

Guidelines (02/2012). Proposed changes to the guidelines include the following: 1) revised evaluation criteria to increase the emphasis on cost efficiency and the need for the project; 2) reduce the number of required copies of the application; 3) provide more time to obtain permits for construction projects; 4) change match requirements to cost share; 5) include compliance requirements regarding contingency fees and employment eligibility.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based on the nature of the rule and the preliminary information and analysis conducted to date.

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.

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution., 206.606, 327.04, 327.47, 379.106 FS.

LAW IMPLEMENTED: 206.606, 327.47, 328.72, 379.106 FS. IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tim Woody, FBIP Program Administrator, or Patricia Harrell, Boat Access Coordinator, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Room 235, Tallahassee, Florida 32399, telephone (850)488-5600 or email fbip@myfwc.com

THE FULL TEXT OF THE PROPOSED RULE IS:

68-1.003 Florida Fish and Wildlife Conservation Commission Grants Program.

(1) through (8) No change.

(9) Florida Boating Improvement Program grants shall meet all additional program requirements set forth in the Florida Boating Improvement Program Guidelines (Feb. 2012 Jan. 2010), which are hereby incorporated by reference. The following forms are hereby adopted and incorporated by reference: FWC/FBIP-A, Florida Boating Improvement Program Grant Application for Recreational Channel Markers and Other Uniform Waterway Markers, 02/12 01/10; FWC/FBIP-B, Florida Boating Improvement Program Grant

Application for Boating Access Facilities, 02/12 01/10; FWC/FBIP-C, Florida Boating Improvement Program Grant Application for Derelict Vessel Removal, 02/12 01/10; FWC/FBIP-D, Florida Boating Improvement Program Boater Education Grant Application, 02/12 01/10; FWC/FBIP-E, Florida Boating Improvement Program Grant Application for Economic Initiatives and Other Local Boating Related Projects, 02/12 07/08. The guidelines and forms are available at <http://www.myfwc.com/boating/boating-grant-programs/fbip/> http://myfwc.com/RECREATION/boat_grant_index.htm or from the Commission at 620 S. Meridian Street, 1M, Tallahassee, Florida 32399-1600.

(10) through (12) No change.

Rulemaking Authority 206.606, 327.04, 327.47, 379.106 FS. Law Implemented 206.606, 327.47, 328.72, 379.106 FS. History—New 4-4-04, Amended 3-15-05, Formerly 68A-2.015, Amended 5-22-07, 7-6-08, 1-18-09, 3-21-10, 6-30-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Patricia Harrell, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 5, 2011

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF STATE

Division of Library and Information Services

RULE NO.: 1B-2.011 **RULE TITLE:** Library Grant Programs

NOTICE OF CORRECTION

Notice is hereby given that the following corrections have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Vol. 38, No. 4, January 27, 2012 issue of the Florida Administrative Weekly.

The following change was made to the Notice of Proposed Rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule.

A SERC has not been prepared by the Agency. The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs, or if no SERC is required, the information expressly relied upon and described herein: 1) no requirement for SERC was triggered under Section 120.541(1), F.S., and; 2) based on past experiences with Library Grant Programs and rules of this nature, the adverse impact or regulatory costs, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), F.S.

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.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Marian Deeney, by mail at R.A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250, or by email at Marian.Deeney@dos.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE AND THE INCORPORATED FORMS ARE: Accessible via the Division of Library and Information Services' webpage for proposed rules at <http://info.florida.gov/bld/grants/AdminRuleChanges.html>, or are available by contacting the named person listed above.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

RULE NO.: 5M-14.002
 RULE TITLE: Approved Best Management Practices

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 48, December 2, 2011 issue of the Florida Administrative Weekly.

The following technical corrections associated with Water Quality/Quantity Best Management Practices for Florida Equine Operations (2011 Edition), DACS P-01531, as incorporated by reference in proposed Rule 5M-14.002, F.A.C., were identified and corrected:

- 1) On page 30 of the manual, "DOF" replaced with "Florida Forest Service".
- 2) On page 32 of the manual, the reference of Chapter 40E-30.302 has been replaced with Rule 40E-30.302, F.A.C.
- 3) On page 37 of the manual, the reference of Chapter 5E-9.024 has been replaced with Rule 5E-9.024, F.A.C.
- 4) On page 39 of the manual, the reference of Rule 62-701 has been replaced with Chapter 62-701.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.223
 RULE TITLE: Designation of Institutions for Youthful Offenders
 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. 38, No. 5, February 3, 2012 issue of the Florida Administrative Weekly.

33-601.223 Designation of Institutions for Youthful Offenders.

(1) Upon completion of the reception process, each youthful offender shall be transferred to an institution designated for his or her age and custody in accordance with Section 958.11, F.S.

(2) The following institutions and units are designated to house youthful offenders: ~~Youthful Offenders may be reassigned to non-youthful offender facilities in accordance with Section 958.11, F.S.~~

(a) Indian River Correctional Institution;

(b) Lancaster Correctional Institution and Lancaster Work Camp;

(c) Sumter Basic Training Unit;

(d) Lowell Correctional Institution and Basic Training Unit;

(e) Lake City Correctional Facility; and

(f) Hernando Correctional Institution.

Rulemaking Authority 944.09, 958.11 FS. Law Implemented 944.09, 958.11 FS. History—New 10-11-95, Amended 9-11-97, 4-14-98, Formerly 33-33.009, Amended 3-13-01, Formerly 33-506.103, Amended 12-7-04, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.060
 RULE TITLE: Dental Services

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 28, July 15, 2011 issue of the Florida Administrative Weekly.

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.060, F.A.C., is to incorporate by reference the Florida Medicaid Dental Coverage and Limitations Handbook, November 2011

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.060 Dental Services.

(1) No change.

(2) All dental services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Dental Services Coverage and Limitations Handbook, November 2011 ~~September 2010~~, and the Florida Medicaid

provider Reimbursement handbook, ADA Dental, July 2008, which are incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS 1500, which is incorporated by reference in Rule 59G-4.001, F.A.C. All handbooks are available from the Medicaid fiscal agent's Web site at www.mymedicaid-florida.com. Select Public Information for Providers, then Provider Support, and then Provider Handbooks. Paper copies of the handbooks may be obtained by calling the Medicaid fiscal agent, Provider Contact Center at 1(800)289-7799 and selecting Option 7.

(3) No change.

(4) No change.

DEPARTMENT OF MANAGEMENT SERVICES

Personnel Management System

RULE NOS.:	RULE TITLES:
60L-36.002	Political Activities
60L-36.005	Disciplinary Standards

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 4, January 27, 2012 issue of the Florida Administrative Weekly.

The Agency has determined that the proposed rule is not expected to require legislative ratification because there are no adverse impacts on economic growth, business competitiveness or regulatory costs of more than \$1M in the aggregate within five years of implementation. No corrections are being made to the previously advertised rule text.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE NO.:	RULE TITLE:
61G14-15.002	Marine Incident Report Form

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 4, January 27, 2012 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.:	RULE TITLE:
62-344.900	Forms

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 1, January 6, 2012 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE NO.:	RULE TITLE:
64B-9.003	Military Spouse Temporary License

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. 37, No. 50, December 16, 2011 issue of the Florida Administrative Weekly.

The application form and its instructions will reflect that verification is required by another state, District of Columbia, or possession or territory of the United States, that disciplinary proceedings will be considered when taken against a license to practice a profession regulated in Florida under chapter 456, F.S., and that the second set of fingerprints is optional. The application also will include a question as to whether the applicant has successfully appealed to have his or her name removed from the National Practitioner Data Bank, and will not indicate that the Statement of Applicant is under penalty of perjury.

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE NO.:	RULE TITLE:
64B6-8.002	Qualifications for Trainees, Sponsors and Designated Hearing Aid Specialists

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 40, October 8, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.:	RULE TITLE:
64B15-12.010	Temporary Certificate for Practice in an Area of Critical Need

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 36, September 9, 2011 issue of the Florida Administrative Weekly.

The Board's Summary of Statement of Estimated Regulatory Costs and Legislative Ratification inadvertently published without the following language: "This rule will not require ratification by the Legislature."

This correction does not affect the substance of the rule as originally published in the September 9, 2011 issue of the FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Jusevitch, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-1.713
 RULE TITLE: SSI-Related Medicaid Income Eligibility Criteria

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 5, February 3, 2012 issue of the Florida Administrative Weekly.

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: February 29, 2012, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Domestic Violence

RULE NO.: 65H-1.010
 RULE TITLE: Purpose

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 52, December 30, 2011 issue of the Florida Administrative Weekly.

The Notice of Proposed Rule did not state what information was relied upon in determining that the proposed rule is not expected to require legislative ratification. The information expressly relied upon is the analysis conducted by the Department to determine whether a SERC was required and the nature of the rule.

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER12-13
 RULE TITLE: Instant Game Number 1135, LUCKY \$500 A WEEK FOR LIFE

SUMMARY: This emergency rule describes Instant Game Number 1135, "LUCKY \$500 A WEEK FOR LIFE," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER12-13 Instant Game Number 1135, LUCKY \$500 A WEEK FOR LIFE.

(1) Name of Game. Instant Game Number 1135, "LUCKY \$500 A WEEK FOR LIFE."

(2) Price. LUCKY \$500 A WEEK FOR LIFE lottery tickets sell for \$1.00 per ticket.

(3) LUCKY \$500 A WEEK FOR LIFE lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning LUCKY \$500 A WEEK FOR LIFE lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:

1	2	3	4	5	6	7	8	9	10	☆
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN	DOUBLE

(5) The "LUCKY NUMBER" play symbols and play symbol captions are as follows:

1	2	3	4	5	6	7	8	9	10
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN

(6) The prize symbols and prize symbol captions are as follows:

\$1.00	\$2.00	\$4.00	\$5.00	\$10.00
ONE	TWO	FOUR	FIVE	TEN
\$20.00	\$40.00	\$100	\$1,000	LIFE
TWENTY	FORTY	ONE HUN	ONE THOU	\$500/WK

(7) The legends are as follows:

LUCKY NUMBER	YOUR NUMBERS
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(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches the play symbol and corresponding play symbol caption in the "LUCKY NUMBER" play area shall entitle the claimant to the corresponding prize shown for that symbol. A

ticket having a "DOUBLE" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to double the prize shown.

(b) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00,

\$20.00, \$40.00, \$100, \$1,000 and \$500/WK.

(9) \$500 A WEEK FOR LIFE Prize Payment Options.

(a) A winner of a \$500 A WEEK FOR LIFE prize may choose one of three payment options for receiving his or her prize. Payment options are "Cash Option," "Weekly Payment" or "Quarterly Payment." At the time the \$500 A WEEK FOR LIFE prize is claimed, the terminal will produce a top prize