

**DEPARTMENT OF AGRICULTURE
HARNESS RACING COMMISSION**

PUBLIC NOTICE

501 Harness Racing Rules and Regulations

The Delaware Harness Racing Commission, pursuant to 3 **Del.C.** §10005, proposes to change its Rules 6 and 8. The Commission will hold a public hearing on the proposed rule changes on July 8, 2008. Written comments should be sent to Hugh J. Gallagher, Administrator of Harness Racing, Department of Agriculture, 2320 S. DuPont Highway, Dover, DE 19901. Written comments will be accepted for thirty (30) days from the date of publication in the *Register of Regulations* on June 1, 2008.

The proposed changes are for the purpose of updating Rules 6 and 8 to reflect current policies, practices and procedures. Copies are published online at the *Register of Regulations* website: http://regulations.delaware.gov/services/current_issue.shtml A copy is also available for inspection at the Racing Commission office.

THOROUGHBRED RACING COMMISSION

PUBLIC NOTICE

1001 Thoroughbred Racing Rules and Regulations

The Delaware Thoroughbred Racing Commission in accordance with 3 **Del.C.** §10103(c) has proposed changes to its rules and regulations. The proposal amends Section 13 of the rules and regulations to address Claiming Races by amending existing Rule 13.1.1, and adding Rule 13.20.

A public hearing will be held on June 24, 2008 at 10:00 a.m. in the first floor conference room of the Horsemen's Office at Delaware Park, 777 Delaware Park Boulevard, Wilmington, Delaware where members of the public can offer comments. Anyone wishing to receive a copy of the proposed regulations may obtain a copy from the Delaware Thoroughbred Racing Commission, 777 Delaware Park Boulevard, Wilmington, Delaware. Copies are also published online at the *Register of Regulations* website: http://regulations.delaware.gov/services/current_issue.shtml. Persons wishing to submit written comments may forward these to the attention of John F. Wayne, Executive Director, at the above address. The final date to receive written comments will be at the public hearing.

DEPARTMENT OF EDUCATION

The State Board of Education will hold its monthly meeting on Thursday, June 19, 2008 at 1:00 p.m. in the Townsend Building, Dover, Delaware.

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DIVISION OF MEDICAID AND MEDICAL ASSISTANCE

PUBLIC NOTICE

**DSSM 20180 Treatment of Couples in Medical Institutions
Long Term Care – Treatment of Income and Resources of Couples**

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 related to Long Term Care, specifically, applying couple computation rules.

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 & 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 by June 30, 2008.

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
PUBLIC NOTICE
Deficit Reduction Act of 2005 - Medicaid Integrity Program

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 the Title XIX Medicaid State Plan regarding the federal requirement to cooperate with integrity program efforts.

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 & 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 by June 30, 2008.

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
PUBLIC NOTICE
Fair Hearing Practice and Procedures

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 (DSS) is proposing to amend the Division of Social Services Manual (DSSM) regarding Fair Hearing Practice and Procedures.

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 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 by June 30, 2008.

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
301 Audited Financial Reports [Formerly Regulation 50]

INSURANCE COMMISSIONER MATTHEW DENN hereby gives notice of intent to adopt proposed Department of Insurance Regulation 301 relating to audited financial reports and financial statements of insurance companies. The docket number for this proposed amendment is 810.

The purpose of the proposed amendment to regulation 301 is to update the existing financial report and

audit requirements by enacting the Model Regulation, as modified to conform to statutory law. The text of the proposed amendment is reproduced in the June 2008 edition of the Delaware *Register of Regulations*. The text can also be viewed at the Delaware Insurance Commissioner's website at: <http://www.delawareinsurance.gov/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 July 7, 2008, 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 NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

DIVISION OF WATER RESOURCES

REGISTER NOTICE SAN #2002- 06

TITLE OF THE REGULATION:

7403 Regulations Governing the Pollution Control Strategy for the Indian River, Indian River Bay, Rehoboth Bay and Little Assawoman Bay Watersheds, Delaware.

BRIEF SYNOPSIS OF THE SUBJECT, SUBSTANCE AND ISSUES:

The Department of Natural Resources and Environmental Control (DNREC) plans to conduct a public hearing to gather comments on the proposed Pollution Control Strategy for the Inland Bays including the proposed **Regulations Governing the Pollution Control Strategy for the Indian River, Indian River Bay, Rehoboth Bay, and Little Assawoman Bay Watersheds**. The proposed Strategy includes both voluntary and regulatory actions which need to be implemented in order to achieve the nitrogen and phosphorus load reductions required by the Total Maximum Daily Loads for these watersheds. The proposed regulations would impact multiple sources of nutrients including point sources, stormwater, and onsite wastewater treatment and disposal systems. These regulations replace the previously proposed regulations that appeared in the May 1, 2007 *Delaware Register of Regulations*.

NOTICE OF PUBLIC COMMENT:

A public hearing for the proposed **Regulations Governing the Pollution Control Strategy for the Indian River, Indian River Bay, Rehoboth Bay and Little Assawoman Bay Watersheds** will be held at 6:00 PM on Monday, June 23, at Georgetown CHEER Community Center, 20520 Sandhill Road, Georgetown, Delaware 19947.

If you do not want to attend the public hearing, you may submit written comments during the public comment period beginning with this notice and ending at 4:30 PM on Monday, June 30, 2008. Please send written comments to John Schneider, Department of Natural Resources and Environmental Control, Division of Water Resources, Watershed Assessment Section, 820 Silver Lake Boulevard, Suite 220, Dover, DE 19904-2464; facsimile: (302) 739-6140; email: (john.schneider@state.de.us). All written comments must be received by 4:30 PM, Monday, June 30, 2008. Electronic submission is preferred.

Copies of the proposed regulations and technical support documents for these watersheds are available by mail from Maryann Pielmeier, DNREC, DWR, Watershed Assessment Section, 820 Silver Lake Blvd., Suite 220, Dover, DE 19904-2464, via telephone by calling (302) 739-9939, via e-mail by contacting maryann.pielmeier@state.de.us, or from the DNREC website at the following URL: http://www.dnrec.state.de.us/water2000/Sections/Watershed/ws/ib_pcs.htm

PREPARED BY:

John Schneider

302-739-9939

May 19, 2008

DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION
1800 Board of Plumbing, Heating, Ventilation, Air Conditioning and Refrigeration Examiners
PUBLIC NOTICE

The Delaware Board of Plumbing, Heating, Ventilation, Air Conditioning and Refrigeration Examiners, in accordance with 29 **Del.C.** Chapter 101 and 24 **Del.C.** §1806(a)(2), proposes an addition to its regulation section 1.0. Specifically, the proposed addition to **1.0 General Provisions** establishes that Exception 1 to Section 101.2 of the 2003 International Mechanical Code does not apply to Board licensees.

A public hearing is scheduled for Tuesday, July 8, 2008 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 regulations or to make comments at the public hearing should contact Judy Letterman at the above address or by calling (302) 744-4500.

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

DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
NOTICE OF PUBLIC COMMENT PERIOD
2101 Freedom of Information Act (FOIA) Regulation

As authorized under 29 **Del.C.** Chapter 100, the Delaware Department of Transportation is seeking to adopt regulations for the processing of Freedom of Information Act requests, as detailed in this publication.

The Department will take written comments on the draft regulations from June 1, 2008 through June 30, 2008.

Questions or comments regarding this document should be directed to:

Darrel Cole, Director of Public Relations

Department of Transportation

P.O. Box 778 /Dover, DE 19903

Phone: (302) 760-2080 and Fax: (302) 739-2092 Email: darrel.cole@state.de.us

STATE BOARD OF PENSION TRUSTEES
THE DELAWARE PUBLIC EMPLOYEES' RETIREMENT SYSTEM
NOTICE OF PUBLIC HEARING AND COMMENT PERIOD

The State Board of Pension Trustees (the "Board") in accordance with 29 **Del.C.** §8308(c)(1) has proposed changes and additions to the rules and regulations relating to the administration of the Delaware Public Employees' Retirement System ("DPERS") for the following retirement plans: (1) State Employees' Pension Plan, (2) State Police Pension Plan, (3) State Judiciary Pension Plan, (4) County Municipal Employees' Pension Plan, and (5) County & Municipal Police/Firefighter Pension Plan. These proposals reflect the current practices at the Office of Pensions and additionally incorporates operational provisions required by the United States Internal Revenue Service to maintain the qualified status of DPERS' retirement plans.

A public hearing will be held before the Board at 11:00 a.m. on July 25, 2008, at the Office of Pensions located in the McArdle Building at 860 Silver Lake Boulevard, Suite 1, Dover, Delaware 19904 where members of the public can offer comments. Members of the public may receive a copy of the proposed regulation at no charge via United States Mail in writing from Terri L. Timmons, Office Manager at 860 Silver Lake Boulevard, Suite 1, Dover, Delaware 19904 or by calling her at (302) 739-4208. Additionally, members of the public may present written comments on the proposed regulation by submitting such written comments to Ms. Timmons at the address listed above. The final date to receive written comments is June 30, 2008.