

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NO.: 9B-50.003
RULE TITLE: Fee Schedule and Annual Invoicing and Data Updating

PURPOSE AND EFFECT: To modify the Special District Fee Invoice and Update Form to include information regarding the creation document, map and last update.

SUBJECT AREA TO BE ADDRESSED: The Special District Fee Invoice and Update Form.

SPECIFIC AUTHORITY: 189.425 FS.

LAW IMPLEMENTED: 189.427 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: June 26, 2007, 10:00 a.m.

PLACE: Conference Room 250L, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

If this workshop is not requested, it will not be held.

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: Jack Gaskins, Jr., Special District Information Program, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1457, SUNCOM 292-1457. 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: Jack Gaskins, Jr., Special District Information Program, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1457, SUNCOM 292-1457

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

9B-50.003 Fee Schedule and Annual Invoicing and Data Updating.

(1) On or about October 1 of each year, and at least 60 days prior to the due date, the Department shall send the Special District Fee Invoice and Update Form,

DCA-SDIP-001, effective 3-1-2003, revised _____ Fee (hereby incorporated by reference and available from the Special District Information Program, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100) by regular mail to the registered agent of each special district registered with the Special District Information Program. For newly created special districts, the Department shall send the Special District Fee Invoice and Update Form by regular mail to the registered agent of the special district or an appropriate contact person if a registered agent has not yet been appointed, at the time of registering the special district with the Special District Information Program.

(2) through (4) No change.

Specific Authority 189.425 FS. Law Implemented 189.427 FS. History--New 5-1-90, Amended 3-14-91, 12-3-91, 8-10-97, 3-17-99, 3-1-03, _____.

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."

PUBLIC SERVICE COMMISSION

RULE NO.: 25-4.110
RULE TITLE: Customer Billing for Local Exchange Telecommunications Companies

PURPOSE AND EFFECT: Undocketed – The purpose of this proposed rule amendment is to prevent subscribers from paying for services which they do not receive. The rule amendment will ensure that subscribers who subscribe to local service with one provider, but switch to another provider before the billing cycle ends, will only be responsible for the services which the subscriber received. The rule will not apply to special contractual arrangements wherein the subscriber has agreed to obtain service from the company for a specific length of time. The rule will also not apply to services with term liabilities that are listed in the company’s tariffs.

SUBJECT AREA TO BE ADDRESSED: Customer billing for local exchange telecommunications companies.

SPECIFIC AUTHORITY: 350.127, 364.604(5) FS.

LAW IMPLEMENTED: 350.113, 364.03, 364.04, 364.05, 364.052, 364.17, 364.19, 364.602, 364.604 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: Kiwanis Curry, Division of Competitive Markets & Enforcement, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6662

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

PUBLIC SERVICE COMMISSION

RULE NO.: 25-24.845 RULE TITLE: Customer Relations

PURPOSE AND EFFECT: Undocketed – The purpose of this proposed rule amendment is to make the amendment to Rule 25-4.110, F.A.C., applicable to competitive local exchange carriers.

SUBJECT AREA TO BE ADDRESSED: Customer Relations.

SPECIFIC AUTHORITY: 350.127, 364.604(5) FS.

LAW IMPLEMENTED: 350.113, 364.03, 364.04, 364.05, 364.052, 364.17, 364.19, 364.602, 364.604 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: Kiwanis Curry, Division of Competitive Markets & Enforcement, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6662

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.: 40E-4.051, 40E-4.0515, 40E-4.091, 40E-4.301 RULE TITLES: Exemptions From Permitting, Exemptions From Specified Review Criteria, Publications, Rules and Interagency Agreements Incorporated by Reference, Conditions for Issuance of Permits

PURPOSE AND EFFECT: The Department of Environmental Protection (DEP), in coordination with the water management districts, proposes to develop a new Chapter 62-347, F.A.C., to develop updated stormwater quality treatment design and performance standards. These design and performance

standards will update the existing criteria and reflect new research on design and performance standards, and particularly today's understanding of the impact of nutrient discharges from surface water management systems on water quality. The goal is to provide stormwater quality treatment design and performance standards that can be applied state-wide. The District proposes to amend its rules and criteria to incorporate the new Chapter 62-347, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Stormwater quality treatment design and performance standards for surface water management systems, with particular emphasis on standards that will reduce nutrient discharges.

SPECIFIC AUTHORITY: 373.026(7), 373.043, 373.418, 403.805(1) FS.

LAW IMPLEMENTED: 373.042, 373.409, 373.413, 373.4142, 373.4145, 373.416, 373.4132, 373.426, 373.429 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.

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 5 days before the workshop/meeting by contacting: Clerk of the South Florida Water Management District, 1(800)432-2045, ext. 2087 or (561)682-2087. 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: Damon Meiers, Deputy Department Director, Environmental Resource Regulation Department, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6876 or (561)682-6876, email: dmeiers@sfwmd.gov. For procedural questions contact Jan Sluth, Paralegal, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER NO.: 40E-24 RULE CHAPTER TITLE: Mandatory Year-Round Landscape Irrigation Measures

PURPOSE AND EFFECT: To implement District-wide the year-round mandatory landscape irrigation measures currently in place in the Lower West Coast Region. The purpose of these

mandatory measures is to provide a framework for consistent implementation to ensure the long-term sustainability of the water resources of the region, increase water use efficiency and prevent and curtail wasteful water use practices through the adoption of ordinances that would include these measures, variance and enforcement provisions.

SUBJECT AREA TO BE ADDRESSED: Proposed measures setting forth standards for local government’s ordinance adoption regarding specific days of the week and times of day for lawn irrigation for residential and commercial landscape and recreation areas.

SPECIFIC AUTHORITY: 120.54, 373.044, 373.113, 373.171, FS.

LAW IMPLEMENTED: 120.54, 373.042, 373.0421, 373.103, 373.117, 373.223, 373.609 FS.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATE AND TIME: June 18, 2007, 10:00 a.m. – 12:00 Noon
PLACE: South Florida Water Management District, Miami Field Station, 9001 N.W. 58th Street, Miami, Florida

DATE AND TIME: June 18, 2007, 1:30 p.m. – 3:30 p.m.
PLACE: Fern Forest Nature Center, 201 Lyons Rd., Coconut Creek, Florida

TIME AND DATE: June 20, 2007, 9:00 a.m. – 11:00 a.m.
PLACE: Stuart City Hall – Commission Chambers, 121 S.W. Flagler Avenue, Stuart, Florida

DATE AND TIME: June 20, 2007, 3:30 p.m. – 5:30 p.m.
PLACE: South Florida Water Management District Headquarters, Storch Conference Room, 3301 Gun Club Road, West Palm Beach, Florida

DATE AND TIME: June 21, 2007, 1:00 p.m. – 3:00 p.m.
PLACE: Osceola Heritage Park, Meeting Room 162, 1921 Kissimmee Valley Lane, Kissimmee, Florida

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk’s Office, at (561)682-2087 at least five business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Bruce Adams, Water Conservation Officer, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6785 or (561)682-6785, email: badams@sfwmd.gov. For procedural issues contact Jan Sluth, Paralegal, South Florida Water

Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, extension 6299, or (561)682-6299, email: jsluth@sfwmd.gov

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-24.011 Policy and Purpose.

(1) This chapter comprises the South Florida Water Management District’s (District) Mandatory Year-Round Landscape Irrigation Measures ~~for the area within Lee, Collier and that portion of Charlotte County~~ within the boundaries of the South Florida Water Management District. These mandatory measures are intended to provide a framework for consistent implementation to ensure the long-term sustainability of the water resources of the region, increase water use efficiency and prevent and curtail wasteful water use practices through regulatory means for landscape irrigation by all users. Local governments are encouraged to implement these measures through the adoption of ordinances that would include these measures, variance and enforcement provisions. These measures are in addition to Chapter 40E-2, F.A.C., provisions and non-regulatory measures, such as education and incentive programs, which are also utilized by the District to promote water conservation. These measures prohibit landscape irrigation during those periods of the day when irrigation efficiency significantly decreases, and limit landscape irrigation water use to a maximum number of three days per week unless specified otherwise herein.

(2) through (3) No change.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.042, 373.0421, 373.171, 373.223 FS. History–New 6-12-03, Amended.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-63.400	Purpose and Policy
40E-63.401	Scope of Program
40E-63.402	Definitions
40E-63.404	Incorporation of Forms, Instructions and References
40E-63.406	Delegation
40E-63.410	Waivers
40E-63.415	No Notice General Permits
40E-63.420	BMP Plan Pre-approvals
40E-63.430	Permit Applications
40E-63.432	Permit Modifications, Transfers and Renewals
40E-63.434	Permit Duration

- 40E-63.436 Permit Application Processing Fees
- 40E-63.440 General Permit Application Requirements in the C-139 Basin
- 40E-63.442 Basis for Issuance of General Permits in the C-139 Basin
- 40E-63.444 Limiting Conditions for General Permits in the C-139 Basin
- 40E-63.450 Individual Permit Application Requirements in the C-139 Basin
- 40E-63.452 Basis for Issuance of Individual Permits in the C-139 Basin
- 40E-63.454 Limiting Conditions for Individual Permits in the C-139 Basin
- 40E-63.456 Optional Discharge Monitoring Program
- 40E-63.458 Limiting Conditions for the Optional Discharge Monitoring Program
- 40E-63.460 C-139 Basin Compliance
- 40E-63.470 C-139 Basin Works of the District Permit Compliance

PURPOSE AND EFFECT: Pursuant to paragraph 40E-63.460(3)(d), F.A.C., the South Florida Water Management District is required to revise Part IV of Chapter 40E-63, F.A.C., to ensure that the objectives of the Everglades Forever Act, Section 373.4592(4)(f)5., F.S., is met if the C-139 Basin fails to achieve the rule's phosphorus reduction goals for four consecutive years. The C-139 Basin has been out of compliance for four consecutive water years.

SUBJECT AREA TO BE ADDRESSED: Revise Part IV of Chapter 40E-63, F.A.C., in response to the C-139 Basin's non-compliance.

SPECIFIC AUTHORITY: 373.044, 373.083, 373.085, 373.086, 373.113, 373.4592 FS.

LAW IMPLEMENTED: 373.085, 373.4592 FS.

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

- DATE AND TIME:** June 20, 2007, 9:30 a.m. – 12:30 p.m.
- PLACE:** South Florida Water Management District Clewiston Field Station, State Road 832, 2425 Hookers Point Road, Clewiston, FL 33440
- DATE AND TIME:** July 25, 2007, 9:30 a.m. – 12:30 p.m.
- PLACE:** South Florida Water Management District Clewiston Field Station, State Road 832, 2425 Hookers Point Road, Clewiston, FL 33440
- DATE AND TIME:** August 29, 2007, 9:30 a.m. – 12:30 p.m.
- PLACE:** South Florida Water Management District Clewiston Field Station, State Road 832, 2425 Hookers Point Road, Clewiston, FL 33440
- DATE AND TIME:** October 3, 2007, 9:30 a.m. – 12:30 p.m.
- PLACE:** South Florida Water Management District Clewiston Field Station, State Road 832, 2425 Hookers Point Road, Clewiston, FL 33440

DATE AND TIME: November 7, 2007, 9:30 a.m. – 12:30 p.m.
PLACE: South Florida Water Management District Clewiston Field Station, State Road 832, 2425 Hookers Point Road, Clewiston, FL 33440

DATE AND TIME: December 5, 2007, 9:30 a.m. – 12:30 p.m.
PLACE: South Florida Water Management District Clewiston Field Station, State Road 832, 2425 Hookers Point Road, Clewiston, FL 33440

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 5 days before the workshop/meeting by contacting: the District Clerk's Office (561)682-2087. 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: Jose Gomez, Staff Engineer, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 2718 or (561)682-2718, email: jgomez@sfwmd.gov. For procedural issues: Joyce Rader, Paralegal, South Florida Water Management District, P.O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, extension 6259, or (561)682-6259, email: jrader@sfwmd.gov

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

**LAND AND WATER ADJUDICATORY COMMISSION
 Julington Creek Plantation Community Development District**

RULE NO.: 42T-1.002
RULE TITLE: Boundary

PURPOSE AND EFFECT: The Petition was filed by the Julington Creek Plantation Community Development District with its registered office located at 123 South Calhoun Street, Tallahassee, Florida 32301. The Petition proposes to modify the land area presently serviced by the District by amending its boundary to add 26.86 acres to the District located solely within St. Johns County, Florida. The District currently covers approximately 4,119 acres of land and after amendment the District will encompass approximately 4,145.86 acres. Petitioner has obtained written consent to amend the boundaries of the District from the owners of 100% of the real property comprising the expansion parcel. The District intends to construct, acquire or install recreation improvements (recreation complex) for the expansion parcel as outlined in the District's Improvement Plan.

SUBJECT AREA TO BE ADDRESSED: Expansion of the boundary of the Julington Creek Plantation Community Development District.

SPECIFIC AUTHORITY: 190.005, 190.046 FS.

LAW IMPLEMENTED: 190.004, 190.005, 190.046 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, June 18, 2007, 10:00 a.m.

PLACE: Conference Room 2107, The Capitol, Tallahassee, Florida

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 two days before the workshop/meeting by contacting: Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, Telephone (850)487-1884. 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: Jonathan Johnson, Hopping Green & Sams, P.A., Post Office Box 6526, Tallahassee, Florida 32314, Telephone (850)222-7500; or Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, Telephone (850)487-1884

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:	RULE TITLE:
59G-4.199	Mental Health Targeted Case Management Services

PURPOSE AND EFFECT: The purpose of this rule is to incorporate by reference Update June 2007 to the Florida Medicaid Mental Health Targeted Case Management Coverage and Limitations Handbook, July 2006. The handbook was revised to remove the enrollment requirement for all Medicaid mental health targeted case management providers to have an active contract with the Substance Abuse and Mental Health (SAMH) district or regional office for the location in which the agency will provide services. The effect will be to incorporate by reference in the rule Update June 2007 to the Florida Medicaid Mental Health Targeted Case Management Coverage and Limitations Handbook.

SUBJECT AREA TO BE ADDRESSED: Medicaid Mental Health Targeted Case Management Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.907, 409.908 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, June 18, 2007, 1:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Michelle Comeaux, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, MS #20, Tallahassee, Florida 32308, (850)921-8288

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.199 Mental Health Targeted Case Management Services.

(1) No change.

(2) All Medicaid-enrolled mental health targeted case management providers must be in compliance with the Florida Medicaid Mental Health Targeted Case Management Coverage and Limitations Handbook, July 2006, updated June 2007, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, Non-Institutional 081, which is incorporated by reference in Rule 59G-13.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent's website at <http://floridamedicaid.acs-inc.com>. Click on Provider Support, and then on Handbooks. Paper copies of the handbooks may be obtained by calling the Medicaid fiscal agent Provider Inquiry at (800)377-8216.

(3) No change.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.907, 409.908 FS. History–New 6-21-06, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

RULE NO.:	RULE TITLE:
61G2-3.001	Fees

PURPOSE AND EFFECT: The Board proposes the promulgation and adoption of the rule to incorporate all fees for Chapter 61G2-3, F.A.C., into one rule.

SUBJECT AREA TO BE ADDRESSED: Fees.

SPECIFIC AUTHORITY: 455.2281, 455.271, 468.384 (2), 468.386(1), 468.393(1) FS.

LAW IMPLEMENTED: 455.217(2), 455.2171, 455.219(6), 455.2281, 455.271, 468.384(2), 468.385(2),(4),(6),(7),(11), 468.386(1), 468.387, 468.393(1) 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 Spivey, Executive Director, Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399-0762

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE NO.: 61G14-15.003 RULE TITLE: Safety Guidelines

PURPOSE AND EFFECT: The Board proposes to clarify language concerning safety guidelines.

SUBJECT AREA TO BE ADDRESSED: Safety Guidelines.

SPECIFIC AUTHORITY: 310.185 FS.

LAW IMPLEMENTED: 310.0015(3)(a), 310.075(4), 310.101(1)(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 IS: Robyn Barineau, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G14-15.003 Safety Guidelines.

As used in this rule, "pilot" shall mean both a state licensed pilot and a state certified deputy pilot.

(1) through (3) No change.

(4) Each association of pilots in each port where such association(s) exists, and the licensed state pilots in each port who are not members of such association shall submit to the Board for its review and approval or rejection, the normal ~~current~~ maximum allowable draft of vessels calling at the port and restrictions on bottom clearance for each channel, as required by Sections 310.075(4) and 310.101(1)(d), F.S.

~~(5) In order to assist the board in serving the public interest in maintaining efficient and safe piloting services as required by Section 310.061, F.S., each association of pilots, in each port where such association(s) exists, and the licensed~~

~~state pilots in each port who are not members of such association shall submit, for the board's review and approval or rejection, the current pilot work schedules for the port which are best suited to meet local conditions and demands and which:~~

~~(a) Insure that an adequate number of pilots is always available to handle any vessel requiring the services of a pilot; and~~

~~(b) Provide sufficient off-duty time for rest; and~~

~~(c) Outline procedures which provide for backup support which may become necessary due to disability or loss of available pilots.~~

Specific Authority 310.185 FS. Law Implemented 310.0015(3)(a), 310.075(4), 310.101(1)(d) FS. History—New 11-6-89, Amended 6-26-90, 12-30-91, 10-25-92, Formerly 21SS-9.001, 21SS-15.003, Amended 11-15-93, 1-26-99, 10-4-99, 1-7-02, 5-11-03,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: 61J1-4.010 RULE TITLE: Supervision and Training of Registered Trainee Appraisers

PURPOSE AND EFFECT: The purpose and effect is to eliminate "client name and address" as a required entry in appraisal logs that are to be maintained by both the registered trainee appraiser and the supervisory appraiser.

SUBJECT AREA TO BE ADDRESSED: Supervision and Training of Registered Trainee Appraisers.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.611, 475.6221, 475.6222 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: Thomas W. O'Bryant, Jr., Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61J1-4.010 Supervision and Training of Registered Trainee Appraisers.

(1) through (5) No change.

(6) Appraisal logs shall be maintained by both the registered trainee appraiser and the supervisory appraiser in a format determined by the Department and shall, at a minimum, include the following for each appraisal:

- (a) Type of property;
 - (b) Date of report;
 - ~~(c) Client name and address;~~
 - ~~(c)(4)~~ Address of appraised property;
 - ~~(d)(e)~~ Description of work performed; and
 - ~~(e)(f)~~ Number of work hours.
- (7) through (10) No change.

Specific Authority 475.614 FS. Law Implemented 475.611, 475.6221, 475.6222 FS. History—New 2-16-04, Amended 3-1-06, 12-4-06,_____.

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:
62-505.200	Definitions
62-505.300	General Program Information
62-505.350	Grant Funding
62-505.600	Priority List Information

PURPOSE AND EFFECT: The Department has developed amendments to clarify and update grant rules for financially disadvantaged small communities.

SUBJECT AREA TO BE ADDRESSED: The Small Community Wastewater Facilities Grants Program provides financial assistance in the form of grants to municipalities for planning, design, construction, and technical services associated with construction of point source water pollution control projects. Rule development will address minor changes to priority scoring, grant percentage determination and rule clarifications.

SPECIFIC AUTHORITY: 403.1835, 403.1838 FS.

LAW IMPLEMENTED: 403.1838 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: Robert Holmden, Bureau of Water Facilities Funding, MS #3505, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; telephone (850)245-8358; or e-mail robert.holmden@dep.state.fl.us

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-9.009
RULE TITLE: Standard of Care for Office Surgery
PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address additional criteria for office surgery settings.

SUBJECT AREA TO BE ADDRESSED: Additional criteria for performing office surgery.

SPECIFIC AUTHORITY: 458.309(1), 458.331(1)(v) FS.

LAW IMPLEMENTED: 458.331(1)(g), (t), (v), (w), 458.351 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: 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:

64B8-9.009 Standard of Care for Office Surgery.

NOTHING IN THIS RULE RELIEVES THE SURGEON OF THE RESPONSIBILITY FOR MAKING THE MEDICAL DETERMINATION THAT THE OFFICE IS AN APPROPRIATE FORUM FOR THE PARTICULAR PROCEDURE(S) TO BE PERFORMED ON THE PARTICULAR PATIENT.

- (1) No change.
- (2) General Requirements for Office Surgery.
- (a) through (g) No change.

(h) The surgeon must assure that the post-operative care arrangements made for the patient are adequate to the procedure being performed as set forth in Rule 64B8-9.007, F.A.C. Management of post surgical care is the responsibility of the operating surgeon and may be delegated only as set forth in subsection 64B8-9.007(3), F.A.C. If there is an overnight stay at the office in relation to any surgical procedure:

1. The office must provide at least two (2) monitors, one of these monitors must be certified in Advanced Cardiac Life Support (ACLS), and maintain a monitor to patient ratio of at least 1 monitor to 2 patients. Once the surgeon has signed a timed and dated discharge order, the office may provide only one monitor to monitor the patient. The monitor must be qualified by licensure and training to administer all of the medications required on the crash cart and must be certified in Advanced Cardiac Life Support. The full and current crash cart required below must be present in the office and immediately accessible for the monitors.

- 2. No change.
- (i) through (m) No change.
- (3) through (6) No change.

Specific Authority 458.309(1), 458.331(1)(v) FS. Law Implemented 458.331(1)(g), (t), (v), (w), 458.351 FS. History—New 2-1-94, Amended 5-17-94, Formerly 61F6-27.009, Amended 9-8-94, 11-15-94, Formerly 59R-9.009, Amended 2-17-00, 12-7-00, 2-27-01, 8-1-01, 8-12-01, 3-25-02, 3-22-05, 4-19-05, 10-23-05, 10-10-06, 4-18-07,_____.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:
64E-10.001 General

PURPOSE AND EFFECT: The purpose of the proposed changes will be to add language related to members of the public being granted access to restrooms at buildings and places serving the public, to delete outdated references to old plumbing and building codes, and to revisit the fixture requirements and other standards outlined in this rule. The effect will be to improve access to public restrooms by the general public and have an updated rule that will allow health departments to better address problems associated with public restrooms.

SUBJECT AREA TO BE ADDRESSED: The subject is sanitary facilities in buildings and places of employment that fall under the department’s jurisdiction.

SPECIFIC AUTHORITY: 381.006 FS.

LAW IMPLEMENTED: 381.006(6), 381.006(15) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Leslie Harris, Environmental Administrator, Bureau of Community Environmental Health, Department of Health, 4052 Bald Cypress Way, BIN A08, Tallahassee, Florida 32399-1712, (850)245-4277

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

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:
64E-14.001 Migrant Farmworker Housing –
 General

PURPOSE AND EFFECT: The purpose of these proposed amendments is to conform department rules on migrant camps with changes to Sections 381.008, 381.0086 and 381.0087, Florida Statutes. The changes will update and clarify certain rule requirements. The proposed rule amendments will address

definitions, inspections, forms, variances, personal hygiene facilities, food service facilities, beds and bedding, citations, animal health and safety and other matters to protect the health and safety of migrant and seasonal farm workers.

The effects of the changes will be to eliminate conflict between the rule and the underlying statutes and have a rule that is more easily understood by department staff, regulated industry and the general public.

SUBJECT AREA TO BE ADDRESSED: Migrant Labor Camps, Residential Migrant Housing, and Field Sanitation Facilities.

SPECIFIC AUTHORITY: 381.006, 381.0086 FS.

LAW IMPLEMENTED: 381.008, 381.0084, 381.0072, 381.0087 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sharon Sautler, Environmental Specialist III, Bureau of Community Environmental Health, Department of Health, 4052 Bald Cypress Way, BIN A08, Tallahassee, Florida 32399-1712, (850)245-4277

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

DEPARTMENT OF HEALTH

Vital Statistics

RULE NOS.:	RULE TITLES:
64V-1.001	Delayed Birth Registration Requirements; Fees
64V-1.002	Birth Certificate Amendments; Who May Apply; Fees
64V-1.0031	Birth Certificate Amendments by Adoption
64V-1.0032	Birth Certificate Amendments by Paternity Establishment; Judicial and Administrative Process
64V-1.006	Birth Registration; Evidence Required for Births Occurring Outside of a Facility
64V-1.0061	Death and Fetal Death Registration
64V-1.007	Death and Fetal Death Certificate Amendments; Who May Apply; Fees; Documentary Evidence Requirements
64V-1.008	Delayed Death or Delayed Fetal Death Registration
64V-1.0081	Presumptive Death Registration

64V-1.0131 Certifications of Vital Records; Information Required for Release; Applicant Identification Requirements

64V-1.014 Fees for Vital Statistics Services Provided by State Registrar

64V-1.016 Florida Putative Father Registry

64V-1.020 Marriage Reporting

64V-1.021 Dissolution of Marriage Reporting

PURPOSE AND EFFECT: Purpose of proposed amendments is to update forms used in current processing of vital records registration, amendments thereto and issuance of said records to clarify instructions and provide location of where forms are made available. Incorporating into rule forms used for applying for certifications of marriage or divorce records. Also amending rule to change language to agree with statute governing the acknowledgment of paternity process by removing requirement of notarization of form, addressing form to be used for filing a disestablishment of paternity, amending current rule to include process of amending a record as a result of administrative proceeding to establish paternity and amending language stating photocopy can be ordered in place of computer certificate to include wording, "and is available". Also adding language to allow for electronic creation of birth, death, marriage and dissolution of marriage using a system adopted by the Department of Health and the electronic creation and issuance of a Florida Delayed Birth Certificate and Certificate of Foreign Birth.

SUBJECT AREA TO BE ADDRESSED: Delayed birth certificates, birth certificate amendments by correction, adoption, paternity establishment/disestablishment, death and fetal death registration and amendment, presumptive death registration, certifications of vital records, Florida putative father registry and availability of photocopies.

SPECIFIC AUTHORITY: 382.003(7)(10)(11), 382.019, 382.0255(1)(3), 382.015(6), 382.016, 382.017, 382.016(1), 382.013, 382.008, 382.019, 382.012, 382.025, 382.0085, 63.054(3)(10)(14) FS.

LAW IMPLEMENTED: 382.003(7)(10)(11), 382.019, 63.152, 382.015, 382.016, 382.017, 382.015(2)(3), 742.10, 742.16, 742.18, 409.256(11)(d), 382.013, 382.008, 382.011, 382.012, 382.025, 382.0085, 63.054 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: June 18, 2007, 10:00 a.m.

PLACE: Department of Health, State Office of Vital Statistics, 1217 Pearl St., Boorde Bldg., Rm. 420, Jacksonville, FL 32202 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 3 days before the workshop/meeting by

contacting: Kevin Wright, Sr. Management Analyst Supervisor, Department of Health, State Office of Vital Statistics, P. O. Box 210, Jacksonville, Florida 32231-0042, (904)359-6900, ext. 1004. 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: Kevin Wright, Sr. Management Analyst Supervisor, Department of Health, State Office of Vital Statistics, P. O. Box 210, Jacksonville, Florida 32231-0042

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

RULE NOS.:	RULE TITLES:
65G-7.001	Definitions
65G-7.002	Determination of Need for Assistance with Medication Administration; Informed Consent Medication Administration Training Course
65G-7.003	Validation Requirements
65G-7.004	Medication Administration Procedures
65G-7.005	Medication Errors
65G-7.006	Storage Requirements
65G-7.007	Documentation and Record Keeping
65G-7.008	Off-site Medication Administration
65G-7.009	

PURPOSE AND EFFECT: The purpose of this rule is to develop standards for medication administration by direct service providers.

SUBJECT AREA TO BE ADDRESSED: The regulation of standards and procedures for direct service providers in the supervision of or the administration of medications for persons with disabilities.

SPECIFIC AUTHORITY: 393.506 FS.

LAW IMPLEMENTED: 393.506 FS.

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

DATE AND TIME: June 27, 2007, 3:00 p.m.

PLACE: 4030 Esplanade Way, Room 301C, Tallahassee, Florida

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 4 days before the workshop/meeting by contacting: Summer Lillie, 4030 Esplanade Way, Tallahassee, Florida 32399, (850)921-6236

email: summer_lillie@apd.state.fl.us 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: Lori Kohler, RN Specialist, 4030 Esplanade Way, Tallahassee, Florida 32399, (850)922-9731, email: lori_kohler@apd.state.fl.us

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

**Section II
Proposed Rules**

DEPARTMENT OF STATE

Division of Historical Resources

RULE NO.: 1A-33.005
 RULE TITLE: Uses Permitted and Procedures for the Use of the Old Capitol

PURPOSE AND EFFECT: This is a Repeal of Rule 1A-33.005, F.A.C. This Rule is now obsolete because Section 272.135(3), F.S. which gave the Department of State specific authority to promulgate rules for the Old Capitol was repealed. Therefore it is necessary to repeal all of Rule 1A-33.005, F.A.C.

SUMMARY: This is a Repeal of Rule 1A-33.005, F.A.C. This Rule is now obsolete because Section 272.135(3), F.S. which gave the Department of State specific authority to promulgate rules for the Old Capitol was repealed. Therefore it is necessary to repeal all of Rule 1A-33.005, F.A.C.

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: 272.135(3) FS.

LAW IMPLEMENTED: 272.129(1), 272.135(2) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Monday, June 25, 2007, 10:00 a.m. EDT.
 PLACE: Suite 100, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, FL

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 5 days before the workshop/meeting by contacting: Stephen S. Mathues at the address below. 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 IS: Stephen S. Mathues, Assistant General Counsel, Florida Department of State, R. A. Gray Building, 500 S. Bronough St., Tallahassee, Florida 32399, (850)245-6500

THE FULL TEXT OF THE PROPOSED RULE IS:

1A-33.005 Uses Permitted and Procedures for the Use of the Old Capitol.

Specific Authority 272.135(3) FS. Law Implemented 272.129(1), 272.135(2) FS. History—New 6-13-83, Formerly 1A-33.05, Amended 3-8-87, 2-27-97, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Stephen S. Mathues, Assistant General Counsel
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: JuDee Pettijohn, Deputy Secretary of State
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 3, 2007

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

RULE NOS.:	RULE TITLES:
5M-6.001	Purpose
5M-6.002	Approved BMPS
5M-6.003	Presumption of Compliance
5M-6.004	Notice of Intent to Implement
5M-6.005	Record Keeping
5M-6.006	Previously Submitted Notices of Intent to Implement

PURPOSE AND EFFECT: The purpose of this rule amendment is to expand the geographic extent of this rule statewide and to require nutrient management in Notices of Intent to Implement for growers enrolling in Best Management Practices for Florida Container Nurseries.

SUMMARY: The proposed rule amendment will discuss the procedures for filing a Notice of Intent which will require nutrient management as part of a Best Management Practices implementation schedule for landowners to receive a presumption of compliance with state water quality standards. This rule also provides that records maintained by the applicant are preserved and subject to periodic inspection.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.