

Specific Authority 327.04, 327.46 FS. Law Implemented 327.46 FS. History—New 2-25-96, Formerly 62N-24.143, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Captain Alan Richard, Assistant General Counsel, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Fish and Wildlife Conservation Commission sitting as agency head

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 1, 2008

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.:	RULE TITLE:
69O-197.006	Insurance Administrator Annual Report

PURPOSE AND EFFECT: To adopt a form Insurance Administrators must submit to the Office of Insurance Regulation to submit financial information.

SUMMARY: Rule adopts the annual report forms used by administrators, which insurance administrators must submit to report financial information to the Office.

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: 626.8991 FS.

LAW IMPLEMENTED: 626.89 FS.

IF REQUESTED WITHIN 21 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: November 24, 2008, 9:30 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sandra DuPont, Specialty Product Administration, Office of Insurance Regulation, E-mail: Sandra.DuPont@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sandra DuPont, Specialty Product Administration, Office of Insurance Regulation, E-mail: Sandra.DuPont@flor.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69O-197.006 Insurance Administrator Annual Report.

(1) The form adopted in subsection (2) below, is a form that Insurance Administrators must submit to the Office of Insurance Regulation to report financial information. This form may be viewed at the Office’s website: <http://www.flor.com/pdf/OIR-A3-975.pdf>.

(2) Form OIR-A3-975, “Insurance Administrator Annual Report” (REV 06/06), is hereby incorporated by reference and is to be submitted to the Office of Insurance Regulation to report financial information.

(3) All forms submitted for review or approval shall be submitted electronically to <https://iportal.fldfs.com>.

Specific Authority 626.89(1), 626.8991 FS. Law Implemented 626.89 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Sandra DuPont, Specialty Product Administration, Office of Insurance Regulation, E-mail: Sandra.DuPont@flor.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: THE FINANCIAL SERVICES COMMISSION

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 14, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 22, 2008

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-6.03018	Special Programs for Students with Specific Learning Disabilities

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 38, September 19, 2008 Florida Administrative Weekly has been continued from October 21, 2008 to December 2, 2008.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
 6A-10.0342 Vocational Education Program
 Performance Reporting

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 38, September 19, 2008 Florida Administrative Weekly has been continued from October 21, 2008 to December 2, 2008.

DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE:
 14-91.007 Selection and Award Process

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 42, October 19, 2007 issue of the Florida Administrative Weekly has been withdrawn.

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

Construction Industry Licensing Board

RULE NO. RULE TITLE:
 61G4-21.005 Payment of Claims

NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 7, of the February 15, 2008, issue of the Florida Administrative Weekly. Paragraph 2 is language that was previously approved by the Board. The change in paragraph 3 is in response to comments submitted by the Joint Administrative Procedures Committee in letters dated March 11, 2008 and May 12, 2008. The changes are as follows:

61G4-21.005 (3) of the rule shall read as:

(3) No claimant eligible for, or currently receiving, restitution under a civil or criminal restitution order or other repayment plan shall be eligible to recover from the Fund until two or more payments have been missed. Prior to receiving any payments, such a claimant shall provide the Board with a written statement indicating with a notarized signature of the claimant affirmation stating any amount received to date under such an order or plan, the date and amount of the last payment, and how much is still due and owing under such an order or plan.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: G. W. Harrell, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257

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 Nursing

RULE NO.: RULE TITLE:
 64B9-7.001 Fees

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. 33, August 15, 2008 issue of the Florida Administrative Weekly.

This change was made to address concerns raised by the Joint Administrative Procedures Committee. The change is as follows:

The proposed subsection 64B9-7.001(18) is deleted.

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

RULE NO.: RULE TITLE:
 69J-7.006 Grants Directly from the Department
 to Homeowners

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. 25, June 20, 2008 issue of the Florida Administrative Weekly.

These changes are being made to address concerns expressed by the Joint Administrative Procedures Committee.

(1) through (2) No change.

(3) Eligibility for Grants.

(a) No change.

(b) "Wind-borne debris region."

1. Section 215.5586(2)(a)4., Florida Statutes (2007), limits grants to "Wind-borne debris region as that term is defined in Section 1609.2, International Building Code (2006)." The preceding phrase, as implemented by the Department under Section 215.5586(2)(a)4., Florida Statutes, is the geographic area determined by the Florida Building Commission to be the State of Florida's Wind-Borne Debris Region, depicted in figure 1609 and figure R301.2(4) of the Florida Building Code (2007 Supplement). Figure 1609 and figure R301.2(4) of the Florida Building Code (2007 supplement) are hereby adopted and incorporated by reference into this rule. The Florida

Building Code, including the cited figures, is available online at the website of the Florida Building Commission, at http://www2.iccsafe.org/states/2004_florida_codes.

2. through 4. No change.

(c) through (f) No change.

(4) Application for Grant.

(a) The following information must be supplied to the Department by a grant applicant:

1. through 4. No change.

5. Whether the applicant is applying as a low income homeowner. If the applicant indicates that they are applying as a low income homeowner, additional information is required, as specified by paragraph 69J-7.005(1)(a), F.A.C.

6. through 8. No change.

(b) Documentary materials required to be submitted by applicant for a grant.

1. through 4. No change.

(5) Processing of Grant Applications.

(a) Grant applications that are determined by the Department to be incomplete or irregular shall be held in abeyance by the Department until supplemented with information necessary to make the application complete. Incomplete applications will no longer be considered after grant funds have been expended. Notice will be provided to the applicant as set forth in this rule. A grant application is incomplete if it lacks any information required by the application, or if the Department has not received all documentation regarding homestead exemption and insured value, as required by this rule. A grant application is considered by the Department to be irregular if it contains information that is internally inconsistent or which is inconsistent with other information known or received by the Department, is apparently duplicative of another application on the same residence or by the same homeowner, contains nonsensical or illogical information, or if the Department has reason to believe that the application may be fraudulent.

(b) No change.

(6) Award of Grants.

(a) A grant is awarded when the Department prepares and sends the grant applicant a form DFS-I4-1806 (Matching Grant Award Packet). No grant is considered awarded until the Department actually places form DFS-14-1806 in the U.S. mail to the applicant, which is incorporated by reference into paragraph 69J-7.005(1)(b), F.A.C.

(b) through (c) No change.

(7) through (11) No change.

(12) After approval and the work is completed, an applicant must complete, sign, and return the reimbursement forms sent along with the grant approval letter. The reimbursement forms include a homeowner reimbursement

form and a contractor verification form. The required forms are incorporated in subsection 69J-7.005(1), F.A.C., as parts of the grant award packets, forms DFS-I4-1806 and DFS-I4-1807.

(a) through (c) No change.

(13) A Homeowner will only be reimbursed one time for any or all improvements authorized by Section 215.5586(2), Florida Statutes, up to \$5,000.

(14) through (17) No change.

The remainder of the rule reads as previously published.

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

RULE NO.:

RULE TITLE:

69L-6.009

Forms and Instructions

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. 37, September 12, 2008 issue of the Florida Administrative Weekly.

69L-6.009 Forms and Instructions.

(1) The following forms are hereby incorporated by reference ~~adopted~~ for use in connection with these rules:

(a) through (e) No change.

(2) through (3) No change.

Specific Authority 440.05(9), 440.591 FS. Law Implemented 440.05 FS. History—New 11-20-79, Amended 4-15-81, 1-2-86, Formerly 38F-6.09, Amended 5-28-91, 2-15-94, 2-2-00, 3-5-02, Formerly 38F-6.009, 4L-6.009, Amended 2-19-07, 1-7-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tasha Carter, Bureau Chief, Bureau of Compliance, Division of Workers' Compensation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Alex Sink, Chief Financial Officer, Department of Financial Services ~~Tanner Holloman, Division Director, Division of Workers' Compensation~~

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 30, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 18, 2008

**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."