

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE NOS.:	RULE TITLES:
5F-11.002	Standards of National Fire Protection Association Adopted
5F-11.027	Approval of Liquefied Petroleum Gas Containers
5F-11.050	Installation of Unvented Room Heaters

PURPOSE AND EFFECT: These rule revisions are proposed for the purposes of adopting the 2006 edition of National Fire Protection Association Standard No. 54, the National Fuel Gas Code; to revise references within the existing rules to be consistent with this code; and to specify safety requirements for the sale of propane containers to the end user or consumer.

SUBJECT AREA TO BE ADDRESSED: This rule will address the adoption of the most recent edition of the National Fuel Gas Code as it relates to liquefied petroleum gas installations and regulation.

SPECIFIC AUTHORITY: 527.06 FS.

LAW IMPLEMENTED: 527.06 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 IS: Vicki O’Neil, Bureau Chief, Bureau of LP Gas Inspection, 3125 Conner Blvd., Suite N., Tallahassee, FL 32399-1650; phone: (850)921-8001

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-11.002 Standards of National Fire Protection Association Adopted.

(1) The standards of the National Fire Protection Association for the storage and handling of liquefied petroleum gases as published in NFPA No. 58, LP-Gas Code 2004 edition, and for gas appliances and gas piping as published in NFPA No. 54, American National Standard National Fuel Gas Code, 2006 ~~2002~~ edition, shall be the accepted standards for this state, subject to such additions and exceptions as are set forth in these rules. Reference to NFPA 58 and NFPA 54 in these rules shall be to the most recent edition as adopted herein. Section 6.6.7 of NFPA 58, 2004 edition, titled “Installation of Containers on Roofs of Buildings,” is hereby

excluded from adoption. Section 7.1.6.2 of NFPA 54, 2006 edition, titled “Conduit With Both Ends Terminating Indoors” is hereby excluded from adoption.

(2) Each of the NFPA publications listed in subsection (1) above is incorporated by reference in each rule within this rule chapter in which referenced is made to the publication. In each instance, the publication becomes a part of the rule, in the entirety of the publication, or in part thereof, as the rule provides or the context of the rule may require.

(3) “NFPA” is the recognized abbreviation for the National Fire Protection Association, Inc., and generally the abbreviation is used in these rules in identifying the publications of the association. The public may obtain a copy of any NFPA publication by writing the association, whose address is: National Fire Protection Association, Inc., Batterymarch Park, Quincy, Massachusetts 02269.

Specific Authority 527.06 FS. Law Implemented 527.06 FS. History—New 8-7-80, Formerly 4A-1.01, Amended 7-18-85, Formerly 4B-1.01, Amended 10-8-86, 2-6-90, 8-9-92, Formerly 4B-1.001, Amended 7-20-95, 7-23-97, 6-8-99, 5-23-00, 9-2-02, 1-29-06,_____.

5F-11.027 Approval of Liquefied Petroleum Gas Containers.

Liquefied petroleum gas containers shall be considered approved when designed, fabricated, tested, and marked (or stamped) in accordance with the requirements of Section 5.2, NFPA 58. Liquefied petroleum gas containers offered for sale must meet the requirements of the code under which they were fabricated, the requirements of NFPA 58, Chapter 527, F.S., and this rule chapter when being sold for continued use with liquefied petroleum gas.

Specific Authority 527.06 FS. Law Implemented 527.06 FS. History—New 6-5-97, Amended 1-29-06,_____.

5F-11.050 Installation of Unvented Room Heaters.

The following exceptions to the requirements of Section 10.23 ~~9.23~~ of NFPA 54, are adopted with regard to the installation of unvented room heaters:

(1) One listed, wall-mounted, unvented room heater, equipped with an oxygen depletion safety shutoff system may be installed in a bathroom, provided that the input rating shall not exceed 6000 BTU per hour and combustion and ventilation air are provided as specified by Section 9.3 ~~8.3~~ of NFPA 54.

(2) One listed, wall-mounted, unvented room heater equipped with an oxygen depletion safety shutoff system may be installed in a bedroom, provided that the input rating shall not exceed 10,000 BTU per hour and combustion and ventilation air are provided as specified by Section 9.3 ~~8.3~~ of NFPA 54.

Specific Authority 527.06 FS. Law Implemented 527.06 FS. History—New 1-24-95, Amended 1-29-06,_____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-4.0243 RULE TITLE: Specialization Requirements for Certification in Foreign Language (Grades K-12) – Academic Class

PURPOSE AND EFFECT: The Department of Education proposes to review this rule for consideration of acceptance of certain military foreign language education and training.

SUBJECT AREA TO BE ADDRESSED: Educator certification credit requirements.

SPECIFIC AUTHORITY: 1001.02, 1012.55, 1012.56 FS.

LAW IMPLEMENTED: 1001.02, 1012.54, 1012.55, 1012.56 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: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400, (850)245-9661

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.: 6A-14.030 RULE TITLES: Instruction and Awards in Community Colleges

6A-14.0716 Community College Budgets

6A-14.072 Financial Records and Reports

6A-14.0734 Procurement Requirements

6A-14.080 Dr. Philip Benjamin Matching Program for Community Colleges

PURPOSE AND EFFECT: The purpose is to review the requirements of the rules listed above to ensure they are consistent with current implementing statute. The effect will be rules which are consistent with statute and reflect the current policies.

SUBJECT AREA TO BE ADDRESSED: Credentials for Education Preparation Institute completers, accounting practices to be followed by Community Colleges, procurement requirements, budget matters, and requirements for the Dr. Philip Benjamin Matching Program for Community Colleges.

SPECIFIC AUTHORITY: 1011.85, 287.017, 1001.02(1),(9), 1010.01 FS.

LAW IMPLEMENTED: 1011.85, 287.017, 1001.02(1),(9), 1010.01 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: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, #1514, Tallahassee, Florida 32399-0400., (850)245-9661

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NO.: 9B-3.004 RULE TITLE: Commission Organization and Operations

PURPOSE AND EFFECT: To provide for alternate Technical Advisory Committee Members to serve in the absence of the primary member.

SUBJECT AREA TO BE ADDRESSED: Procedures for designation of an alternate and limitations and criteria for alternates' service on Committees.

SPECIFIC AUTHORITY: 553.76(1), 553.77(1)(a) FS.

LAW IMPLEMENTED: 553.74, 553.75 FS.

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

DATE AND TIME: March 28, 2007, 8:30 a.m., or as soon thereafter as the matter comes before the Florida Building Commission in accordance with its agenda

PLACE: Casa Monica, 95 Cordova Street, Saint Augustine, Florida 32084

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: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824. 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 IS: Ila Jones, Community Program Administrator, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

9B-3.004 Commission Organization and Operations.

(1) No change.

(2) The Chairman presides over all Commission meetings, appoints work groups, Program Oversight Committees, Technical Advisory Committees and Ad Hoc Committees, serves as official spokesman for the Commission, and delegates staff and Committee assignments. The Chairman shall review the membership of Program Oversight and Technical Advisory Committees and reappoint or replace members as needed annually.

(3) through (6) No change.

(7) The Chairman may appoint work groups to study issues and present findings and recommendations to the appropriate Committees.

(8) Non-Commissioner members of Committees and work groups may designate an alternate to participate in meetings and vote in their absence.

(9)(7) No change.

(10)(8) The Commission and all of its Committees will utilize Robert's Rules of Order to make and approve motions except as provided in subsection (11).

(9) through (16) renumbered (11) through (18) No change.

Specific Authority 553.76(1), 553.77(1)(a) FS. Law Implemented 553.74, 553.75 FS. History—New 5-15-75, Amended 4-18-78, Formerly 9B-3.04, Amended 9-7-00, 11-20-01,_____.

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NO.: 9B-3.050
 RULE TITLE: Statewide Amendments to the Florida Building Code

PURPOSE AND EFFECT: To identify criteria by which the commission evaluates proposed annual amendments to the Florida Building Code and coordinate the annual amendment process with the glitch process added to Chapter 553, F.S.

SUBJECT AREA TO BE ADDRESSED: Annual amendments to the Code.

SPECIFIC AUTHORITY: 553.73(3), (6) FS.

LAW IMPLEMENTED: 553.73(3), (6) FS.

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

DATE AND TIME: March 28, 2007, 8:30 a.m., or as soon thereafter as the matter comes before the Commission in accordance with its agenda

PLACE: Casa Monica, 95 Cordova Street, Saint Augustine, Florida 32084

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: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak

Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824. 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 IS: Ila Jones, Community Program Administrator, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

9B-3.050 Statewide Amendments to the Florida Building Code.

(1) The Florida Building Commission may amend the Florida Building Code once each year for the following purposes: The Florida Building Commission may approve technical amendments to the Florida Building Code once each year if it finds that the amendment meets the following criteria:

(a) To incorporate its own interpretations of the code which are embodied in its own opinions and declaratory statements Has a reasonable and substantial connection with the health, safety and welfare of the general public.

(b) To address emergency issues upon a finding that amendment is necessary to protect the health, safety and welfare of the citizens of Florida. Strengthens or improves the Florida Building Code, or in the case of innovation or new technology, will provide equivalent or better products or methods or systems of construction.

(c) To adopt new editions and addenda of referenced standards. Does not discriminate against materials, products, methods or systems of construction of demonstrated capabilities.

(d) To maintain consistency with federal laws and regulations. Does not degrade the effectiveness of the Florida Building Code. Furthermore, the Florida Building Commission may approve technical amendments to the code once each year to incorporate its own interpretations of the code which are embodied in its own opinions and declaratory statements.

(e) To maintain consistency with state laws and rules.

(f) To maintain coordination with the Florida Fire Prevention Code pursuant to Sections 553.73(1)(d) and (3), F.S.

(2) through (9) No change.

Specific Authority 553.73(3), (6) FS. Law Implemented 553.73(3), (6) FS. History—New 11-20-01, Amended 6-8-05, 2-28-06,_____.

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NOS.:	RULE TITLES:
9B-7.003	Procedures
9B-7.0042	Florida Accessibility Code for Building Construction

PURPOSE AND EFFECT: The Florida Building Commission’s Advisory Committee has identified the referenced topics as in need of updating or correction. This rule amendment will address those limited issues and update the form adopted for submission of a waiver request, address accessible parking within the Accessibility Code for Building Construction, and make a correction pertaining to ramp width within the Code.

SUBJECT AREA TO BE ADDRESSED: Glitches pertaining to ramp widths and to integrate changes in law concerning parking in Florida Accessibility Code for Building Construction, and to update the waiver form.

SPECIFIC AUTHORITY: 553.512(1) FS.

LAW IMPLEMENTED: 553.512(1) FS.

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

DATE AND TIME: March 28, 2007, 8:30 a.m., or as soon thereafter as the matter comes before the Commission in accordance with its agenda

PLACE: Casa Monica, 95 Cordova Street, Saint Augustine, Florida 32084

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: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824. 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: Ila Jones, Community Program Administrator, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NOS.:	RULE TITLES:
9B-72.005	Scope
9B-72.010	Definitions
9B-72.030	Exceptions

PURPOSE AND EFFECT: To review the rule in light of legislative change, experience with the system, and the efforts of the Product Approval Validation Workgroup. To further discuss generally and specifically with regard to fees for implementation.

SUBJECT AREA TO BE ADDRESSED: The process for State approval of construction products.

SPECIFIC AUTHORITY: 553.842(1), (5)-(7), (14) FS.

LAW IMPLEMENTED: 553.842(1), (5)-(7), (8), (14) FS.

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

DATE AND TIME: March 28, 2007, 8:30 a.m., or as soon thereafter as the matter comes before the Commission in accordance with its agenda

PLACE: Casa Monica, 95 Cordova Street, Saint Augustine, Florida 32084

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824

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 BUSINESS AND PROFESSIONAL REGULATION

RULE NO.:	RULE TITLE:
61-24.012	Application Process

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to adopt a profession specific provision for reinstating a license that has become null and void due to illness or unusual hardship as permitted by Section 455.271(6)(b), Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in this rule is when a null and void license can be reinstated due to illness or unusual hardship.

SPECIFIC AUTHORITY: 468.457 FS.

LAW IMPLEMENTED: 468.453, 455.271(6)(b) 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, March 26, 2007, 2:00 p.m. – 3:00 p.m.

PLACE: Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 North Monroe Street, 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 48 hours before the workshop/meeting by contacting: Jennifer A. Tschetter at (850)488-0062. 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: Jennifer A. Tschetter, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-0062

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.:	RULE TITLE:
61C-1.004	General Sanitation and Safety Requirements

PURPOSE AND EFFECT: The purpose and effect of this rule amendment is to correct Division of State Fire Marshal Florida Administrative Code (F.A.C.) and Department of Agriculture and Consumer Services F.A.C. citations in Chapter 61C-1, F.A.C. These changes are necessary due to the transfer of Chapter 4A, F.A.C., to Chapter 69A, F.A.C.; and the adoption of federal standards for the regulation of bottled water.

SUBJECT AREA TO BE ADDRESSED: These rule amendments correct Division of State Fire Marshal and Department of Agriculture and Consumer Services Florida Administrative Code citations found in Chapter 61C-1, F.A.C.

SPECIFIC AUTHORITY: 509.032(2)(d), 509.032(3), 509.032(6) FS.

LAW IMPLEMENTED: 509.032(2)(d), 509.032(3)(a), (b), (c), 509.215, 509.221 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 IS: Michelle Comingore, Operations Review Specialist, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1012; Telephone: (850)488-1133

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61C-1.004 General Sanitation and Safety Requirements.

The following general requirements are standards shall be met by all public lodging and public food service establishments

(1) Water, plumbing and waste.

Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, herein adopted by reference. For the purposes of this section, the term “food establishment” as referenced in the Food Code shall apply to all public lodging and public food establishments as defined in Chapter 509, F.S.

(a) No change.

(b) Bottled and packaged potable water shall be transported and obtained in accordance with the requirements of Title 21 Code of Federal Regulation Parts 129 and 165, as adopted by the Department of Agriculture and Consumer Services in Rule 5K-4.002 ~~Chapter 5E-15, F.A.C.~~, herein adopted by reference.

(c) through (e) No change.

(2) through (4) No change.

(5) All fire safety, protection and prevention equipment must be installed, approved, maintained and used in accordance with Chapter 509, F.S, and the National Fire Protection Association Life Safety Code Chapter 101, as adopted by the Division of State Fire Marshal in Chapter 69A-3 4A-3, F.A.C.

(6) through (8) No change.

(9) Fire safety equipment.

(a) No change.

(b) A standard state approved service tag shall be attached to each extinguisher and a person holding a valid state permit issued by the State Fire Marshal shall recharge or inspect the extinguisher and shall prepare the tag to include the information required by Rule 69A-21.241 4A-21.041, F.A.C., herein adopted by reference.

(c) through (e) No change.

(10) No change.

(11) Electrical wiring – To prevent fire or injury, defective electrical wiring shall be replaced and wiring shall be kept in good repair. No extension cords shall be used except during cleaning, maintenance and other temporary activities. Only a wall switch or approved pull cord shall be permitted in bathrooms. In accordance with the provisions of NFPA 70, the National Electrical Code, as adopted by the Division of State Fire Marshal in Chapter ~~69A-3 4A-3~~, F.A.C., ~~Uniform Fire Safety Rules and Standards~~, sufficient electrical outlets shall be provided.

(12) No change.

(13) Gas appliances – All appliances, including water heaters using gas, shall be kept in good repair and properly vented when manufacturers’ instructions require venting of the appliance and shall meet the following requirements:

(a) All appliances shall have a nationally recognized testing laboratory seal such as AGA or UL seal.

(b) Heating appliances shall be properly sized in BTU input for room air space. Proper sizing of heating appliances shall be determined in accordance with the provisions of NFPA 54, the National Fuel Gas Code, as adopted by the Division of State Fire Marshal in Chapter ~~69A-3 4A-43 and 4A-55~~, F.A.C.; ~~for public lodging establishments and public food service establishments, respectively.~~

Specific Authority 509.032(2)(d), 509.032(3), 509.032(6) FS. Law Implemented 509.032(2)(d), ~~509.032(3)(a), (b), (c)~~, 509.215, 509.221 FS. History–Amended 2-20-64, 7-14-67, 2-8-69, Revised 2-4-71, Amended 2-17-73, Repromulgated 12-18-74, Amended 9-19-84, Formerly 7C-1.04, Amended 12-31-90, 2-11-92, 6-15-92, Formerly 7C-1.004, Amended 3-31-94, 10-9-95, 9-25-96, 5-11-98, 7-2-98, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-4.0161
 RULE TITLE: Mobile Food Dispensing Vehicles and Theme Park Food Carts

PURPOSE AND EFFECT: The purpose and effect of this rule amendment is to correct Division of State Fire Marshal Florida Administrative Code (F.A.C.) and Department of Agriculture and Consumer Services F.A.C. citations in Chapter 61C-4, F.A.C. These changes are necessary due to the transfer of Chapter 4A, F.A.C., to Chapter 69A, F.A.C.; and a newer version of National Fire Protection Association standards adopted by the Division of State Fire Marshal.

SUBJECT AREA TO BE ADDRESSED: These rule amendments correct Division of State Fire Marshal and Department of Agriculture and Consumer Services Florida Administrative Code citations found in Chapter 61C-4, F.A.C.

SPECIFIC AUTHORITY: 509.032(2)(d), 509.032(6) FS.

LAW IMPLEMENTED: 509.032(2)(d), 509.032(3)(a), 509.211, 509.215, 509.221 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 IS: Michelle Comingore, Operations Review Specialist, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1012; Telephone: (850)488.1133

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61C-4.0161 Mobile Food Dispensing Vehicles and Theme Park Food Carts.

(1) through (8) No change.

(9) Required extinguishers shall be installed and easily accessible on each cart, and shall be located as remotely as possible from the fuel supply or power source of the cart, in accordance with Chapter ~~69A-3 4A-43~~, F.A.C.

(10) Installation of liquefied petroleum gas appliances, equipment, apparatus or containers on theme park food carts is to be performed in accordance with the provisions of National Fire Protection Association, Standard #58, “Liquefied Petroleum Gases Handbook,” ~~2002 1995~~ Edition, as adopted by the Division of State Fire Marshal in Chapter 69A-3 and Chapters ~~4A-3 and 5F-11~~, F.A.C., herein adopted by reference. The following requirements must also be met:

(a) Gas appliances shall be installed in accordance with manufacturer’s specifications.

(b) The gas supply shall be shut off at the tank when equipment is not in use;

(c) No unit utilizing LP gas shall park in a building during the operation of its vending business.

Specific Authority 509.032(2)(d), ~~509.032(6)~~ FS. Law Implemented 509.032(2)(d), ~~509.032(3)(a)~~, 509.211, 509.215, 509.221 FS. History–New 2-21-91, Formerly 10D-13.0291, 7C-4.0161, Amended 3-31-94, 9-25-96, 5-11-98, 7-2-98, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Miscellaneous Businesses and Professions – Asbestos Consultants/Asbestos Consultant Examination

RULE NO.: 61E1-3.001
 RULE TITLE: Fees; License Renewal; Active, Inactive and Delinquent Licenses; Change of Status

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to adopt a profession specific provision for reinstating a license that has become null and void due to illness or unusual hardship as permitted by Section 455.271(6)(b), Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in this rule is when a null and void license can be reinstated due to illness or unusual hardship.

SPECIFIC AUTHORITY: 469.004, 469.006, 469.008, 469.011, 469.2035 FS.

LAW IMPLEMENTED: 455.2179, 455.271, 469.006, 469.008 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, March 26, 2007, 1:00 p.m. – 2:00 p.m.

PLACE: Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 North Monroe Street, 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 48 hours before the workshop/meeting by contacting: Jennifer A. Tschetter at (850)488-0062. 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: Jennifer A. Tschetter, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-0062

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-16.005 **RULE TITLE:** Endorsement

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify endorsement requirements so that they are more comparable to the hours required of students who apply for examination and to provide for verification of educational credentials.

SUBJECT AREA TO BE ADDRESSED: Endorsement of licenses.

SPECIFIC AUTHORITY: 476.064(4), 476.144(5) FS.

LAW IMPLEMENTED: 476.144(5) 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: Robyn Barineau, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0790

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-20.002 **RULE TITLE:** Application Fee for Licensure Through Examination or Endorsement and Reexamination Fees

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify the application fee for licensure by endorsement.

SUBJECT AREA TO BE ADDRESSED: Application fees for licensure through examination or endorsement and reexamination fees.

SPECIFIC AUTHORITY: 455.213(1), 455.2171, 476.064(4), 476.192 FS.

LAW IMPLEMENTED: 455.2171, 476.192 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: Robyn Barineau, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0790

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NO.: 61G6-5.002 **RULE TITLE:** Application for Certification by Examination; Reexamination

PURPOSE AND EFFECT: The Board proposes to amend the rule in order to delete language concerning deadlines for receiving correspondence, requests, information or other documents pertinent to the application.

SUBJECT AREA TO BE ADDRESSED: Language concerning deadlines for receiving correspondence, requests, information, or other documents pertinent to the application, will be removed from the rule.

SPECIFIC AUTHORITY: 489.507(3) FS.

LAW IMPLEMENTED: 489.511 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 IS: Anthony Spivey, Executive Director, Electrical Contractors’ Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G6-5.002 Application for Certification by Examination; Reexamination.

(1) An applicant for certification by examination or by endorsement shall submit the complete application form together with all supporting data (including information required to be submitted under Rules 61G6-5.004 and 61G6-5.003, F.A.C., if applicable) to the Department of Business and Professional Regulation. The application shall be accompanied by the application fee. All initial applications for examination must be completed and filed with the Department at least ninety (90) days prior to the date of the Technical/Safety examination that is administered by the Department. All applications not completed by the deadline will be automatically scheduled for the next examination. ~~Correspondence, requests, information or other documents pertinent to the application must be postmarked twenty one (21) days or received fourteen (14) days prior to any scheduled meeting of the Board. Items received after the fourteen (14) day period may not be considered until the next meeting of the Board.~~ Any application that is not complete within one year from date of initial filing will be closed. The form is entitled “Examination Application,” DBPR ECLB 4451, Effective Date: November 12, 2004, and incorporated herein by reference. Applicants shall also complete the following forms: DBPR 0010, Master Individual Application, Effective Date: November 12, 2004, DBPR ECLB 4454, Work Experience, Effective Date: November 12, 2004, DBPR 0050, Explanatory Information for Background Questions, Effective Date: November 12, 2004, DBPR 0060, General Explanatory Description, Effective Date: November 12, 2004 and DBPR 0030-1, Attest Statement, Effective Date: November 12, 2004, incorporated herein by reference. Copies of the application and other forms required by this rule can be obtained by contacting the Department at the following address: Electrical

Contractors’ Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0771, or at: <http://www.state.fl.us/dbpr/pro/forms/elboard/index.shtml>.

(2) through (3) No change.

Specific Authority 489.507(3) FS. Law Implemented 489.511 FS. History--New 1-2-80, Amended 10-30-80, Formerly 21GG-5.02, Amended 10-30-88, 11-3-92, Formerly 21GG-5.002, Amended 4-5-95, 5-13-03, 1-23-05, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: RULE TITLE:

61G19-5.002 Disciplinary Guidelines

PURPOSE AND EFFECT: The proposed rule amendment clarifies and makes the rule consistent with statutory references by including plans examination with the concepts of building code administration and inspection.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

SPECIFIC AUTHORITY: 455.227, 455.2273, 468.606 FS.

LAW IMPLEMENTED: 455.227, 455.2273, 468.607, 468.621, 468.629 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 IS: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G19-5.002 Disciplinary Guidelines

(1) through (2)(m) No change.

VIOLATION	RECOMMENDED RANGE OR PENALTY
(2)(n) Practicing as a building code administrator, <u>plans</u> examiner, or inspector without a valid active certificate. (Section 468.607, 468.621(1)(a), F.S.)	(n)1. In the case of an applicant, the usual action of the board shall be licensure with an administrative fine and probation or denial. In the case of a licensee, the usual action by the board shall be to impose a penalty from reprimand to probation and a fine of up to \$1,500

	(n)2. After the first offense, in the case of an applicant, the usual action of the board shall be denial. For a licensee, the penalty shall be revocation and a fine of up to \$5,000
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(o) through (5) No change.

Specific Authority 455.227, 455.2273, 468.606 FS. Law Implemented 455.227, 455.2273, 468.607, 468.621, 468.629 FS. History—New 5-23-94, Amended 8-14-96, 8-3-97, 11-2-00, 4-10-06,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-22.0086
 RULE TITLE: Standards for Tax Practice

PURPOSE AND EFFECT: The Board proposes to amend the rule in order to update the name of the standards with which the licensee must comply.

SUBJECT AREA TO BE ADDRESSED: Standards for Tax Practice.

SPECIFIC AUTHORITY: 473.304, 473.315 FS.

LAW IMPLEMENTED: 473.315 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 IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-22.0086 Standards for Tax Practice.

Licensees performing tax services shall comply with the Statement on Standards for Tax Services, Responsibilities in Tax Practice as published by the American Institute of CPAs.

Specific Authority 473.304, 473.315 FS. Law Implemented 473.315 FS. History—New 5-20-91, Formerly 21A-22.0086, Amended 9-30-97,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-27.002
 RULE TITLE: Concentrations in Accounting and Business

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the classes required for the degree to have a concentration in accounting and business, and as required to be eligible for licensure.

SUBJECT AREA TO BE ADDRESSED: Concentration in Accounting and Business.

SPECIFIC AUTHORITY: 473.304, 473.306 FS.

LAW IMPLEMENTED: 473.304, 473.306 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 IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-27.002 Concentration in Accounting and Business.

(1) No change.

(2) For purposes of Section 473.306, F.S., if application is made after August 1, 1983, an applicant must have at least a baccalaureate degree, or its equivalent, from an accredited college or university with a major in accounting, or its equivalent, plus at least 30 semester hours or 45 quarter hours, or the equivalent from an accredited college or university in excess of those required for the baccalaureate degree including a total education program with a concentration in accounting and business as follows:

(a) 36 semester or 54 quarter hours in accounting education at the upper division ~~above the elementary~~ level which shall include coverage of auditing, cost and managerial accounting, financial accounting, accounting information systems, and taxation. Not more than 3 semester or 4 quarter hours may be internship programs which may be applied to the 36 hours in accounting (internship courses must be taken in conjunction with other traditional coursework at an institution and must appear on the transcript.) Further, any remaining internship credit if otherwise acceptable would be applied to the general business requirement, and

(b) No change.

(3) through (7) No change.

Specific Authority 473.304, 473.306 FS. Law Implemented 473.304, 473.306 FS. History—New 12-4-79, Amended 2-3-81, 8-1-83, 3-21-84, 6-10-84, 6-5-85, 10-28-85, Formerly 21A-27.02, Amended 5-22-88, 3-21-89, 5-20-91, 12-2-92, Formerly 21A-27.002, Amended 11-2-95, 11-3-97, 1-31-05,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-33.001
RULE TITLE: Certified Public Accountants Required to Comply with this Chapter

PURPOSE AND EFFECT: The Board proposes the rule amendment to change the deadline for submission of the Florida Laws and Rules Examination required for renewal and also to add another way to submit the examination to the Board.

SUBJECT AREA TO BE ADDRESSED: The requirements in this chapter for renewal of Certified Public Accountant licensure.

SPECIFIC AUTHORITY: 473.304, 473.312, 473.313 FS.

LAW IMPLEMENTED: 473.311, 473.312, 473.313 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 IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-33.001 Certified Public Accountants Required to Comply with this Chapter.

(1) Each certified public accountant who is licensed to practice public accounting in Florida shall be required to reestablish his professional knowledge and competency in conformity with this rule by the completion of continuing professional education programs and passing the examination on Chapters 455, 473, F.S., and related administrative rules approved by the Board. A grade of at least 80 is a passing grade. Each certified public accountant shall, on or before ~~December 31st July 15th~~ prior to biennial license renewal, complete on-line or mail his/her completed answers to the examination on Chapters 455, 473, F.S., and related administrative rules to the Department of Business and Professional Regulation.

(2) through (3) No change.

Specific Authority 473.304, 473.312, 473.313 FS. Law Implemented 473.311, 473.312, 473.313 FS. History—New 12-4-79, Amended 2-3-81, 12-19-82, Formerly 21A-33.01, Amended 4-8-86, Formerly 21A-33.001, Amended.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-3.010
RULE TITLE: License Reactivation Education for Brokers and Sales Associates

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to bring the rule into compliance with statutory changes, which took effect July 1, 2006, relating to reactivation education.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to the content of reactivation education for real estate licensees.

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 475.04, 475.17, 475.182, 475.183, 475.451 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW AND AGAIN IF REQUESTED IN WRITING WITHIN 14 DAYS OF THIS NOTICE AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD AND WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY:

DATE AND TIME: March 20, 2007, 4:00 p.m., or as soon thereafter as possible

PLACE: Division of Real Estate, Commission Meeting Room 901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

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

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 HEALTH

Board of Dentistry

RULE NO.: 64B5-13.005
RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the rule amendment to increase the fine for particular violations to the maximum allowed by statute.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines fines.

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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-15.006 RULE TITLE: Licensure and Renewal Fees

PURPOSE AND EFFECT: The Board proposes the rule amendment to reduce dental hygiene fees for licensure renewal.

SUBJECT AREA TO BE ADDRESSED: Reduction of dental hygiene fees for licensure and renewal.

SPECIFIC AUTHORITY: 456.013, 456.023, 466.013 FS.

LAW IMPLEMENTED: 456.013, 456.023, 466.013 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-15.008 RULE TITLE: Fee for Renewal of Inactive License

PURPOSE AND EFFECT: The Board proposes the rule amendment to reduce dental hygiene fees for renewal of inactive licenses.

SUBJECT AREA TO BE ADDRESSED: Reduction of dental hygiene fees for renewal of inactive licenses.

SPECIFIC AUTHORITY: 466.004, 466.015 FS.

LAW IMPLEMENTED: 466.015 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-15.009 RULE TITLE: Fee for Reactivation of Inactive License

PURPOSE AND EFFECT: The Board proposes the rule amendment to reduce dental hygiene fees for reactivation of inactive licenses.

SUBJECT AREA TO BE ADDRESSED: Reduction of dental hygiene fees for reactivation of inactive licenses.

SPECIFIC AUTHORITY: 466.004, 466.015 FS.

LAW IMPLEMENTED: 466.015 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-15.012 RULE TITLE: Change of Status Processing Fee

PURPOSE AND EFFECT: The Board proposes the rule amendment to reduce dental hygiene fees for change of status processing.

SUBJECT AREA TO BE ADDRESSED: Reduction of dental hygiene fees for change of status.

SPECIFIC AUTHORITY: 456.036, 466.004(4) FS.

LAW IMPLEMENTED: 456.036 FS.I

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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-15.0121 RULE TITLE: Change of Status Processing Fee for Retired Status

PURPOSE AND EFFECT: The Board proposes the rule amendment to reduce dental hygiene fees for change of status processing fees for retired status licenses.

SUBJECT AREA TO BE ADDRESSED: Reduction of dental hygiene change of status processing fees for retired status licenses.

SPECIFIC AUTHORITY: 456.036 FS.

LAW IMPLEMENTED: 456.036 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-15.015 RULE TITLE: Fee for Certification as a Dental Radiographer

PURPOSE AND EFFECT: The Board proposes the rule amendment to increase fees for certification as a Dental Radiographer.

SUBJECT AREA TO BE ADDRESSED: Increase fees for certification as a Dental Radiographer.

SPECIFIC AUTHORITY: 466.004(4) FS.

LAW IMPLEMENTED: 466.017(5) 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-15.022 RULE TITLE: Fees for Continuing Education Providers

PURPOSE AND EFFECT: The Board proposes the rule amendment to increase fees for continuing education providers.

SUBJECT AREA TO BE ADDRESSED: Increase fees for continuing education providers.

SPECIFIC AUTHORITY: 456.025(2) FS.

LAW IMPLEMENTED: 456.025(2), 466.014 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-16.007 RULE TITLE: Levels of Supervision for Dental Hygienists

PURPOSE AND EFFECT: The Board proposes the rule amendment to remove oral hygiene instruction from general supervision.

SUBJECT AREA TO BE ADDRESSED: Level of supervision for dental hygienists.

SPECIFIC AUTHORITY: 466.004, 466.023, 466.024 FS.

LAW IMPLEMENTED: 466.023, 466.024(3) 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-16.0075
 RULE TITLE: Dental Charting by Dental Hygienists

PURPOSE AND EFFECT: The Board proposes the rule amendment to change the signature requirement to just an acknowledgment and to clarify medical clearance requirement. SUBJECT AREA TO BE ADDRESSED: Dental charting by dental hygienists and medical clearance requirement. SPECIFIC AUTHORITY: 466.004(4), 466.0235 FS. LAW IMPLEMENTED: 466.0235 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-17.011
 RULE TITLE: Financial Responsibility

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify financial responsibility requirement for dental hygienists who perform unsupervised charting. SUBJECT AREA TO BE ADDRESSED: Financial responsibility for dental hygienists who perform unsupervised charting. SPECIFIC AUTHORITY: 466.004(4) FS. LAW IMPLEMENTED: 456.048 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation

RULE NOS.: 65C-20.008
 RULE TITLES: Application
 65C-20.009 Staffing Requirements
 65C-20.010 Health Related Requirements
 65C-20.011 Health Records
 65C-20.012 Enforcement
 65C-20.013 Large Family Child Care Homes (LFCCH)
 65C-20.014 Gold Seal Quality Care Program

PURPOSE AND EFFECT: The purpose of this workshop is to discuss proposed clarifications, amendments, and legislative mandates to Chapter 65C-20, F.A.C., Family Day Care Standards and Large Family Child Care Homes Standards. In addition, we will also be discussing creating Rule 65C-20.014, F.A.C., to reflect legislative mandates concerning the Gold Seal Quality Care Program.

SUBJECT AREA TO BE ADDRESSED: Family Day Care Standards, Large Family Child Care Homes Standards.

SPECIFIC AUTHORITY: 402.313 FS.

LAW IMPLEMENTED: 402.313 FS.

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

DATE AND TIME: April 2, 2007, 1:00 p.m.

PLACE: Department of Children and Families, 1317 Winewood Boulevard, Building 6, Room 361A, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Mike Boland, Senior Management Analyst Supervisor, 1317 Winewood Boulevard, Building 6, Room 389, Tallahassee, FL 32399, (850)488-4900

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT MAY BE OBTAINED BY CONTACTING MIKE BOLAND OR ONLINE AT <http://www.dcf.state.fl.us/childcare/new.shtml>.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation

RULE NOS.:	RULE TITLES:
65C-22.001	General Information
65C-22.008	School Age Child Care
65C-22.009	Gold Seal Quality Care Program
65C-22.010	Enforcement

PURPOSE AND EFFECT: The purpose of this workshop will be to discuss proposed clarifications, amendments, and legislative mandates to Chapter 65C-22, F.A.C., Child Care Facility Standards. In addition we will also be discussing creating Rule 65C-22.009, F.A.C., to reflect legislative mandates concerning the Gold Seal Quality Care Program, and creating Rule 65C-22.010, F.A.C., to reflect legislative mandates regarding the implementation of statewide uniform enforcement of procedures.

SUBJECT AREA TO BE ADDRESSED: Child Care Facility Standards.

SPECIFIC AUTHORITY: 402.305 FS.

LAW IMPLEMENTED: 402.305 FS.

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

(1st WORKSHOP)

DATE AND TIME: April 2, 2007, 9:00 a.m.

PLACE: Department of Children and Families, 1317 Winewood Boulevard, Room 361A, Tallahassee, FL 32399

(2ND WORKSHOP)

DATE AND TIME: April 3, 2007, 9:00 a.m.

PLACE: Department of Children and Families, 9393 North Florida Avenue, Room 807, Tampa, FL 33612

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Mike Boland, Senior Management Analyst Supervisor, 1317 Winewood Boulevard, Building 6, Room 389, Tallahassee, FL 32399, (850)488-4900

THE PRELIMINARY TEXT OF THE PROPOSED RULE MAY BE OBTAINED BY CONTACTING MIKE BOLAND OR ONLINE AT <http://www.dcf.state.fl.us/childcare/new.shtml>.

**Section II
Proposed Rules**

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6B-4.010	Instructional Personnel Assessment Systems

PURPOSE AND EFFECT: Rule revisions were necessary to bring the rule into compliance with statutory references from school code revisions of 2002, which included requirements for assessment systems to allow for compensation based upon performance.

SUMMARY: This rule sets forth the requirements and implementation of the approval process for district instructional personnel assessment systems as prescribed by Section 1012.34, Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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.

SPECIFIC AUTHORITY: 1012.34 FS.

LAW IMPLEMENTED: 1012.34, 1012.22 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: April 17, 2007, 8:30 a.m.

PLACE: 400 South Monroe, Room LL03, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela Stewart, Deputy Chancellor, K-12 Educator Quality, 325 West Gaines Street, Room 514, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

6B-4.010 Instructional Personnel Assessment Systems.

(1) Submission Process.

(a) Each school district annually shall submit to the Department by June 1st for approval, the methods, criteria, and other documentation intended to be used to assess instructional personnel ~~the~~ (its “instructional personnel assessment system” or “system”), ~~the Division of Professional Educators of the Department for approval~~ pursuant to Sections 1012.34 and 1012.22 ~~231-29~~, Florida Statutes, and other provisions citing these sections that require assessment of instructional personnel based primarily upon student performance. The system shall have completed all applicable Chapter 447, Florida Statutes, negotiation requirements and any other ratification requirements prior to being submitted.

(b) Each submission shall include documentation as set forth in paragraph (c) below to substantiate that the school district has met the requirements and conditions for approval of instructional personnel assessment systems pursuant to Section 1012.34 ~~231-29~~, Florida Statutes, and this rule have been met.

(c) The instructional personnel assessment system shall be reviewed by the Department for inclusion of the following: