:
 - a. Arrange transportation as necessary; and
 - b. Conduct a property inventory of the youth’s personal possessions in the presence of the youth, documenting the inventory and verifying its accuracy with signatures of the staff

conducting the inventory, the youth, and a witness. The program shall reconcile any differences between the intake and release inventories. However, no release inventory is required if there is documentation that the program sent the youth's personal possessions home at the time of admission or intake.

(b) No change.

(c) In addition to complying with the provisions of paragraph (2)(a) or (2)(b) of this section of this rule chapter, when planning for the release of any sex offender whose is identified on his or her commitment packet as being subject to registration requirements pursuant to offense is specified in Section 943.0435, F.S., and who is subject to registration requirements pursuant to Section 985.481, F.S., a residential commitment program shall:

1. ~~Take~~ a digitized~~ed~~ photograph of the youth within 60 days prior to release. Prior to the youth's release, the program shall and download the image into JHS or provide the digitized photograph it to the youth's JPO for inclusion in the youth's file; and

2. Explain the registration requirements to the youth prior to release and obtain a signed statement wherein the youth acknowledges that he or she understands the requirement to register at the sheriff's office when he returns to his county of residence.

(3) through (5) No change.

Specific Authority 985.64, 985.601(3)(a), 20.316 FS. Law Implemented 985.601(3)(a), 985.03(44), 985.441(1)(b) FS. History—New _____.

63E-7.014 Staff Training.

~~(1) A residential commitment program shall ensure that the provision and documentation of pre-service or certification training and in-service training for direct care staff, including documentation of training,~~ is consistent with Chapters 63H-2 and 63H-1, F.A.C.

~~(2) A residential commitment program shall ensure that each non-direct care staff receives pre-service and in-service training commensurate with his or her assigned job duties, including PAR training when required pursuant to Chapter 63H-1, F.A.C. Additionally, the program shall include the following topics in pre-service training for non-direct care staff having direct contact with youth as part of their assigned job duties:~~

~~(a) Orientation to include the program's mission, philosophy and treatment approach, incident reporting, child abuse reporting, and confidentiality pursuant to Section 985.04, F.S.;~~

~~(b) Professionalism and ethics;~~

~~(c) Unique needs and treatment issues of the program's targeted population;~~

~~(d) Restorative justice principles and their application in the program;~~

~~(e) Program-specific safety and security procedures, including the program's COOP and Disaster Plan; and~~

~~(f) Implementation of the program's behavior management system.~~

~~(3) In order to specify the minimum required training and any additional training that the program deems necessary, a residential commitment program shall develop and implement a written annual training plan that addresses training for non-direct care staff. This plan, which specifies training topics, projected training dates, and targeted participants by staff types or classes, shall be consistent with training requirements pursuant to Chapter 985, F.S., this rule chapter, Chapter 63H-1, F.A.C., and any additional staff training specified in a provider's contract with the department.~~

~~(4) A residential commitment program shall document training for each non-direct care staff consistent with the documentation requirements specified in Chapter 63H-2, F.A.C., for direct care staff.~~

~~(5) A residential commitment program shall ensure that any other service provider regularly on site in the program receives orientation and training commensurate with his or her assigned role and function. This training shall include professionalism and ethics, safety and security, abuse and incident reporting, confidentiality pursuant to Section 985.04, F.S., and other topics as deemed necessary by the program.~~

Specific Authority 985.64, 985.601(3)(a), 985.601(8), 20.316 FS. Law Implemented 985.601(3)(a), 985.601(8) FS. History—New _____.

63E-7.015 Research Projects.

(1) through (2) No change.

(3) The principal investigator, meaning the person who requested the IRB to review the research proposal and who is conducting and/or directing the research project, shall ensure any department approved research project is implemented as approved by the department.

(a) The principal investigator shall secure authorization from the IRB prior to implementing any changes in the approved research design and methodology. Additionally, the principal investigator shall report any anticipated and unanticipated problems and changes involving risk to subjects and others to the IRB director for review.

(b) The DJJ Secretary or designee may suspend or terminate department approval if there is unapproved deviation from the approved research protocol and stated terms and conditions of approval and shall notify the principle investigator of the suspension or termination in writing.

1. Within 30 days of receipt of the written notification, the principle investigator may appeal the suspension or termination in writing to the DJJ Secretary or designee.

2. Within 30 days of receipt of an appeal, the Secretary or designee shall notify the principle investigator in writing of the appeal decision. Any violation or deviation from IRB requirements, approved research protocol, or human subjects may result in termination of departmental approval.

(4) through (5) No change.

Specific Authority 985.04, 985.64, 20.316 FS. Law Implemented 985.04 FS. History--New _____.

DEPARTMENT OF HEALTH

Board of Pharmacy

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

CORRECTED NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 21, May 25, 2007 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.:	RULE TITLE:
64B16-27.230	Fluoride Containing Products

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

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-12.003	Water Supply
64E-12.004	Food Service
64E-12.005	Housing
64E-12.006	Insect and Rodent Control
64E-12.007	Bedding, Towels, Clothing and Personal Items
64E-12.008	Laundry
64E-12.009	Poisonous or Toxic Substances
64E-12.010	Garbage and Rubbish
64E-12.011	Recreational Areas
64E-12.012	Radon Testing

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. 45, November 9, 2007 issue of the Florida Administrative Weekly.

The changes are made in response to comments received from the Joint Administrative Procedures Committee, the public hearing, and comments received during the time period allowed for submission of materials.

Paragraph 64E-12.003(1)(d) has been changed so that when adopted it will read: "Laboratory test results must be submitted to the local county health department in writing by the testing laboratory."

Subsection 64E-12.003(2) has been changed so that when adopted it will read: "Drinking water shall be accessible to all residents. When drinking fountains are available, they shall be designed in compliance with the applicable plumbing provisions of the State Building Code, as adopted in Rule 9B-3.047, F.A.C. When no approved drinking fountains are available, residents shall be provided with single service cups or clean drinking utensils which shall be stored and dispensed in a manner to prevent contamination. Common drinking cups are prohibited."

Subsection 64E-12.004(1) has been changed so that when adopted it will read: "Tier I. Facilities meeting the definition of "adult family-care home" regardless of the number of residents as defined in Section 429.65(2), F.S., and other community based residential facilities with a maximum capacity to house up to 5 residents, shall comply with the following requirements:

Paragraph 64E-12.004(2)(b) has been changed so that when adopted it will read: "Facilities opening, initially licensed by the licensing agency, or renovating on or after January 1, 2008 shall, prior to construction or renovation of a food service operation or prior to substantial facility renovation, notify the department and provide plans of the proposed construction or renovation, for review and approval at least 90 days prior to the start of the project. Plans shall be submitted by the owner, prospective operator, or their designated representative. All plans shall be in compliance with this section, shall be drawn to scale, describe the layout, construction, finish schedule, general operation of the facility, equipment design and installation, and similar aspects of the facility's food service operation. A copy of the intended menu shall be provided to the department as part of the plan review."

Paragraph 64E-12.004(2)(f) has been changed so that when adopted it will read: "A handwashing sink, provided with hot and cold running water under pressure, shall be located within the food preparation area. A sign must be posted clearly designating the sink for handwashing purposes. A hand washing sink shall not be used for any other purpose. Facilities inspected and approved by the department prior to January 1, 2008, are exempt from this requirement until such time as kitchen renovation will occur or substantial renovation will occur at the facility."

Paragraph 64E-12.004(2)(g) has been changed so that when adopted it will read: "In addition to the designated one compartment handwashing sink in paragraph (f) above, a two

compartment sink or one compartment sink and a residential use dishwasher shall be provided for warewashing. Notwithstanding the provisions in paragraph (f) above, if a facility has a two compartment sink and a residential dishwasher, one compartment of the two compartment sink can be designated as a handwashing sink when labeled and used exclusively as such. Existing facilities shall have until December 31, 2008, to comply with this requirement.”

Subsection 64E-12.004(3) has been changed so that when adopted it will read: “Tier III. If food service is provided in a hospice facility, or a facility with a maximum capacity of 11 or more residents, it shall comply with Chapter 64E-11, F.A.C. Existing facilities shall have until December 31, 2008, to comply with the requirements of Chapter 64E-11, F.A.C., except for item (b) below.”

Paragraph 64E-12.004(3)(b) has been changed so that when adopted it will read: “Facilities with capacities of 11-24 residents that have been in continuous operation since initial regulation or licensing by the department prior to January 1, 2008, are exempt from subsection 64E-11.008(7), F.A.C., until the facility remodels the kitchen or dining area, or substantially remodels the facility.”

Subsection 64E-12.005(1) has been changed so that when adopted it will read: “The facility shall provide safe and sanitary housing free from objects, materials, and conditions of an environmental origin that constitute a danger to the residents.”

Subsection 64E-12.005(10) has been changed so that when adopted it will read: “Plumbing shall be maintained in compliance with the requirements of the applicable plumbing provisions of the State Building Code, as adopted in Rule 9B-3.047, F.A.C. and Chapter 553.06, F.S.”

Subsection 64E-12.006(1) has been changed so that when adopted it will read: “Effective control measures shall be utilized to minimize the presence of rodents, flies, cockroaches and other vectors and vermin on the premises. The primary means of pest control shall be the use of integrated pest management (IPM) systems and tools. IPM tools, such as “Integrated Pest Management for Schools: How-to Manual,” dated May 2, 2006, which are recognized by the United States Environmental Protection Agency, are approved practices for the control of pests throughout a residential facility. The manual is available at: <http://www.epa.gov/pesticides/ipm/schoolipm/index.html> or by writing for a free copy to EPA Pesticides Section, U.S. EPA Region 9, 75 Hawthorne Street (CMD-5), San Francisco, CA 94105. Use of IPM systems and tools does not restrict the use of licensed pest control companies or individuals.”

Subsection 64E-12.008(2) has been changed so that when adopted it will read: “Laundry rooms shall have fixtures that provide at least 30 foot-candles of illumination, be kept clean and free of lint build-up, and be properly ventilated as

specified in the applicable building provisions of the State Building Code, as adopted in Rule 9B-3.047, F.A.C. Lighting will be measured 30 inches above the floor. Clothes dryers shall be vented to the exterior. Carts used for transporting dirty clothes, linens and towels shall not be used for transporting clean articles unless the carts have been thoroughly cleaned and sanitized.”

Paragraph 64E-12.0011(3)(c) has been changed so that when adopted it will read: “A community based residential facility with a pool or spa not currently regulated by Chapter 64E-9, F.A.C., shall minimally, regardless of construction date, meet the barrier requirements in one of the following references: section 424.2.17 through 424.2.17.3 of the 2004 Florida State Building Code for private swimming pools or Section 515.29, F.S.”

Rule 64E-12.012 has been changed so that when adopted it will read: “Radon Testing shall be conducted in accordance with requirements listed in Section 404.056(4) of the Florida Statutes. Radon testing information can be obtained at 1(800)543-8279.”

FINANCIAL SERVICES COMMISSION

Office of Insurance Regulation

RULE NOS.:	RULE TITLES:
69O-171.002	General Reporting Requirements
69O-171.008	Insurer Experience Reporting – Calendar Year Experience

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 September 21, 2007, in Vol. 33, No. 38 on of the Florida Administrative Weekly. These changes are being made to address concerns expressed by the Joint Administrative Procedures Committee. The new Rules 69O-171.002 and .008 will read:

69O-171.002 General Reporting Requirements.

(1) Forms incorporated by reference in Division Number 69O these rules are available on the Office’s website: <http://www.floridaflds.com>.

(2) All filings shall be submitted electronically to <https://iportal.flds.com>.

(3) All forms shall be filled out completely in accordance with their instructions. If an insurer is without any data required by these rules to be reported, it shall nevertheless complete and file the prescribed form or forms as directed in the instructions associated with each form by writing “none” in the appropriate spaces, and file the form or forms with the Office in the prescribed manner.

~~(4)(a) Any insurer or insurer group which does not write at least 1/2 percent of the Florida market, based on written premiums, shall not be required to complete and submit to the Office the forms prescribed by Rule 69O 171.008, F.A.C.~~

~~Instead of completing form OIR-308, "Calendar Year Experience" as adopted in Rule 690-171.008, F.A.C., the insurer shall list each line of insurance that is less than 1/2 percent of the market and list the corresponding written premiums for each of these lines of insurance.~~

~~(b) In calculating the percentage of market, an insurer shall only use the figure for the preceding year's total premiums written in the state as compiled by the Office based upon the annual statements submitted by insurers.~~

Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 627.915(5), 627.918(1) FS. History--New 1-16-83, Amended 7-1-85, Formerly 4-59.09, 4-59.009, Amended 6-4-92, 1-2-02, Formerly 4-171.002, Amended 9-15-05,_____.

690-171.008 Insurer Experience Reporting – Calendar Year Experience.

(1) Any insurer authorized to transact fire, homeowner's, multiple peril, commercial multiple peril, medical malpractice, product liability, workers' compensation, private passenger automobile liability, commercial automobile liability, private passenger automobile physical damage, commercial automobile physical damage, directors' and officers', or other liability insurance shall report, for each such line of insurance, the information required by Section 627.915(2), F.S., Section 627.915(5), F.S. or required by rule, on data reporting form OIR-D0-308 (Revised 02/2007) "Florida Property and Casualty Insurance Calendar Year Experience" Form OIR-B1-308 (Rev. 07/03), "Calendar Year Experience", which is hereby incorporated by reference, ~~and is available and is to be completed and submitted on the Office's website: <http://www.fldfs.com/DI4-308>.~~

(2) Reports for the preceding calendar year are due on or before April 1 of each year.

Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 624.424(1)(c), 627.915(2), (5) 627.918(1) FS. History--New 1-16-83, Amended 7-1-85, Formerly 4-59.07, Amended 6-15-88, Formerly 4-59.007, 4-171.008, Amended 9-15-05,_____.

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.: RULE TITLE:
53ER07-68 Payment of Prizes

SUMMARY: This emergency rule replaces Emergency Rule 53ER06-04 and sets forth the procedures that the Florida Lottery shall apply to awarding prizes.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER07-68 Payment of Prizes.

(1) Claiming Prizes. For purposes of this rule, the provisions for claiming a prize as set forth in paragraph 24.115(1)(f), Florida Statutes, will be deemed satisfied upon the claimant meeting the following requirements:

(a) On-line Game Prizes.

1. For on-line game prizes, the claimant must submit the winning on-line ticket for validation at a Lottery office or retailer on or before the 180th day after the winning drawing. Winning on-line tickets submitted to the Lottery by mail for validation must be addressed to the Lottery's prize payment address in an envelope postmarked on or before the 180th day after the winning drawing.

2. If the claimant is not paid at the time of ticket validation, he or she must submit the validated on-line winning ticket, along with the documents specified in subparagraph (14)(c) below, for prize payment at a Lottery office on or before the 210th day after the winning drawing. If the claimant chooses to submit the validated on-line winning ticket for prize payment by mail, the ticket and all required documents must be sent to the Lottery's prize payment address and received by the Lottery on or before the 210th day after the winning drawing. Failure of a claimant to submit all required documentation, and receipt by the Lottery thereof, on or before the 210th day after the winning drawing shall result in forfeiture of the prize.

(b) Instant Game Prizes.

1. For instant game prizes, the claimant must submit the winning instant ticket for validation at a Lottery office or retailer on or before the 60th day after the official end of the game. Winning instant tickets submitted to the Lottery by mail for validation must be addressed to the Lottery's prize payment address in an envelope postmarked on or before the 60th day after the official end of the game.

2. If the claimant is not paid at the time of ticket validation, he or she must submit the validated instant winning ticket, along with the documents specified in paragraph (14)(c) below, for prize payment at a Lottery office on or before the 90th day after the official end of the game. If the claimant chooses to submit the validated instant winning ticket for prize payment by mail, the ticket and all required documents must be