

DELAWARE COUNCIL ON POLICE TRAINING
NOTICE OF PUBLIC HEARING
1901 Delaware Council on Police Training

The Council on Police Training (COPT), in accordance with 11 **Delaware Code** §8404(a)(14) and 29 **Delaware Code** §10115 of the Administrative Procedures Act, hereby gives notice that it shall hold a public hearing on July 24, 2007 at 9:00 a.m., in the first-floor conference room of the Delaware State Police Training Academy, N. DuPont Highway, Dover, Delaware 19903.

The Council on Police Training will receive written comments or oral testimony from interested persons regarding the following regulations to amend current COPT Regulation 8.0 (Re-activation Requirements of Police Officers). The final date for interested persons to submit written comments shall be the date of the public hearing. Written comments should be directed to Captain Ralph H. Davis, III, Director, Delaware State Police Training Academy, P.O. Box 430, Dover, DE19903-0430.

Any person wishing to make written or oral comments who would like a copy of the proposed regulations may contact the COPT at (302) 739-5903, or write to the above address.

DELAWARE RIVER BASIN COMMISSION
NOTICE OF PUBLIC HEARING AND BUSINESS MEETING

The Delaware River Basin Commission will hold a public hearing and business meeting on Wednesday, July 18, 2007 beginning at 10:15 a.m. at the Commission's offices, 25 State Police Drive, West Trenton, New Jersey. For more information visit the DRBC web site at www.drbc.net or contact Pamela M. Bush, Esq., Commission Secretary and Assistant General Counsel, at 609-883-9500 extension 203.

DEPARTMENT OF AGRICULTURE
DELAWARE FOREST SERVICE
INOTICE OF PUBLIC COMMENT PERIOD
402 State Forest Regulations

The Department proposes these amendments to the Forest Service's Regulations pursuant to 3 **Del.C.** Sections 1008 and 1011. The purpose of these proposed amendments is to ensure that these publicly owned lands are conserved, protected, and maintained for the benefit of all. These proposals make the State Forest regulations more consistent with similar regulations for other land-managing Delaware agencies.

Copies of the proposed amendments to the regulations may be obtained from the State Forester's Office. The Department will accept written comments from the public on the proposed amendments for thirty (30) days. Public comments should be submitted to Michael Valenti, Assistant Forestry Administrator, on or before 1:00 p.m., July 31, 2007, at the Delaware Department of Agriculture, 2320 South DuPont Highway, Dover, DE, 19901.

DEPARTMENT OF EDUCATION

The State Board of Education will hold its monthly meeting on Thursday, July 19, 2007 at 1:00 p.m. in the Townsend Building, Dover, Delaware.

DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DIVISION OF DEVELOPMENTAL DISABILITIES
NOTICE OF PUBLIC HEARING
2100 Eligibility Criteria

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the **Delaware**

Code) and under the authority of Title 31 of the **Delaware Code**, Chapter 5, Section 512, Delaware Health and Social Services (DHSS) / Division of Developmental Disabilities Services (DDDS) is proposing to amend the eligibility criteria related to DDDS services.

Any person who wishes to make written suggestions, compilations of data, written testimony, written briefs or other written materials concerning the proposed new regulations must submit same to Joseph B. Keyes, Ph.D., Applicant Services Unit; Division of Developmental Disabilities Services, 1052 S. Governor's Avenue, Suite 101, Dover, Delaware 19904 or by fax to (302) 744-9711 by July 25, 2007.

A Public Hearing on the proposed new regulation will be held July 30, 2007 at 6:30 P.M. at Delaware Technical College, Terry Campus, Dover, Delaware in Room 427 of the Corporate Training Center building.

The action concerning the determination of whether to adopt the proposed regulation will be based upon the results of Department and Division staff analysis and the consideration of the comments at the Public Hearing and written materials filed by other interested persons.

DIVISION OF MEDICAID AND MEDICAL ASSISTANCE
NOTICE OF PUBLIC HEARING
20330 Countable Resources Computation

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the **Delaware Code)** and under the authority of Title 31 of the **Delaware Code**, Chapter 5, Section 512, Delaware Health and Social Services (DHSS) / Division of Medicaid and Medical Assistance (DMMA) is proposing to amend existing rules in the Division of Social Services Manual (DSSM) used to determine eligibility to comply with the transfer of assets provisions mandated by the Deficit Reduction Act (DRA) of 2005 (Public Law 109-171) related to promissory notes, loans and property agreements.

Any person who wishes to make written suggestions, compilations of data, testimony, briefs or other written materials concerning the proposed new regulations must submit same to Sharon L. Summers, Planning and Policy Development Unit, Division of Medicaid and Medical Assistance, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906 or by fax to 302-255-4425 (new fax number) by July 31, 2007.

The action concerning the determination of whether to adopt the proposed regulation will be based upon the results of Department and Division staff analysis and the consideration of the comments and written materials filed by other interested persons.

DIVISION OF MEDICAID AND MEDICAL ASSISTANCE
NOTICE OF PUBLIC HEARING
50300 Referral Process

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the **Delaware Code)** and under the authority of Title 31 of the **Delaware Code**, Chapter 5, Section 512, Delaware Health and Social Services (DHSS) / Division of Medicaid and Medical Assistance (DMMA) is proposing to amend a rule in the Division of Social Services Manual (DSSM) used to determine eligibility for the Chronic Renal Disease Program.

Any person who wishes to make written suggestions, compilations of data, testimony, briefs or other written materials concerning the proposed new regulations must submit same to Sharon L. Summers, Policy and Program Development Unit, Division of Medicaid and Medical Assistance, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906 or by fax to (302) 255-4425 (new fax number) by July 31, 2007.

The action concerning the determination of whether to adopt the proposed regulation will be based upon the results of Department and Division staff analysis and the consideration of the comments and written materials filed by other interested persons.

DIVISION OF SOCIAL SERVICES
NOTICE OF PUBLIC HEARING
9004 Non-Discrimination Policy

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the **Delaware Code**) and under the authority of Title 31 of the **Delaware Code**, Chapter 5, Section 512, Delaware Health and Social Services (DHSS) / Division of Social Services is proposing to amend policies in the Division of Social Services Manual (DSSM). The proposed changes described below amend the Civil Rights Program policies related to the prohibition of retaliatory acts.

Any person who wishes to make written suggestions, compilations of data, testimony, briefs or other written materials concerning the proposed new regulations must submit same to Sharon L. Summers, Policy, Program and Development Unit, Division of Social Services, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906 or by fax to (302) 255-4425 (new fax number) by July 31, 2007.

The action concerning the determination of whether to adopt the proposed regulation will be based upon the results of Department and Division staff analysis and the consideration of the comments and written materials filed by other interested persons.

DIVISION OF SOCIAL SERVICES
NOTICE OF PUBLIC HEARING
9013 Household Concept

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the **Delaware Code**) and under the authority of Title 31 of the **Delaware Code**, Chapter 5, Section 512, Delaware Health and Social Services (DHSS) / Division of Social Services is proposing to amend Food Stamp Program policies in the Division of Social Services Manual (DSSM) regarding the definition of household.

Any person who wishes to make written suggestions, compilations of data, testimony, briefs or other written materials concerning the proposed new regulations must submit same to Sharon L. Summers, Policy, Program and Development Unit, Division of Social Services, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906 or by fax to (302) 255-4425 (new fax number) by July 31, 2007.

The action concerning the determination of whether to adopt the proposed regulation will be based upon the results of Department and Division staff analysis and the consideration of the comments and written materials filed by other interested persons.

DEPARTMENT OF INSURANCE
NOTICE OF PUBLIC COMMENT PERIOD
1216 Military Sales Practices

INSURANCE COMMISSIONER MATTHEW DENN hereby gives notice of intent to adopt proposed Department of Insurance Regulation 1216 relating to the sale of life and annuity insurance products to military personnel. The docket number for this proposed amendment is 393. This proposed Regulation replaces the previous proposed Regulation.

The purpose of the proposed regulation is to set forth standards to protect service members of the United States Armed Forces from dishonest and predatory insurance sales practices by declaring certain identified practices to be false, misleading, deceptive or unfair. The text of the proposed amendment is reproduced in the May 2007 edition of the *Delaware Register of Regulations*. The text can also be viewed at the Delaware Insurance Commissioner's website at: <http://www.state.de.us/inscom/departments/documents/ProposedRegs/ProposedRegs.shtml>.

The Department of Insurance does not plan to hold a public hearing on the proposed changes. Any person can file written comments, suggestions, briefs, compilations of data or other materials concerning the proposed amendments. Any written submission in response to this notice and relevant to the proposed changes must be received by the Department of Insurance no later than 4:30 p.m., Monday August 6, 2007, and should be

addressed to Mitchell G. Crane, Esquire, Delaware Department of Insurance, 841 Silver Lake Boulevard, Dover, DE 19904, or sent by fax to 302.739.2021 or email to mitch.crane@state.de.us.

DEPARTMENT OF INSURANCE

NOTICE OF PUBLIC COMMENT PERIOD

1217 Unfair Discrimination in Life Insurance, Annuities and Health Insurance on the Basis of Physical or Mental Impairment

INSURANCE COMMISSIONER MATTHEW DENN hereby gives notice of intent to adopt proposed Department of Insurance Regulation 1217 relating to the Unfair Discrimination in Life Insurance, Annuities and Health Insurance on the Basis of Physical or Mental Impairment. The docket number for this proposed amendment is 396.

The purpose of the proposed regulation is to identify specific acts or practices in life and health insurance which are prohibited by 18 **Del.C.** §2304(13). The text of the proposed amendment is reproduced in the May 2007 edition of the *Delaware Register of Regulations*. The text can also be viewed at the Delaware Insurance Commissioner's website at: <http://www.state.de.us/inscom/departments/documents/ProposedRegs/ProposedRegs.shtml>.

The Department of Insurance does not plan to hold a public hearing on the proposed changes. Any person can file written comments, suggestions, briefs, and compilations of data or other materials concerning the proposed amendments. Any written submission in response to this notice and relevant to the proposed changes must be received by the Department of Insurance no later than 4:30 p.m., Monday June 4, 2007, and should be addressed to Mitchell Crane, Esquire, Delaware Department of Insurance, 841 Silver Lake Boulevard, Dover, DE 19904, or sent by fax to 302.739.6278 or email to mitch.crane@state.de.us.

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

DIVISION OF FISH AND WILDLIFE

NOTICE OF PUBLIC HEARINGS

3900 Wildlife Regulations

This regulatory change will be presented in one of a series of public hearings on July 31, 2007, beginning at 6:00 p.m., DNREC Auditorium, 89 Kings Highway, Dover, Delaware. The hearing record for these proposed Regulations will remain open until 4:30 PM, Wednesday August 1, 2007. The order of hearings is as follows:

Regulation 3900.13 – Wildlife Rehabilitation Permits

Regulation 3900.1 – Definitions

Regulation 3900.8 – General Rules and Regulations Governing Land and Water Administered by the Division.

Regulation 3900.2 – Method of Take

Regulation 3900.4 – Seasons

Regulation 3900.5 – Wild Turkeys

Regulation 3900.7 – Deer

Regulation 3900.18 – Wanton Waste

Written comments for the hearing record should be addressed to Kenneth Reynolds, 4876 Hay Point Landing Road, Smyrna, DE 19977 or to Kenneth.Reynolds@state.de.us. The record will remain open for written public comment until 4:30 p.m. August 1, 2007.

Prepared By:

Kenneth M. Reynolds, 4876 Hay Point Landing Road, Smyrna, DE 19977

Kenneth.Reynolds@state.de.us

(302) 653-2883

DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION
200 Board of Landscape Architects
NOTICE OF RESCHEDULED PUBLIC HEARING

The Delaware Board of Landscape Architects in accordance with 24 **Del.C.** §205 has proposed amendments to rule 6.0 *Renewal of Licenses* and rule 7.0 *Continuing Education as a Condition of Biennial Renewal* of its rules and regulations. The proposed amendments enable licensees to renew their licenses online and attest that they have completed the required continuing education. Documentation of having completed the required continuing education must still be maintained by the licensee but it will only be required to be produced in the event the licensee is randomly selected for continuing education audit post renewal.

The public hearing originally scheduled for February 8, 2007 at 9:15 a.m. will be held on August 9, 2007 at 9:15 a.m. in the second floor conference room B of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware where members of the public can offer comments. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Board of Landscape Architects, 861 Silver Lake Blvd, Cannon Building, Suite 203, Dover, DE 19904. Persons wishing to submit written comments may forward these to the Board at the above address. The final date to receive written comments will be at the public hearing.

The Board will consider promulgating the proposed regulations at its regularly scheduled meeting following the public hearing.

DIVISION OF PROFESSIONAL REGULATION
1400 Board of Electrical Examiners
NOTICE OF RESCHEDULED PUBLIC HEARING

The Delaware Board of Electrical Examiners, in accordance with 29 **Del.C.** Chapter 101 and 24 **Del.C.** §1406(a)(1), proposed amendments to its regulation 7.0 relating to licensure renewal. Specifically, the amendments to 7.0 Expiration and Renewal would require licensees to provide the name of their insurer and their policy number when they attest to maintenance of their required liability insurance during the renewal process. The amendments would also require licensees to provide course names and approval numbers when they attest to completion of their required continuing education during the renewal process. Minor grammatical, typographic, or stylistic changes may also be included.

Pursuant to 29 **Del.C.** §10115, notice of the public hearing and a copy of the proposed regulatory changes was published in the *Delaware Register of Regulations*, Volume 10, Issue 9, page 998 on March 1, 2007. However, notice was not published in two (2) Delaware newspapers of general circulation, as required by 29 **Del.C.** §10115, so the public hearing could not be conducted on April 4, 2007 as originally scheduled. The public hearing has been rescheduled for September 5, 2007.

A public hearing will be held on the proposed regulatory changes on Wednesday, September 5, 2007 at 8:30 a.m. in the second floor Conference Room A of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware 19904. The Board will receive and consider input in writing from any person concerning the proposed regulations. Written comments should be submitted to the Board care of Judy Letterman at the above address. The final date to submit written comments shall be at the public hearing. Anyone wishing to obtain a copy of the proposed changes or to make comments at the public hearing should contact Judy Letterman by calling (302) 744-4526.

The Board will consider promulgating the proposed regulations immediately following the public hearing.

DIVISION OF PROFESSIONAL REGULATION
3600 Board of Registration of Geologists
NOTICE OF PUBLIC HEARING

The Delaware Board of Geologists in accordance with 24 **Del.C.** §3606 has proposed a number of amendments its rules and regulations. The proposed amendments move current Rule 2.0 Code of Ethics and

renumber it as new Rule 10.0. A new Rule 2.0 Procedures for Licensure clarifies the application process and requirements for initial licensure and licensure by reciprocity. Rule 6.0 Continuing Education has been amended to further delineate the maximum allowable continuing education credit that may be claimed in the specific categories set forth in Rule 6.8. The amendments also specify the documentation required in order to receive continuing education credit. Existing Rule 8.0 Reciprocity has been deleted and incorporated into the new Rule 2.0 Procedures for Licensure. A new Rule 8.0 Voluntary Treatment Option for Chemically Dependent of Impaired Professionals has been added.

A public hearing will be held on August 3, 2007 at 10:15 a.m. in the second floor conference room B of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware where members of the public can offer comments. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Board of Geologists, 861 Silver Lake Blvd, Cannon Building, Suite 203, Dover, DE 19904. Persons wishing to submit written comments may forward these to the Board at the above address. The final date to receive written comments will be at the public hearing.

The Board will consider promulgating the proposed regulations at its regularly scheduled meeting following the public hearing.

DEPARTMENT OF TRANSPORTATION
DIVISION OF PLANNING AND POLICY
NOTICE OF PUBLIC HEARING

Standards and Regulations for Subdivision Streets and State Highway Access

The Delaware Department of Transportation through its Planning Division has developed revised regulations for access to State-maintained roads and for planning, design, construction, and acceptance for maintenance of subdivision streets. These regulations, Standards and Regulations for Subdivision Streets and State Highway Access, revise, update, and consolidate the Rules and Regulations for Subdivision Streets, enacted in December 1981, and the Standards and Regulations for Access to State Highways, enacted in August 1983. These regulations define the requirements which apply to:

- New subdivisions and land development
- Changed or expanded subdivisions and land development
- Any new access on to a State-maintained road
- Modifications to an existing access
- Assessment of the impacts of traffic
- Off-site improvements

A public hearing will be held on July 26, 2007 at the DeIDOT Administration Building in the Farmington/Felton Room from 4:00 pm until 7:00 pm.

The Department will take comments on the Regulations from July 1, 2007 through August 6, 2007.

Any requests for copies of the Regulations, or any questions or comments regarding these Regulations should be directed to:

Theodore Bishop, Assistant Director of Planning
Delaware Department of Transportation
PO Box 778
Dover, DE 19903
(302) 760-2122 (telephone)
(302) 739-2251 (fax)
theodore.bishop@state.de.us