

DELAWARE STATE FIRE PREVENTION COMMISSION

NOTICE OF PUBLIC HEARING

The Delaware State Fire Prevention Commission will hold a hearing pursuant to 16 **Del.C.** §6603 and 29 **Del.C.** 101 on Tuesday, July 20, 2004, at 1:00 P.M. and 7:00 P.M. in the Commission Chamber, Delaware State Fire School, Delaware Fire Service Center, 1463 Chestnut Grove Road, Dover, Delaware. The Commission is proposing changes to the following Regulations:

2003 Delaware State Fire Prevention Regulations

PART I, ANNEX A

PART I, ANNEX B

PART II, CHAPTER 6

PART V, CHAPTERS 1 & 5

PART VI, CHAPTER 3

APPENDIX E

Persons may view the proposed changes to the Regulations between the hours of 8:00 a.m. to 4:30 p.m., Monday through Friday, at the Delaware State Fire Prevention Commission, Delaware State Fire School, Delaware Fire Service Center, 1463 Chestnut Grove Road, Dover, Delaware, 19904, or Office of the State Fire Marshal located at the Delaware Fire Service Center, 1537 Chestnut Grove Road, Dover, Delaware, 19904, or the Regional State Fire Marshal's Offices located 2307 MacArthur Road, New Castle, Delaware and 22705 Park Avenue, Georgetown, Delaware, 19947. The webpage address is www.delawarestatefiremarshal.com under the tabs "Technical Services" and "Proposed Changes".

Persons may present their views in writing by mailing their views to the Commission at the above addresses prior to the hearing, and the Commission will consider those responses received before 10:a.m. on July 19, 2004, or by offering testimony at the Public Hearing. If the number of persons desiring to testify at the Public Hearing is large, the amount of time allotted to each speaker will be limited. There will be a reasonable fee charge for copies of the proposed changes.

DEPARTMENT OF ADMINISTRATIVE SERVICES

DIVISION OF PROFESSIONAL REGULATION

BOARD OF EXAMINERS IN OPTOMETRY

PUBLIC NOTICE

The Delaware Board of Examiners in Optometry is proposing an amendment to Rule 3.1 of its rules and regulations pursuant to 24 **Del.C.** §2104(a)(1) and 29 **Del.C.** §10115. The Board proposes to amend Rule 3.1. to clarify that an internship is to be done in a private practice setting in the State of Delaware, or other Board approved setting, under the supervision of a licensed optometrist or ophthalmologist to ensure that the clinical setting for the intern is in keeping with the standard of care in Delaware.

The Board will accept written comments from July 1, 2004 through July 31, 2004. The Board will hold a public hearing on the proposed amendment on August 26, 2004 at 6:30 p.m. in the second floor conference room in the Division of Professional Regulation, Cannon Building, 861 Silver Lake Boulevard, Suite 203, Dover, DE 19904-2467. Written comments should be submitted to Jane Youmans, Administrative Specialist, Division of Professional Regulation, at the same above-listed address.

STATE BOARD OF EDUCATION

The State Board of Education will hold its monthly meeting on Thursday, July 15, 2004 at 1:00 p.m. in the Townsend Building, Dover, Delaware.

**DEPARTMENT OF FINANCE
GAMING CONTROL BOARD**

NOTICE OF RESCHEDULED PUBLIC HEARING

The Delaware Gaming Control Board is proposing to amend its Bingo regulations pursuant to 28 **Del.C.** §1122(a) and 29 **Del.C.** § 10115. The Board proposes to amend Bingo Regulation 2.3 to provide that all bingo applications, original and supplemental, shall be filed at least 6 weeks before the scheduled event. The full text of the proposal is published in 7 **DE Reg.** 775 (12/1/03).

The public hearing originally scheduled for June 3, 2004 at 12:00 p.m. has been continued to August 5, 2004 at 12:00 p.m. at the Division of Professional Regulation, Cannon Building, Suite 203, Second Floor Conference Room, 861 Silver Lake Boulevard, Dover, DE 19904. The written comment period previously noted for May 1, 2004 through May 30, 2004 is extended until July 31, 2004. Written comments should be submitted to Sherry Clark, Division of Professional Regulation, Cannon Building, Suite 203, 861 Silver Lake Boulevard, Dover, DE 19904.

**DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DIVISION OF LONG TERM CARE RESIDENTS PROTECTION**

NOTICE OF PUBLIC HEARING

The Department of Health and Social Services (DHSS), Division of Long Term Care Residents Protection, has drafted revised proposed Regulations for Assisted Living Facilities regarding requirements for electrical generators. The regulations, revised after public hearings on June 2 and June 3, 2004, will be the subject of a further public hearing on August 5, 2004 as described below. Comments received at the June and August public hearings regarding requirements for electrical generators will be discussed when those regulations are published as final regulations. The remainder of the proposed regulations which were the subject of the June public hearings, pertaining to incident reporting and an exemption for individuals with subcutaneous venous ports from the prohibition against admitting residents with central lines, are published as final regulations in this edition of the Register of Regulations.

Invitation For Public Comment

A public hearing will be held as follows:

Thursday, August 5, 2004
9:00 AM
Room 301, Main Building
Herman Holloway Campus
1901 N. DuPont Highway
New Castle

For clarification or directions, please call Gina Loughery at 302-577-6661.

Written comments on these proposed regulations should be sent to:

Katie McMillan
Division of Long Term Care Residents Protection
3 Mill Road, Suite 308
Wilmington, DE 19806

Written comments will be accepted until the conclusion of the public hearing.

**DIVISION OF PUBLIC HEALTH
NOTICE OF PUBLIC HEARING**

The Office of Drinking Water, Division of Public Health, Department of Health and Social Services, will hold a public hearing to discuss the proposed changes to the State of Delaware Regulations for the Licensing and Registration of Operators of Public Water Supply Systems. The public hearing will be held on July 28, 2004 at 2:00 p.m. in the Division of Public Health Training Center, Blue Hen Corporate Center, located on 655 S. Bay Road, Dover, Delaware.

Copies of the proposed revisions are available for review by contacting:

The Office of Drinking Water
Blue Hen Corporate Center, Suite 203
655 S. Bay Road
Dover, Delaware 19901
Telephone: (302) 739-5410

Anyone wishing to present his or her oral comments at this hearing should contact David Walton at (302) 744-4700 by close of business, Monday, July 26, 2004. Anyone wishing to submit written comments as a supplement to, or in lieu of oral testimony should submit such comments by close of business July 30, 2004 to:

David Walton, Hearing Officer
Division of Public Health
P.O. Box 637
Dover, DE 19903-0637

DEPARTMENT OF INSURANCE

NOTICE OF PUBLIC HEARING

INSURANCE COMMISSIONER DONNA LEE H. WILLIAMS hereby gives notice that a PUBLIC HEARING will be held on Tuesday, August 3, 2004, at 10:00 a.m. in the Consumer Services Conference Room of the Delaware Department of Insurance, 841 Silver Lake Boulevard, Dover, Delaware. The hearing is to consider amending Regulation 606, PROOF OF AUTOMOBILE INSURANCE.

The purpose for amending Regulation 606 is to provide additional consumer protection by updating the requirements for motor vehicle insurance identification cards and to provide electronically accessible database(s) to establish proof of current automobile insurance to law enforcement officials and motorists at the scene of any accident or violation. Additionally, the amendments seek to update the format required for insurance identification cards that are required to be in each vehicle registered under Delaware law. The hearing will be conducted in accordance with 19 **Del.C.** § 311 and the Delaware Administrative Procedures Act, 29 **Del.C.** Chapter 101. Comments are being solicited from any interested party. Comments may be in writing or may be presented orally at the Hearing. Written comments, testimony or other written materials concerning the proposed change to the regulation must be received by the Department of Insurance no later than 4:30 p.m., Monday August 2, 2004, and should be addressed to Deputy Attorney General Michael J. Rich, c/o Delaware Department of Insurance, 841 Silver Lake Boulevard, Dover, DE 19904, telephone 302.739.4251.

NOTICE OF PUBLIC HEARING

INSURANCE COMMISSIONER DONNA LEE H. WILLIAMS hereby gives notice that a PUBLIC HEARING will be

held on Wednesday, August 4, 2004, at 10:00 a.m. in the Consumer Services Conference Room of the Delaware Department of Insurance, 841 Silver Lake Boulevard, Dover, Delaware. The hearing is to consider amending Regulation 607 relating to Defensive Driving Course Discount Automobiles and Motorcycles.

The purpose for amending Regulation 607 is to update the regulation and to provide for online as well as classroom courses and instruction. As a result there will be some definitional changes to the regulation as well as other changes reflective of recent technological developments.

The hearing will be conducted in accordance with 19 **Del.C.** §311 and the Delaware Administrative Procedures Act, 29 **Del.C.** Chapter 101. Comments are being solicited from any interested party. Comments may be in writing or may be presented orally at the Hearing. Written comments, testimony or other written materials concerning the proposed change to the regulation must be received by the Department of Insurance no later than 4:30 p.m., Monday August 2, 2004, and should be addressed to Deputy Attorney General Michael J. Rich, c/o Delaware Department of Insurance, 841 Silver Lake Boulevard, Dover, DE 19904, telephone 302.739.4251.

NOTICE OF PUBLIC HEARING

INSURANCE COMMISSIONER DONNA LEE H. WILLIAMS hereby gives notice that a PUBLIC HEARING will be held on Tuesday, August 3, 2004, at 9:30 a.m. in the Consumer Services Conference Room of the Delaware Department of Insurance, 841 Silver Lake Boulevard, Dover, Delaware. The hearing is to consider amending Regulation 1501 relating to MEDICARE SUPPLEMENT INSURANCE MINIMUM STANDARDS.

The purpose for amending Regulation 1501 is to provide protection to a beneficiary covered under a spouse's employer's plan that is primary to Medicare when the primary coverage ends through no fault of the beneficiary. This change will guarantee the ability of an individual to obtain a health policy that will supplement the costs of Medicare. The change will be made by amending 12.2.1 of the regulation (the underlined section constituting the amendment): "12.2.1The individual is enrolled under an employee welfare benefit plan that provides health benefits that supplement the benefits under Medicare, and the plan terminates, or the plan ceases to provide all such supplemental health benefits to the individual; or the individual is enrolled under an employee welfare benefit plan that is primary to Medicare and the plan terminates or the plan ceases to provide some or all health benefits to the individual because the individual leaves the plan."

The hearing will be conducted in accordance with 19 **Del.C.** §311 and the Delaware Administrative Procedures Act, 29 **Del.C.** Chapter 101. Comments are being solicited from any interested party. Comments may be in writing or may be presented orally at the Hearing. Written comments, testimony or other written materials concerning the proposed change to the regulation must be received by the Department of Insurance no later than 4:30 p.m., Monday August 2, 2004, and should be addressed to Deputy Attorney General Michael J. Rich, c/o Delaware Department of Insurance, 841 Silver Lake Boulevard, Dover, DE 19904, telephone 302.739.4251.

DEPARTMENT OF LABOR COUNCIL ON APPRENTICESHIP AND TRAINING

PUBLIC NOTICE

The Council on Apprenticeship and Training proposes to recommend to the Secretary of Labor a change to Rule 106.5(D) of the Rules and Regulations Relating to Delaware Apprenticeship and Training Law. The proposal would change the standard ratio of apprentice to journeyman in the plumber/pipefitter trade. The current ratio of 1 to 5 would be a more liberal 1 to 3.

Comments:

The proposed rule is published in the Delaware Register of Regulations and two newspapers. Copies are available at the Department of Labor, Division of Employment and Training, 4425 N. Market Street, Wilmington, DE 19802. A copy can be obtained by contacting Kevin Calio, Director of Apprenticeship and Training, at (303) 761-8118. Interested persons can submit written comment to the Council on Apprenticeship and Training c/o Kevin Calio at the above address until the time set for the public hearing.

Public Hearing:

A public hearing will be held at 10:00 a.m. on August 3, 2004 at the Department of Labor, Fox Valley Annex, 4425 N. Market Street, Wilmington, DE 19802 to receive comment. The Council will consider recommending the change to the Secretary of Labor at a meeting following the public hearing.

DEPARTMENT OF STATE OFFICE OF THE STATE BANK COMMISSIONER

Notice of Proposed Adoption and Amendment of Regulations of the State Bank Commissioner

Summary

The State Bank Commissioner proposes to adopt amended Regulation 708 and new Regulations 714 and 1113. Proposed amended Regulation 708 ("Establishment of a Branch Office by a Bank or Trust Company") is being amended to clarify that it applies only to applications to open traditional branches under § 770(a) of Title 5 and not to mobile branches under § 770(c); that the Commissioner may designate certain portions of such an application as confidential; and that the application will not be deemed filed until it is complete. Proposed new Regulation 714 ("Establishment of a Mobile Branch Office by a Bank or Trust Company") provides a similar structure for applications to establish mobile branches under § 770(c), establishes a procedure for advanced notification to the Commissioner of proposed changes in the manner or area of operation of a mobile branch, and requires the maintenance an operations log for the mobile branch. Proposed new Regulation 1113 ("Election by a Subsidiary Corporation of a Banking Organization or Trust Company to be Taxed in Accordance with Ch. 19 of Title 30") provides for a subsidiary that is not itself a banking organization or trust company to opt out of the bank franchise tax structure as allowed by § 1101(e) of Title 5 of the Delaware Code and includes forms for that election as well as for an annual report to confirm the subsidiary's continued eligibility. The State Bank Commissioner would adopt proposed amended Regulation No. 708 and new Regulations 714 and 1113 on or after August 4, 2004. Other regulations issued by the State Bank Commissioner are not affected by these proposals. The State Bank Commissioner is issuing these regulations in accordance with Title 5 of the Delaware Code.

Comments

Copies of the proposed amended and new regulations are published in the Delaware Register of Regulations. Copies are also on file in the Office of the State Bank Commissioner, 555 E. Loockerman Street, Suite 210, Dover, DE and are available for inspection during regular office hours. Copies are available upon request.

Interested parties are invited to comment or submit written suggestions, data, briefs or other materials to the Office of the State Bank Commissioner as to whether these proposed amended and new regulations should be adopted, rejected or modified. Written materials submitted will be available for public inspection at the above address. Comments must be received before the public hearing scheduled for August 4, 2004.

Public Hearing

A public hearing on the proposed regulations will be held in the Office of the State Bank Commissioner, 555 E. Loockerman Street, Suite 210, Dover, DE on August 4, 2004 commencing at 10:00 a.m.

This notice is issued pursuant to the requirements of Subchapter III of Chapter 11 and Chapter 101 of Title 29 of the Delaware Code.

DELAWARE RIVER BASIN COMMISSION

PUBLIC NOTICE

The Delaware River Basin Commission will meet on Tuesday, July 13, 2004 at 9:30 a.m. at the Commission's offices, 25 State Police Drive, West Trenton, New Jersey. For more information contact Pamela M. Bush, Esq., Commission Secretary and Assistant General Counsel, at 609-883-9500 extension 203.