

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Building Commission

RULE NO.: 9N-1.001 RULE TITLE: State Building Code Adopted

PURPOSE AND EFFECT: To conduct a final rule development workshop before the Commission to accept public input regarding proposed modifications to the selected edition of the model codes and comments received since committee review of those proposals. The combination of the selected model codes and approved modifications comprise the 2010 Florida Building Code in conformity with the triennial update process specified in Sections 553.73(3), (6), Florida Statutes. Local technical amendments to the 2007 Florida Building Code and continuation of previously adopted Florida-specific amendments will also be considered. The modifications and the committee recommendation with regard thereto are available via the Commissions website, www.floridabuilding.org.

SUBJECT AREA TO BE ADDRESSED: The Florida Building Code.

RULEMAKING AUTHORITY: 553.73(1), 553.73(2), 553.73(7), 553.73(8), 553.901 FS.

LAW IMPLEMENTED: 553.72, 553.73(2), 553.73(3), 553.73(7), 553.73(8), 553.73(9), 553.901 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: December 7, 2010, 8:30 a.m. until completion which may entail further consideration on subsequent days.

PLACE: Crown Plaza Hotel, Melbourne, 2605 Highway A1A N., Indialantic, Florida 32903

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 7 days before the workshop/meeting by contacting: Mo Madani, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)921-2247. 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mo Madani, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)921-2247

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

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 CITRUS

RULE NO.: 20-39.003 RULE TITLE: Approved Boxes

PURPOSE AND EFFECT: Adding an experimental container to the approved list of containers at the request of the industry.

SUBJECT AREA TO BE ADDRESSED: Adding a container to the approved boxes listed in Rule 20-39.003, F.A.C.

RULEMAKING AUTHORITY: 601.11 FS.

LAW IMPLEMENTED: 601.11 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Alice P. Wiggins, License & Regulation Specialist, Legal Department, Florida Department of Citrus, P. O. Box 9010, Bartow, Florida 33831-9010 or awiggins@citrus.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

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 ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-711.110	Forms
62-711.300	Waste Tire Permit Requirements
62-711.400	Waste Tire Prohibitions
62-711.500	Waste Tire Site Notification and Requirements
62-711.520	Waste Tire Collector Requirements
62-711.530	Waste Tire Processing Facility Requirements

- 62-711.540 Storage Requirements
- 62-711.550 Waste Tire Collection Center Requirements
- 62-711.700 Closing of Waste Tire Sites
- 62-711.801 General Permits

PURPOSE AND EFFECT: The Department intends to begin to offer waste tire registrations online. As a result, several minor changes need to be made to the registration requirements and form. There are also several other minor or clerical changes that need to be made to the rule.

SUBJECT AREA TO BE ADDRESSED: Waste Tires.

RULEMAKING AUTHORITY: 403.704, 403.717, 403.814 FS.

LAW IMPLEMENTED: 403.087, 403.707, 403.717, 403.814 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Richard Tedder, Department of Environmental Protection, MS 4565, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8735, or email at Richard.Tedder@dep.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Medicine

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| RULE NOS.: | RULE TITLES: |
| 64B8-9.0131 | Standards of Practice for Physicians Practicing in Pain Management Clinics |
| 64B8-9.0132 | Requirement for Pain Management Clinic Registration; Inspection or Accreditation |

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address the standards of practice for physicians practicing in pain management clinics, including but not limited to, training requirements. In addition the Board proposes rule development to review the criteria for clinic registration and inspection.

SUBJECT AREA TO BE ADDRESSED: Standards of practice for pain management clinics, including training requirements and the requirements for registration, inspection or accreditation.

RULEMAKING AUTHORITY: 458.3265(4)(d) FS.

LAW IMPLEMENTED: 458.3265(4)(d) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

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| RULE NOS.: | RULE TITLES: |
| 64B15-14.0051 | Standards of Practice for Physicians Practicing in Pain Management Clinics |
| 64B15-14.0052 | Requirement for Pain Management Clinic Registration; Inspection or Accreditation |

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address the standards of practice for physicians practicing in pain management clinics. In addition the Board proposes rule development to review the criteria for clinic registration and inspection.

SUBJECT AREA TO BE ADDRESSED: Standards of practice for pain management clinics and the requirements for registration, inspection or accreditation.

RULEMAKING AUTHORITY: 459.0137(4)(d) FS.

LAW IMPLEMENTED: 459.0137(4)(d) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony Jusevitch., Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Division of Disease Control

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| RULE NO.: | RULE TITLE: |
| 64D-4.002 | Definitions |

PURPOSE AND EFFECT: The purpose and effect of this amendment will be to decrease the federal poverty level (FPL) from 400% to 300% FPL. The federal poverty level is used for eligibility purposes for the HIV/AIDS Patient Care Programs to better serve low income persons living with HIV disease. The change is part of the cost containment process to serve the neediest due to an unprecedented demand for services and lack of funding.

SUBJECT AREA TO BE ADDRESSED: The proposed revisions decrease the federal poverty level for those persons living with HIV disease to be able to access services.

RULEMAKING AUTHORITY: 381.003(1)(c) FS.

LAW IMPLEMENTED: 381.011(1), 381.003(1)(c) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Suzanne Stevens, Bureau of HIV/AIDS, 4052 Bald Cypress Way, Bin #A09, Tallahassee, Florida 32399-1715, (850)245-4335

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Prescription Drug Monitoring Program

RULE NO.: 64K-1.007 **RULE TITLE:** Indicators of Substance Abuse

PURPOSE AND EFFECT: The Department determined that a new rule is needed to implement the 2010 statute requiring the program manager to work with the stakeholders to develop a rule to identify the indicators of controlled substance abuse.

SUBJECT AREA TO BE ADDRESSED: Indicators of Substance Abuse.

RULEMAKING AUTHORITY: 893.005 FS.

LAW IMPLEMENTED: 893.005 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: December 3, 2010, 10:00 a.m.

PLACE: The Betty Easley Conference Center, Conference Room #152, 4075 Esplanade Way, Tallahassee, Florida 32399

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 five days before the workshop/meeting by contacting: telephone number (850)245-4292. 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rebecca R. Poston, BPharm, RPh., Program Manager, 4052 Bald Cypress Way, Bin #C-16, Tallahassee, Florida 32399, telephone number (850)245-4797

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

FISH AND WILDLIFE CONSERVATION COMMISSION

Manatees

RULE NO.: 68C-22.010 **RULE TITLE:** Broward County Zones

PURPOSE AND EFFECT: The Commission is considering amendments to the existing manatee protection rule for Broward County. In April 2010, at the request of the Commission and as provided by Section 379.2431(2)(f), F.S., Broward County established a Local Rule Review Committee (LRRC) to review and comment on a preliminary rule proposal. The LRRC met 13 times and the Commission received the LRRC final report in August 2010. The Commission is scheduled to consider the LRRC report and Commission staff recommendations for proposed rule amendments at the December 1-2, 2010, Commission meeting to be held in Weston. The agenda for this meeting and background information on this issue can be viewed on-line at: http://www.myfwc.com/COMMISSION/2010/Comm_10_AgendaDec.htm.

SUBJECT AREA TO BE ADDRESSED: Manatee protection rule for Broward County.

RULEMAKING AUTHORITY: 379.2431(2) FS.

LAW IMPLEMENTED: 379.2431(2) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mr. Scott Calleson, Imperiled Species Management Section, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399 (telephone (850)922-4330)

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NO.: 69B-162.011 **RULE TITLE:** Suitability and Disclosure in Annuity Contracts-Forms Required

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise the existing rule to reflect certain provisions of Senate Bill 2176, a general insurance bill passed by the 2010 Legislature. The relevant statute, Section 626.99(4)(c), F.S., has been amended to require cover pages for fixed and variable annuity contracts. The effect of the proposed rule is to provide clear and concise information to consumers regarding their rights to cancel annuity contracts and to receive unconditional refunds. In addition to the mandatory formatting requirements, the proposed rule amendment requires that annuity cover pages contain specific cautionary language to inform consumers of the risks, policy features and contact sources for those seeking additional information or to report complaints.

SUBJECT AREA TO BE ADDRESSED: Annuity Policy Cover Pages.

RULEMAKING AUTHORITY: 624.308(1), 626.016, 627.4554(10) FS.

LAW IMPLEMENTED: 624.307(1), 626.308, 626.99(4)(c), 627.4131, 627.4554 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Monday, December 13, 2010, 10:00 a.m.
PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Richard Brinkley, Special Investigator, Bureau of Investigation, Division of Agent & Agency Services, Florida Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399-0320, (850)413-5654

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting the person listed above.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

Section II Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-1.0014	Comprehensive Management Information System

PURPOSE AND EFFECT: The purpose of this rule amendment is to revise existing requirements of the statewide comprehensive management information system which are necessary in order to implement changes recommended by school districts and to make changes in state reporting and local recordkeeping procedures for state and/or federal programs. The effect is to maintain compatibility among state and local information systems components.

SUMMARY: The rule incorporates revisions to selected data elements, procedures and timelines for state reporting, local recordkeeping, and statewide records transfer which are to be implemented by each school district and the Department of Education within the automated statewide comprehensive management information system. The rule contains the security, privacy and retention procedures to be used by the Department of Education for school district, student, staff and finance records collected and maintained at the state level.

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.

RULEMAKING AUTHORITY: 120.536(1), 120.54, 1001.02(1), 1002.22(3)(a), 1008.385(3) FS.

LAW IMPLEMENTED: 1002.22, 1008.385(2), 1010.305 FS.
A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: December 17, 2010, 11:00 a.m.
PLACE: Miami Dade College – Wolfson Campus, 300 N.E. 2nd Avenue, Building 2000, Room 2106, Miami, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lavan Dukes, Education Information and Accountability Services Section, Department of Education, 325 West Gaines Street, Room 852, Tallahassee, Florida 32399-0400, (850)245-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.0014 Comprehensive Management Information System.
 (1) No change.