

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Elections

RULE NO.: 1S-2.027 RULE TITLE: Clear Indication of Voter's Choice on a Ballot

PURPOSE AND EFFECT: The purpose is to hold a second rule development workshop and develop proposed language that clarifies the criteria for determining whether a voter has clearly indicated his or her choice on a ballot for purposes of a manual recount and any other event requiring such determination.

SUBJECT AREA TO BE ADDRESSED: Determination of Voter's Choice on a Ballot.

SPECIFIC AUTHORITY: 20.10(3), 97.012(1), 102.166 FS.

LAW IMPLEMENTED: 102.166 FS.

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

DATE AND TIME: Thursday, November 29, 2007, 10:00 a.m. – Noon

PLACE: Lake Mary Marriott, 1501 International Parkway, Lake Mary, Florida 32746

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: Department of State, Division of Elections at (850)245-6500. 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: Amy Tuck, Director, Division of Elections (850)245-6500 or Maria Matthews, Assistant General Counsel, Florida Department of State, 500 S. Bronough Street, Tallahassee, Florida 32399

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

DEPARTMENT OF STATE

Division of Elections

RULE NO.: 1S-2.032 RULE TITLE: Uniform Primary and General Election Ballot

PURPOSE AND EFFECT: The Department of State is holding a second rule development workshop for the purpose of revising and updating requirements for a uniform design, layout and content for election ballots.

SUBJECT AREA TO BE ADDRESSED: Uniform Ballot Design, Layout and Content.

SPECIFIC AUTHORITY: 20.10(3), 97.012(1), 101.151(8) FS. LAW IMPLEMENTED: 101.151, 105.041 FS.

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

DATE AND TIME: Thursday, November 29, 2007, 10:00 a.m. – Noon

PLACE: Lake Mary Marriott, 1501 International Parkway, Lake Mary, Florida 32746

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: Amy Tuck, Director, Division of Elections (850)245-6500 or Maria Matthews, Assistant General Counsel, Florida Department of State (850)245-6536, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399. 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: Mark Ard, Division of Elections, Florida Department of State (850)245-6520, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399

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

DEPARTMENT OF STATE

Division of Elections

RULE NO.: 1S-5.026 RULE TITLE: Voting System Audit

PURPOSE AND EFFECT: The purpose is to develop a rule that details the audit procedures to follow for conducting post-election audits of voting systems and provides a standard format for audit reports. This rule is required pursuant to sections 8 and 9 of Chapter 2007-30, Laws of Florida, which becomes effective July 1, 2008.

SUBJECT AREA TO BE ADDRESSED: Voting System Audits.

SPECIFIC AUTHORITY: 20.10(3), 97.012(1), 101.591 FS.

LAW IMPLEMENTED: 101.591 FS.

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

DATE AND TIME: Thursday, November 29, 2007, 10:00 a.m. – Noon

PLACE: Lake Mary Marriott, 1501 International Pkwy., Lake Mary, FL 32746

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: Mark Ard, Administrative Assistant, Division of Elections, Florida Department of State, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399 (850)245-6500. 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: Amy Tuck, Director, Division of Elections (850)245-6500 or Maria Matthews, Assistant General Counsel, Florida Department of State, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399

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 CORRECTIONS

RULE NO.: 33-503.001
 RULE TITLE: Chaplaincy Services

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to permit Chaplains to have written contact with inmates where the inmate or the Chaplain has transferred to another FDOC institution.

SUBJECT AREA TO BE ADDRESSED: Chaplaincy services.

SPECIFIC AUTHORITY: 944.09, 944.11, 944.803 FS.

LAW IMPLEMENTED: 20.315, 90.505, 944.09, 944.11 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Jamie Leigh Jordan, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 33-503.001 Chaplaincy Services.
- (1) through (5) No change.

(6) The Chaplain shall be authorized to maintain written communication with inmates where the inmate and the Chaplain have been at the same institution, at the same time, and either the inmate or the Chaplain has transferred to another Florida Department of Corrections institution under the following conditions:

(a) The written communication must fall within the scope of clergy professional standards (i.e. provides spiritual direction, advice, counsel, or encouragement).

(b) Consistent with the effective management and order of the institution, the Chaplain maintaining written communication with an inmate at another Florida Department of Corrections institution must inform the Chaplain at the inmate's current institutional location.

(6) through (12) renumbered (7) through (13) No change.

Specific Authority 944.09, 944.11, 944.803 FS. Law Implemented 20.315, 90.505, 944.09, 944.11 FS. History—New 1-6-82, Formerly 33-3.14, 33-3.014, Amended 10-18-01, 1-9-03, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-1.004
 RULE TITLE: Certification Procedure

PURPOSE AND EFFECT: Rule 59A-1.004, Florida Administrative Code, is being amended to eliminate the requirement for site inspections of organ procurement organizations, tissue banks and eye banks to allow for the acceptance of certain accreditation organization inspection reports in lieu of Agency inspections.

SUBJECT AREA TO BE ADDRESSED: Certification inspections of organ, tissue, and eye procurement organizations.

SPECIFIC AUTHORITY: 765.541(2) FS.

LAW IMPLEMENTED: 765.542 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: Tara Ehlers, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida, or call (850)922-0791

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.:	RULE TITLES:
59A-34.001	Definitions
59A-34.002	Carrier Report Form
59A-34.003	Supporting Documentation
59A-34.004	Timeliness of Carrier Report
59A-34.005	Notice of Deficiency
59A-34.006	Notice of Commencement of Investigation
59A-34.007	Provider Response
59A-34.008	Requests for Additional Information
59A-34.009	Agency Determination

PURPOSE AND EFFECT: The purpose of the proposed rule is to set forth the requirements for carriers to report health care provider violations and to initiate Agency investigation pursuant to Section 440.13(8)(b), (11), Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The Agency’s Health Care Provider Compliance Review Process.

SPECIFIC AUTHORITY: 440.591 FS.

LAW IMPLEMENTED: 440.13(8), 440.13(11), 440.13(13) 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: Beverly Williams, Beverly.Williams@fldfs.com.; (850)413-1939

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

CARRIER REPORT OF HEALTH CARE PROVIDER VIOLATIONS AND INITIATION OF INVESTIGATION

59A-34.001 Definitions.

(1) The terms “instance of overutilization” and “pattern or practice of overutilization” as used in this rule shall have the same definitions as applied in Section 440.13(1)(k), F.S., and Section 440.13(1)(o), F.S., respectively.

(2) As used in this rule, the term “electronic submission” shall mean submission on a compact disc (CD).

Specific Authority 440.591 FS. Law Implemented 440.13(8), 440.13(11) FS. History–New _____.

59A-34.002 Carrier Report Form.

(1) The Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX), is hereby incorporated by reference into this rule. This form may be obtained on the Internet at <http://www.myfloridacfo.com/wc/forms.html> or by contacting the Agency at (850)413-1613.

(2) The carrier shall use the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX) to report a category of alleged health care provider violation to the Agency.

(3) A separate Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX) shall be submitted for each category of health care provider violation alleged by the carrier.

(4) Any carrier submission pursuant to section 440.13(7)(b), F.S., is excluded from the provisions prescribed in section 59A-34.002(2) of this rule.

Specific Authority 440.591 FS. Law Implemented 440.13(8), 440.13(11) FS. History–New _____.

59A-34.003 Supporting Documentation.

(1) A Carrier Report of Health Care Provider Violations must include any and all documentation that supports the alleged violation by the health care provider contained in the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX). Such documentation shall include, but is not limited to:

(a) Any medical records provided to any peer review consultant or independent medical examiner by the carrier, or by any entity acting on behalf of the carrier, for the purposes of evaluating the treatment rendered to the employee by the health care provider, for each date of service listed on the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX);

(b) Any report issued by a peer review entity or independent medical examiner relating to the alleged violations contained in the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX);

(c) Any request(s) for authorization of treatment submitted by the health care provider to the carrier;

(d) Any carrier response to a health care provider’s request for authorization of treatment;

(e) Any DFS-F5-DWC-25 forms submitted on behalf of the health care provider for date(s) of service listed in the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX); and

(f) Any Explanation of Bill Review disallowing or adjusting payment to the health care provider based on a finding pursuant to Section 440.13(6), F.S.

(2) If any of the required documentation identified in paragraphs 59A-34.003(1)(a)-(f), F.A.C., is not included with the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX), the carrier must provide a written explanation as to the reason(s) the documentation was not included. The Agency may consider a written explanation from the carrier as satisfying its obligation to provide the required documentation.

(3) All records and documentation submitted to the Agency in support of the Carrier Report of Health Care Provider Violations must be by electronic submission. The carrier must include three (3) complete sets of records and documentation with each Carrier Report of Health Care Provider Violations. Only one (1) set of records and documents shall be contained on a single electronic submission.

Specific Authority 440.591 FS. Law Implemented 440.13(8), 440.13(11) FS. History–New _____.

59A-34.004 Timeliness of Carrier Report.

The carrier shall submit a completed Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX) and the required documentation to the Agency no later than 365 days after the issuance of the first Explanation of Bill Review to the health care provider that identifies an alleged category of health care provider violation. Failure to timely submit the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX) shall result in the Agency issuing a Notice of Dismissal of the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX).

Specific Authority 440.591 FS. Law Implemented 440.13(8), 440.13(11) FS. History–New _____.

59A-34.005 Notice of Deficiency.

(1) The Agency shall issue a Notice of Deficiency to a carrier that reports an alleged health care provider violation to the Agency, when such report does not include a completed Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX) and the required documentation. The Agency shall also issue a Notice of Deficiency for any Carrier Report of Health Care Provider Violations that identifies more than a single category of health care provider violation.

(2) A carrier shall have ten (10) calendar days from receipt of the Notice of Deficiency to cure the deficiency identified in the Agency's Notice of Deficiency. Failure to submit a completed Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX) and the required documentation or to timely cure the deficiency shall result in the Agency issuing a Notice of Dismissal of the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX).

Specific Authority 440.591 FS. Law Implemented 440.13(8), 440.13(11) FS. History–New _____.

59A-34.006 Notice of Commencement of Investigation.

Within thirty (30) days of receipt of a completed Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX) and the required documentation, the Agency shall mail a notice to the health care provider and to the carrier listed on the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX) that the Agency has received a Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX).

Specific Authority 440.591 FS. Law Implemented 440.13(8), 440.13(11) FS. History–New _____.

59A-34.007 Provider Response.

(1) Within thirty (30) days of the health care provider's receipt of the Agency's notification of receipt of a Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX), the health care provider may submit a written response and documentation to the Agency disputing the alleged violations identified in the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX). Such documentation may include, but is not limited to:

(a) Any medical records provided to any peer review consultant or independent medical examiner by the health care provider, or by any entity acting on behalf of the health care provider, for the purposes of evaluating the treatment rendered to the employee by the health care provider, for each date of service listed on the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX);

(b) Any report issued by a peer review entity or independent medical examiner relating to the reported instance of overutilization identified on the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX);

(c) Any request(s) for authorization of treatment submitted by the health care provider to the carrier;

(d) Any carrier response to a health care provider's request for authorization of treatment; and

(e) Any DFS-F5-DWC-25 forms submitted on behalf of the health care provider for date(s) of service listed in the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX).

(2) Unless specifically requested pursuant to Rule 59A-34.008 of this rule, any documentation received by the Agency after thirty (30) days of the health care provider's receipt of the Agency's notification of receipt of a Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX) shall be excluded from use in determining whether the health care provider engaged in violations identified in the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX).

(3) All records and documentation submitted to the Agency by the health care provider in response to the Carrier Report of Health Care Provider Violations must be by electronic submission. The health care provider must include three (3) complete sets of records and documentation with each written response to the Carrier Report of Health Care Provider Violations. Only one (1) set of records and documents shall be contained on a single electronic submission.

Specific Authority 440.591 FS. Law Implemented 440.13(8), 440.13(11) FS. History–New _____.

59A-34.008 Requests for Additional Records

(1) The Agency may, at any time, request additional records or documentation from the carrier or the health care provider listed on the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX).The Agency must receive any additional records or documentation within thirty (30) days of the carrier’s or health care provider’s receipt of the request for additional records or documentation.

(2) Any additional records or documentation received by the Agency after thirty (30) days of the carrier’s or health care provider’s receipt of the request for additional records or documentation shall be excluded from use in determining whether the health care provider engaged in the violation identified in the Carrier Report of Health Care Provider Violations (AHCA Form 3160-XXXX).

Specific Authority 440.591 FS. Law Implemented 440.13(8), 440.13(11) FS. History–New _____.

59A-34.009 Agency Determination

The Agency shall issue a determination on whether the category of alleged health care provider violation listed on the Carrier Report of Health Care Provider Violations is substantiated.

Specific Authority 440.591 FS. Law Implemented 440.13(8), 440.13(11) FS. History–New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-5.020
RULE TITLE: Provider Requirements

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to incorporate by reference update February 2008 to the Florida Medicaid Provider General Handbook. The handbook was updated to include the good cause reasons for which a recipient may change managed care plans. The effect of the rule amendment to Rule 59G-5.020, F.A.C., will be to incorporate by reference in rule update February 2008 to the Florida Medicaid Provider General Handbook.

SUBJECT AREA TO BE ADDRESSED: Provider Requirements.

SPECIFIC AUTHORITY: 409.91211, 409.9122, 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.906, 409.907, 409.908, 409.912, 409.91211, 409.9122, 409.913 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: Tuesday, December 4, 2007, 1:30 p.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Karen Girard, Agency for

Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308, (850)488-9711, girardk@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-5.020 Provider Requirements.

(1) All Medicaid providers enrolled in the Medicaid program and billing agents who submit claims to Medicaid on behalf of an enrolled Medicaid provider must comply with the provisions of the Florida Medicaid Provider General Handbook, January 2007, updated July 2007 and February 2008, which is incorporated by reference and available from the fiscal agent’s website at <http://floridamedicaid.acs-inc.com>. Click on Provider Support, and then on Handbooks. A Paper copy of the handbook may be obtained by calling Provider Enrollment at (800)377-8216.

(2) No change.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.906, 409.907, 409.908, 409.912, 409.91211, 409.9122, 409.913 FS. History–New 9-22-93, Formerly 10P-5.020, Amended 7-8-97, 1-9-00, 4-24-01, 8-6-01, 10-8-03, 1-19-05, 5-24-07, _____.

DEPARTMENT OF MANAGEMENT SERVICES

Communications and Information Technology Services

RULE NOS.:	RULE TITLES:
60FF-2.001	General
60FF-2.002	Definitions
60FF-2.003	Communication Service Authorization (CSA); Administration; Approval
60FF-2.004	Centralized Communications Billing
60FF-2.005	Service Provider Billing and Data Collection
60FF-2.006	Communications Service Proposals
60FF-2.007	Florida State Government Listings
60FF-2.008	Security Standards for Usage of State Communications Systems
60FF-2.009	Security and Reliability Provisions Required for SUNCOM Approved Use of Third Party Services, Software and Equipment
60FF-2.010	SUNCOM Response to System Failures and Security Breaches
60FF-2.011	SUNCOM Cost Recovery for System Failures and Security Breaches Caused by Third Parties

PURPOSE AND EFFECT: To consider development of a new rule chapter establishing requirements and procedures for eligible users utilizing SUNCOM services provided by the Department of Management Services and to define

requirements for state agencies to provide Florida State Government Listings information to be published on the state 411 web site and in commercial telephone directories.

SUBJECT AREA TO BE ADDRESSED: SUNCOM service requirements; state government listings requirements security standards for usage of state communications systems.

SPECIFIC AUTHORITY: 282.102(9) FS.

LAW IMPLEMENTED: 282.102, 282.103, 282.104, 282.105, 282.106, 282.107 FS.

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

DATE AND TIME: November 27, 2007, 9:30 a.m.

PLACE: 4030 Esplanade Way, Room 301, 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 2 days before the workshop/meeting by contacting: Marta McPherson at (850)488-2707; SUNCOM 278-2707. 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: Carolyn Mason, Project Management Office, DMS Communications and Information Technology Services, 4030 Esplanade Way, Suite 125, Tallahassee, Florida 32399-0950; Carolyn.mason@dms.myflorida.com; (850)922-7503

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

DEPARTMENT OF MANAGEMENT SERVICES

Communications and Information Technology Services

RULE NOS.:	RULE TITLES:
60FF-3.001	General
60FF-3.002	Approval Threshold, Exemptions; Requests; Documentation
60FF-3.003	Delegation to the Department of Education
60FF-3.004	Specifications for State Purchasing and Department of Management Services Contracts
60FF-3.005	Special or Unique Agency Communications Requirements

PURPOSE AND EFFECT: To consider development of a new rule chapter establishing requirements for the purchase, lease, and use of communications equipment, facilities, and services.

SUBJECT AREA TO BE ADDRESSED: State communications purchasing requirements for agencies.

SPECIFIC AUTHORITY: 282.102(9) FS.

LAW IMPLEMENTED: 282.102, 282.103 FS.

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

DATE AND TIME: November 27, 2007, 9:30 a.m.

PLACE: 4030 Esplanade Way, Room 301, 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 2 days before the workshop/meeting by contacting: Marta McPherson at (850)488-2707; SUNCOM 278-2707. 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: Carolyn Mason, Project Management Office, DMS Communications and Information Technology Services, 4030 Esplanade Way, Suite 125, Tallahassee, Florida 32399-0950; Carolyn.mason@dms.myflorida.com; (850)922-7503

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

DEPARTMENT OF MANAGEMENT SERVICES

Communications and Information Technology Services

RULE NOS.:	RULE TITLES:
60FF-4.001	General
60FF-4.002	Definitions
60FF-4.003	User Access to State Long Distance Communications System
60FF-4.004	SUNCOM Services Agreement
60FF-4.005	Review of Eligibility of Users
60FF-4.006	Modifications, Additions, Reductions or Terminations to Existing SUNCOM Service Initiated by an Eligible User
60FF-4.007	Modifications, Additions, Reductions or Terminations to Existing SUNCOM Service Initiated by the Department of Management Services

PURPOSE AND EFFECT: To consider development of a new rule chapter establishing requirements for the eligibility and use of the SUNCOM network and services provided by the Department of Management Services.

SUBJECT AREA TO BE ADDRESSED: Requirements for use of the SUNCOM network and services.

SPECIFIC AUTHORITY: 282.102(9) FS.

LAW IMPLEMENTED: 282.102, 282.103 FS.

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

DATE AND TIME: November 27, 2007, 9:30 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Carolyn Mason, Project Management Office, DMS Communications and Information Technology Services, 4030 Esplanade Way, Suite 125, Tallahassee, Florida 32399-0950; Carolyn.mason@dms.myflorida.com; (850)922-7503

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-1.001
 RULE TITLE: Definitions

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to provide instructions on how to obtain a copy of the adopted Food Code.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development addresses instructions on obtaining a copy of the adopted Food Code.

SPECIFIC AUTHORITY: 509.032 FS.

LAW IMPLEMENTED: 509.032 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, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 N. Monroe St., Tallahassee, FL 32303-1012; telephone: (850)488-1133

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61C-1.001 Definitions.

Except when otherwise defined in this rule, the definitions provided in paragraph 1-201.10(B), Food Code, 2001 *Recommendations of the United States Public Health Service/Food and Drug Administration*, the 2001 *Food Code Errata Sheet* (August 23, 2002), and *Supplement to the 2001 FDA Food Code* (August 29, 2003), herein adopted by reference, shall apply to Chapters 61C-1, 61C-3 and 61C-4, F.A.C. In addition, the following definitions apply to Chapters 61C-1, 61C-3 and 61C-4, F.A.C.:

(1) through (13) No change.

(14) Food Code – Food Code, 2001 *Recommendations of the United States Public Health Service/Food and Drug Administration* including *Annex 3: Public Health*

Reasons/Administrative Guidelines and Annex 5: HACCP Guidelines of the Food Code, the 2001 Food Code Errata Sheet (August 23, 2002), and *Supplement to the 2001 FDA Food Code* (August 29, 2003). Copies of the Food Code, as adopted by the division, are available on the division’s Internet website, upon request to the department by phone, or by writing to the Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399. Copies of the Food Code may also be obtained from the U.S. Food and Drug Administration website.

(15) through (30) No change.

Specific Authority 509.032(6) FS. Law Implemented 509.032 FS. History—Amended 9-20-63, 3-21-64, 1-7-70, Revised 2-4-71, Amended 10-18-71, 11-17-73, 12-18-74, 12-5-82, Formerly 7C-1.01, Amended 9-10-89, 12-31-90, 2-27-92, 11-4-92, Formerly 7C-1.001, Amended 3-31-94, 10-9-95, 9-25-96, 1-1-98, 12-6-00, 2-27-05_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-1.008
 RULE TITLE: License Fees

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments is to update and simplify the license fee schedule for public lodging establishments and public food service establishments licensed by the division.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments address license fees for public lodging and public food service establishments licensed by the division.

SPECIFIC AUTHORITY: 509.032, 509.251 FS.

LAW IMPLEMENTED: 509.013, 509.032, 509.251, 509.302 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: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1012, telephone: (850)488-1133

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.001
 RULE TITLE: General Definitions

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Provides additional definitions of terms used in the provisions of Chapter 61D-14, F.A.C.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(a), (b), (d), (e), (g), (i), 551.104(4) 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: November 29, 2007, 9:00 a.m. – 5:00 p.m.

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. 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 5 days before the workshop/meeting by contacting: Mary Polombo at (850)413-0750. 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: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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 Pari-Mutuel Wagering

RULE NO.: 61D-14.003 **RULE TITLE:** Renewal of Slot Machine Licenses

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Revises the qualification required for renewal of slot machine license.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(a), (b), 551.104(4) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.009 **RULE TITLE:** Denial Criteria for Occupational License Application or Renewal

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Revises the denial criteria for occupational license application or renewal, specifies good moral character criteria, and clarifies language in the current rule.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(a), (b), 551.107(4)(a), (b), 551.107(5)(a), (b) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.011
 RULE TITLE: Occupational License and Fingerprint Fees

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Revises the license fee structure and clarifies language in the current rule.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(a), (b), (g), 551.107(4)(a), (d) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.016
 RULE TITLE: Operational Requirements

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Revises system operational requirements for surveillance and training requirements for surveillance personnel. The rule’s language has also been modified to improve clarity.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(c), (e), (g), (h), (i), 551.113(3), 551.114 FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.017
 RULE TITLE: Days and Hours of Operation

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Revises the process to permit approval of variations in operational schedules.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.
 LAW IMPLEMENTED: 551.103(1)(d), (e) 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:
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.019 RULE TITLE: Compulsive or Addictive Gambling Prevention Program

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Includes record keeping requirements for all training and follow-up training provided to employees.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.
 LAW IMPLEMENTED: 551.103(1)(a), (b), (g), (i), 551.104(4)(i), 551.118(1) 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:

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.021 RULE TITLE: Complimentary Services or Items

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The new rule defines complimentary and promotional items, as well as reporting and treatment for purposes of revenue reporting.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.
 LAW IMPLEMENTED: 551.103(1)(d), (e), (g) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.022
 RULE TITLE: Slot Machine Requirements
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Technical standards for slot machine operations, slot machine capabilities and procedures for jackpot payment. The rule language has been modified to improve clarity.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(c), (d), (h), (i) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.024
 RULE TITLE: Logic Compartment
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Technical standards for access to logic compartments and required procedures to limit access to compartment keys. Provides procedures for sealing the compartments and providing access to authorized personnel. The rule language has been modified to improve clarity.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(c), (i) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.030
 RULE TITLE: Video Monitors/Touchscreens
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Technical standards for video monitor touchscreens, testing, and testing reports required.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(c), (d), (e), (i) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.031
 RULE TITLE: Bill Acceptors

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Updates language regarding bill acceptor processing and clarifies meaning of rule.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(c), (d), (e), (i) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.032
 RULE TITLE: Progressive Slot Machine Requirements

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The new rule provides system and operational requirements for slot machines configured to accept and participate in progressive jackpot slot machine play.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(c), (d), (e), 551.121(5) 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:

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.033
 RULE TITLE: Progressive Gaming Device Displays
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The new rule provides system and operational requirements for progressive gaming device displays used in progressive jackpot slot machine play.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.
 LAW IMPLEMENTED: 551.103(1)(c), (d), (e), 551.121(5) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.035
 RULE TITLE: Progressive Jackpots
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The new rule provides system and operational requirements for progressive gaming jackpots used in progressive jackpot slot machine play.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.
 LAW IMPLEMENTED: 551.103(1)(c), (d), (e), 551.121(5) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.037
 RULE TITLE: Games with Bonus Features, Multiple Win Lines, Prizes

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The rule language provides system and operational requirements for slot machine games identified and used in slot machine tournaments.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.
 LAW IMPLEMENTED: 551.103(1)(c), (d), (e) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.040
 RULE TITLE: Game Cycle, Payment of Credits by Ticket Printer, and Ticket Redemption

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Changes processing of hand pay vouchers and clarifies language in rule.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(c), (d), (e), (i) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.048
 RULE TITLE: Facility Based Monitoring System Required Reports

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The rule has been amended to specify the daily reports the slot machine licensee is required to produce and additional definition of information data required in specified reports. The rule has also been modified to improve clarity and meaning.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(d), (e), (i), 551.104(4)(f) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.050
 RULE TITLE: Floor Plan

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The rule has been amended to specify the request forms required to relocate or realign slot machine games within a slot machine licensee's floor plan. The rule has also been modified to improve clarity and meaning.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(i), 551.104(4)(h), 551.114(5) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.051 **RULE TITLE:** Security Plan

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Provides requirements for exercises and procedures for training, and clarifies language in rule.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(i), 551.104(4)(h) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.054 **RULE TITLE:** Surveillance Equipment

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Provides policy and requirements for the use of surveillance equipment, procedures for training, and clarity to language in rule.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(g), (i), 551.104(4)(h) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.055
 RULE TITLE: Storage and Retrieval of Surveillance Recordings

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Provides policy and requirements for the retention of surveillance records and clarity to language in rule.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(d), (e), (g), (i), 551.104(4)(h) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.058
 RULE TITLE: Slot Machine Licensees System of Internal Controls

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The rule outlines reporting requirements for taxable financial data; revenue counts; and data recorded in the facility monitoring system. The rule language outlines the procedures for reporting revenue credits and other accounting adjustments. The rule also provides the procedure licensees shall use to modify their internal controls and obtain division approval of those modifications. The rule provides the technical steps required to document the division’s approval of the internal controls and publish the updated controls for implementation and enforcement. The rule language has also been modified to improve clarity.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(d), (e), (g), (i) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**Division of Pari-Mutuel Wagering**

RULE NO.: RULE TITLE:

61D-14.059 Slot Machine Licensee Personnel

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Provides requirement for the drug testing program for licensed facilities and clarifies language in rule.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103 (1)(g), (i), (j) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**Division of Pari-Mutuel Wagering**

RULE NO.: RULE TITLE:

61D-14.060 Business Entities, Internal Controls and Personnel Records

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Clarifies rule language regarding notice of location of business entity records maintained in the state for out-of-state business licensees.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(d), (g), (i) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**Division of Pari-Mutuel Wagering**

RULE NO.: RULE TITLE:

61D-14.061 Slot Cash Storage Boxes

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Provides that full cash storage boxes, when removed from a machine, must be taken directly to a physically secured cage or taken directly to the count room under surveillance observation and security escort. Update also clarifies rule language.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103 (1)(d), (g), (i) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.065
 RULE TITLE: Procedure for Slot Cash Storage Box Count

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Provides updated count room procedures and storage requirements for clothing used in the count room. Update also clarifies rule language.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(d), (g), (i) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.073
 RULE TITLE: Meter Readings

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Update clarifies rule language for reconciliation of meter readings.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(d), (e), (i) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.074
 RULE TITLE: Security Requirements, System Access, and Firewalls

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Provides instruction on processing access to facility records and player tracking data. The update also clarifies the rule language.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(d), (g), (i) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.076
 RULE TITLE: Player Tracking System

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Provides requirements that promotions be submitted to division for approval 30 calendar days in advance; internal control procedures provide for approval of award programs; and access to the player tracking system or promotional system be controlled and under surveillance. The update also clarifies the rule language.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(d), (e) FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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 Pari-Mutuel Wagering

RULE NO.: 61D-14.080
 RULE TITLE: Retention, Storage and Destruction of Books, Records, and Documents

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The update clarifies what records are to be retained permanently and which shall be retained for at least five years. The update also clarifies the rule language.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(d), (g) 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: November 29, 2007, 9:00 a.m. – 5:00 p.m.

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.082
 RULE TITLE: Annual Financial Report

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Modify rule language to include a reference to the uniform annual report rule for pari-mutuel activities in Rule 61D-8.002, F.A.C., and harmonize the timing and substance of all reports from the pari-mutuel and slot machine facility.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(d), (e), (g) 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: November 29, 2007, 9:00 a.m. – 5:00 p.m.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.086
 RULE TITLE: Annual Compliance Audit

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The rule language provides requests for annual report of facility written policy and summary of activity for prior year as required in Section 551.104, F.S.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(d), (g), 551.104(8) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.090
 RULE TITLE: Prohibited Acts

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: Clarifies rule language regarding prohibited acts to include the violation of facility drug-free work environment and violation for ejection of licensed personnel.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.
LAW IMPLEMENTED: 551.103(1)(d), (e), (g), (h), (i), (2), (3), (4)(a), 551.104(4)(i), 551.112 FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.:	RULE TITLES:
61D-14.100	Determination and Imposition of Penalty
61D-14.101	Time for Payment of Fines
61D-14.102	Individual Violations
61D-14.103	Facility Violations
61D-14.104	Citation Authority
61D-14.105	Disciplinary Guidelines
61D-14.106	Post Final Order Actions

PURPOSE AND EFFECT: The purpose and effect of the proposed rules will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The rule language implements division authority and procedures to institute a citation process for violations of certain portions of Chapter 551, F.S., and Chapter 61D-14, F.A.C.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.
LAW IMPLEMENTED: 551.103(1)(a), (4)(b), (5), 551.104(1), (4)(a), (b), (10)(b), 551.106(4), 551.107(5)(a), (b), (6)(a), (b), (c), (11), 551.109(1), (2), (3), (4), (5), 551.117 FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.:	RULE TITLE:
61D-14.200	Slot Machine Storage and Maintenance Facilities, and Educational, Training, or Testing Facilities

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The new rule provides the requirements and procedures for licensure and operation of storage and maintenance facilities and educational, training and testing facilities.

SPECIFIC AUTHORITY: 551.109(2), 551.122 FS.
LAW IMPLEMENTED: 551.109(2)(a), (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:

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.201
 RULE TITLE: Slot Machine and Component Manufacturer Storage Facility Requirements

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The new rule provides additional security requirements and procedures for licensure and operation of manufacturer’s storage and maintenance facilities.

SPECIFIC AUTHORITY: 551.103(1), 551.109(2), 551.122 FS.

LAW IMPLEMENTED: 551.109(2)(a), (b) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-14.202
 RULE TITLE: Facility License – Slot Machine Storage and Maintenance Facility

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The new rule provides procedures to obtain licensure for slot machine storage and maintenance facilities at which licensed slot machine business entities intend to store slot machine and related components within the state.

SPECIFIC AUTHORITY: 551.103(1), 551.109(2)(a), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(a), (b), 551.107(4)(a), 551.109(2)(a) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.:	RULE TITLE:
61D-14.203	Facility License – Certified Educational Facilities

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The new rule provides procedures to obtain licensure for certified educational facilities that intend to provide training and education services related to slot machine gaming in the state.

SPECIFIC AUTHORITY: 551.103(1), 551.109(2)(b), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(a), (b), 551.107(4)(a), 551.109(2)(b) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.:	RULE TITLES:
61D-14.210	Licensee Insolvency
61D-14.211	Surrender of License on Closing of Business; Closing Due to Natural Disasters; Insolvency; Bankruptcy; Receivership
61D-14.212	Approval Required for Enforcement of Security Interest in Slot Machine Licensee's Business
61D-14.213	Application to Enforce Security Interest; Investigation
61D-14.214	Enforcement of a Security Interest in Personal Property Gaming Collateral
61D-14.215	Receivership or Custodianship

PURPOSE AND EFFECT: The purpose and effect of the proposed rules will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The rule language describes required procedures a licensee shall observe if the licensee anticipates a period of insolvency requiring the intervention of the court; procedures for the surrender of licensure as a result of closing, for a variety of reasons; and application requirements to enforce a security interest in a licensee's slot machine gaming equipment.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(a), (b), (c), (d), (e), (g), (i), (4)(b), (5), 551.104(1), (4)(a), (b) FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE NO.: 61G18-14.003
 RULE TITLE: Endorsement Definitions

PURPOSE AND EFFECT: The proposed rule amendment corrects the cited manual reference from "Physician's Manual" to "Practitioner's Manual".

SUBJECT AREA TO BE ADDRESSED: Endorsement Definitions.

SPECIFIC AUTHORITY: 474.217(1)(a) FS.

LAW IMPLEMENTED: 474.217(1)(a) 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: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G18-14.003 Endorsement Definitions.

The term "Has demonstrated, in a manner designated by rule of the Board, knowledge of the laws and rules governing the practice of veterinary medicine in this state" shall mean that the applicant has successfully completed the laws and rules portion of the exam. However, for purposes of obtaining a temporary license pursuant to Section 474.2125, F.S., in an emergency situation as defined in Section 252.34(2), F.S., the applicant shall prepare and attach to the application, a statement that the veterinarian has read Chapters 474, 455, 465, 499, 585, 828, and 893, Florida Statutes, Rule Chapter 61G18, F.A.C., and the most recent edition of the "Practitioner's Manual" "~~Physician's Manual~~" published by the Drug Enforcement Administration of the Department of Justice. The statement shall contain the following acknowledgment: I acknowledge that knowingly making a

false statement in writing with the intent to mislead a public servant in the performance of his official duty is a misdemeanor of the second degree; Section 837.06, F.S.

Specific Authority 474.217(1)(a), 474.206 FS. Law Implemented 474.217(1)(a) FS. History--New 8-17-94, Amended 3-20-95,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE NO.: 61G18-15.001
 RULE TITLE: Permit Requirements

PURPOSE AND EFFECT: The proposed rule amendment is to clarify the department's role relating to the decision of reinspection.

SUBJECT AREA TO BE ADDRESSED: Permit Requirements.

SPECIFIC AUTHORITY: 474.206, 474.215 FS.

LAW IMPLEMENTED: 474.215 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: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G18-15.001 Permit Requirements.

(1) All establishments where veterinary medicine is practiced shall be required to have a permit issued by the Department of Business and Professional Regulation. An application for a permit shall be filed with the department not less than fourteen (14) days prior to the opening date of the establishment. The establishment shall be inspected for compliance with the minimum standards for sanitary conditions and physical plant as set forth in rule Chapter 61G18-15, F.A.C., prior to issuance of the permit. The decision whether reinspection prior to issuance of the permit is necessary because of the establishment's failure to meet required standards on the initial inspection shall be made by the department on an individual basis ~~by a committee appointed by the Chairman~~ and shall be based on the number and severity of the deficiencies documented on the initial inspection report.

(2) through (3) No change.

Specific Authority 474.206, 474.215 FS. Law Implemented 474.215 FS. History—New 11-14-79, Amended 12-10-81, 9-22-82, 12-12-83, 10-17-85, Formerly 21X-15.01, Amended 10-14-86, 5-9-90, Formerly 21X-15.001, Amended 2-6-95, 6-8-95, _____.

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

Division of Beaches and Shores

RULE NOS.:	RULE TITLES:
62B-33.002	Definitions
62B-33.0051	Coastal Armoring and Related Structures

PURPOSE AND EFFECT: A Petition to Determine Invalidity of Existing Rules and to Determine Invalidity of Agency Statements was filed with the Division of Administrative Hearings on 10/17/2007 (Road Less Traveled, et al. v. Fla. Dep’t of Env’tl. Prot.; DOAH Case No. 07-4767RX). This Petition was filed pursuant to Sections 120.56(3) and (4), Florida Statutes. The rule development will address provisions of the rule relating to coastal armoring and vulnerability.

SUBJECT AREA TO BE ADDRESSED: Coastal Armoring.

SPECIFIC AUTHORITY: 161.085(5) FS.

LAW IMPLEMENTED: 161.085 FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rosaline Beckham, Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 3900 Commonwealth Blvd, Mail Station 300, Tallahassee, FL 32399; Phone (850)488-7815; email Rosaline.Beacham@dep.state.fl.us

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.:	RULE TITLES:
64B8-50.003	Delegation of Powers and Duties to Electrolysis Council
64B8-50.009	Certification of Public Records

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address language which is not authorized by statute.

SUBJECT AREA TO BE ADDRESSED: Deletion of language which is not authorized by statute.

SPECIFIC AUTHORITY: 478.43(1) FS.

LAW IMPLEMENTED: 456.025(11) , 478.43(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 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:

64B8-50.003 Delegation of Powers and Duties to Electrolysis Council.

(1) Pursuant to Section 478.43, Florida Statutes, the Board delegates to the Electrolysis Council the following powers and duties.

(a) Certification of applicants for examination and applicants for endorsement.

~~(b) Issuance of temporary permits to applicants for licensure.~~

~~(c) Certification of applicants for facility licensure.~~

~~(b)(4)~~ Approval of continuing education providers and electrolysis training programs.

(2) The Board shall enter final orders in disciplinary cases against electrologists and electrology facility license holders. The determination of probable cause to issue an administrative complaint against an electrologist or a electrology facility license holder shall be made by the Probable Cause Panel of the Board.

(3) Rulemaking proposals, petitions for declaratory statement and petitions to adopt, amend or repeal rules, which relate to the practice of electrology shall first be presented to the Council. The Council shall consider the matter and make recommendations to the Board as to the appropriate action to be taken.

Specific Authority 478.43(1) FS. Law Implemented 478.43(3) FS. History—New 5-31-93, Formerly 21M-75.003, Amended 11-16-93, Formerly 61F6-75.003, 59R-50.003, Amended _____.

64B8-50.009 Certification of Public Records.

Any person desiring certification of any Board or Council documents from the custodian of records as official public records shall submit that request along with a certification fee of \$ 25. ~~Normal duplicating fees shall also apply.~~

Specific Authority 478.43(1) FS. Law Implemented 456.025(11) 119.07(1) FS. History–New 5-31-93, Formerly 21M-75.009, 61F6-75.009, 59R-50.009, Amended _____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.: RULE TITLES:
 64B8-51.001 Manner of Application
 64B8-51.003 Documentation for Licensure
 PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address clarification and language which is not authorized by statute.
 SUBJECT AREA TO BE ADDRESSED: Clarification with regard to fees and deletion of language which is not authorized by statute.
 SPECIFIC AUTHORITY: 478.43(1), (4) FS.
 LAW IMPLEMENTED: 478.45 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:

64B8-51.001 Manner of Application.

(1) All persons applying for licensure as an electrologist shall submit a signed application to the Executive Director of the Council on forms provided by the Council and approved and incorporated herein by reference by the Board as Form DOH/MQA/EO APP/REV-04/03, entitled “Application for Electrologist Licensure”, effective 2-15-04, which can be obtained from the Council. The initial application must be accompanied by the application fee, as set forth in Rule 64B8-51.007, F.A.C.

(2) All applications must include an official transcript from a school of electrology which identifies the credits taken by home study or correspondence courses and those taken in classroom settings.

(3) All applications for licensure by examination shall be filed with the Executive Director of the Council and shall be completed at least 120 ~~90~~ days prior to the examination. Applications filed after the deadline may be considered at the next meeting of the Council.

~~(4) The application and fee may not be used for more than one year from the date of original submission of the application and fee if the application remains incomplete or the applicant has not taken at least one administration of the examination for~~

~~licensure. If such application remains incomplete or the applicant has not taken at least one administration of the examination for licensure during the one year period, then the application shall be closed and the applicant shall be required to reapply for licensure.~~

~~(5) Any applicant who has not passed the state examination within three (3) administrations immediately following the date on which the Council initially approved the applicant for examination must successfully complete twenty five (25) hours of academic training and reapply for licensure.~~

Specific Authority 478.43(1), (4) FS. Law Implemented 478.45 FS. History–New 5-31-93, Formerly 21M-76.001, Amended 11-10-93, Formerly 61F6-76.001, Amended 5-29-96, Formerly 59R-51.001, Amended 12-23-97, 5-28-00, 8-9-01, 2-15-04, 10-31-05, _____.

64B8-51.003 Documentation for Licensure.

(1) In order to establish that an applicant is at least 18 years old, a copy of one of the following shall be submitted:

- (a) Birth certificate,
- (b) Passport,
- (c) Driver’s license.

(2) In order to establish that an applicant has a high school diploma or a graduate equivalency diploma, a ~~notarized~~ copy of the diploma shall be submitted. An applicant from a foreign country who does not have a high school diploma or graduate equivalency diploma shall submit equivalent documentation from a credentialing agency.

Specific Authority 478.43(1), (4) FS. Law Implemented 478.45 FS. History–New 5-31-93, Formerly 21M-76.003, 61F6-76.003, Amended 7-14-96, Formerly 59R-51.003, Amended _____.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:
 64B9-8.003 Citations
 PURPOSE AND EFFECT: The purpose and effect is to add a citation for failure to update practitioner profiles.
 SUBJECT AREA TO BE ADDRESSED: Citations.
 SPECIFIC AUTHORITY: 456.077, 464.006 FS.
 LAW IMPLEMENTED: 456.077 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: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-15.008 RULE TITLE: Testing and Competency Evaluation
 PURPOSE AND EFFECT: The purpose and effect is to amend the rule in response to and in accordance with Department of Health Testing Services request.
 SUBJECT AREA TO BE ADDRESSED: Testing and Competency Evaluation.
 SPECIFIC AUTHORITY: 464.202, 464.203 FS.
 LAW IMPLEMENTED: 464.202, 464.203, 464.2085 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: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 64B9-15.008 Testing and Competency Evaluation.
- (1) No change.
 - (2) The general areas of competency of the Written Exam are as follows:
 - (a) Role of the Nursing Assistant;
 - (b) Promotion of ~~Health and~~ Safety;
 - (c) Promotion of Function and Health of Residents;
 - (d) Basic Nursing Care Provided for Residents with Changes in Health Skills; and
 - (e) Specific Care Provided for Residents with Changes in Health Providing Specialized Care.
 - (3) The Board adopts a passing score as set by the National Nurse Aide Examination Council. The minimum passing level of the Written Exam varies depending on the difficulty of the items for each form of the examination and will be established by the Board.
 - (4) The Clinical Skills Test includes three of the following tasks in addition to hand washing and indirect care:
 - (a) Personal Care:
 - 1. Perineal Care – ~~Male and~~ Female;
 - 2. through 9. No change.
 - 10. Change Occupied Bed; and
 - 11. Foot Care.
 - (b) Promotion of Promoting Function, Health, and Safety:
 - 1. through 2. No change.
 - 3. Range of Motion for Upper Extremity ~~Extremities~~; and
 - 4. Range of Motion for Lower Extremity; ~~Extremities~~; and

5. Ambulation.

- (e) ~~Environmental Activities—Changing an Occupied Bed.~~
- (c) ~~(d)~~ Reporting and Recording:
 - 1. Measure and Record Pulse and Respirations ~~Vital Signs~~;
 - 2. No change.
 - 3. Measure and Record Content of Urinary Drainage Bag; ~~and~~
 - 4. Measure and Record Blood Pressure.
- (5) through (6) No change.
- (7) The Clinical Skills Observers for the Clinical Skills Test must meet the following criteria:
 - (a) No change.
 - (b) Have at least one year of experience in the provision of long-term care or caring for the chronically ill of any age;
 - (c) through (d) No change.

Specific Authority 464.202, 464.203 FS. Law Implemented 464.202, 464.203, 464.2085 FS. History—New 5-25-03, Amended 6-26-05,

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-3.003 RULE TITLE: Patient Records; Transfer or Death of Licensed Practitioner
 PURPOSE AND EFFECT: The purpose of the amendment is to clarify that electronic signatures meet the requirements for medical records and set forth the type of electronic signatures that meet the requirements of the rule.
 SUBJECT AREA TO BE ADDRESSED: Patient Records; Transfer or Death of Licensed Practitioner.
 SPECIFIC AUTHORITY: 456.058, 463.005(1)(a), (d) FS.
 LAW IMPLEMENTED: 456.057, 456.058, 463.005(1)(a), (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: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 64B13-3.003 Patient Records; Transfer or Death of Licensed Practitioner.
- (1) The licensed practitioner must legibly sign the entry in his or her records for each patient encounter. If the practitioner maintains electronic patient records, the practitioner may affix

an electronic signature which can be generated by using either public key infrastructure or signature dynamics technology, and meets the following criteria:

(a) The electronic signature is unique to the person using it;

(b) The electronic signature is capable of verification;

(c) The electronic signature is under the sole control of the person using it;

(d) The electronic signature is linked to the record in such a manner that the electronic signature is invalidated if any data in the record are changed.

~~(2)(+)~~ A licensed practitioner shall maintain full and independent responsibility and control over all records relating to his or her patients and his or her optometric practice. ~~The licensed practitioner must legibly sign the entry for each patient encounter.~~ All such records shall remain confidential except as otherwise provided by law and shall be maintained by the licensed practitioner in compliance with Rule 64B13-3.001, F.A.C. For the purposes of this rule, "maintain full and independent responsibility and control" means that the records shall be maintained in the licensed practitioner's office or solely in the possession of the licensed practitioner, and that the licensed practitioner shall not share, delegate, or relinquish either possession of the records or his or her responsibility or control over those records with or to any entity which is not itself a licensed practitioner.

~~(7)(2)~~ No change.

Specific Authority 456.058, 463.005(1)(a), (d) FS. Law Implemented 456.057, 456.058, 463.005(1)(a), (d) FS. History—New 11-13-79, Amended 12-19-84, 4-8-85, Formerly 21Q-3.03, Amended 12-16-86, 7-11-88, Formerly 21Q-3.003, 61F8-3.003, Amended 2-14-96, Formerly 59V-3.003, Amended 3-29-98, 4-3-00, 1-2-02, 11-16-05,

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE NOS.:	RULE TITLES:
66B-1.003	Definitions
66B-1.005	Funds Allocation
66B-1.006	Application Process
66B-1.008	Project Eligibility
66B-1.015	Small-Scale Derelict Vessel Removal Projects

PURPOSE AND EFFECT: The purpose of the proposed rule development is to include the following provisions in the program rule: Expand the definition of eligible applicants; clarify the necessary permitting requirements prior to project funding; identify the provisions for land acquisition eligibility; correct the rule language to allow small-scale and derelict vessel applications out of the regular grant cycle; and to revise the provisions of the small-scale derelict vessel removal program.

The effect of the rule development is to implement changes in the administration of the District's Assistance Program that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

SUBJECT AREA TO BE ADDRESSED: Cooperative Assistance Program rule sections: Definitions, Funds Allocation, Application Process, Project Eligibility and Small-Scale Derelict Vessel Removal Projects.

SPECIFIC AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3) FS.

IF REQUESTED 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: November 27, 2007, 11:00 a.m.

PLACE: The District office, 1314 Marcinski Road, Jupiter, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, telephone number: (561)627-3386

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

NNAVIGATION DISTRICTS

Florida Inland Navigation District

RULE NOS.:	RULE TITLES:
66B-2.003	Definitions
66B-2.005	Funds Allocation
66B-2.006	Application Process
66B-2.008	Project Eligibility
66B-2.015	Small-Scale Derelict Vessel Removal Projects

PURPOSE AND EFFECT: The purpose of the proposed rule development is to include the following provisions in the program rule: Clarify the necessary permitting requirements prior to project funding; identify the provisions for land acquisition eligibility; correct the rule language to allow small-scale and derelict vessel applications out of the regular grant cycle; and to revise the provisions of the small-scale derelict vessel removal program.

The effect of the rule development is to implement changes in the administration of the District's Assistance Programs that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

SUBJECT AREA TO BE ADDRESSED: Waterways Assistance Program rule sections: Definitions, Funds Allocation, Application Process, Project Eligibility and Small-Scale Derelict Vessel Removal Projects.

SPECIFIC AUTHORITY: 374.976(2) FS.
 LAW IMPLEMENTED: 374.976(1)-(3) FS.
 IF REQUESTED 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: November 27, 2007, 11:00 a.m.
 PLACE: The District office, 1314 Marcinski Road, Jupiter, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, telephone number: (561)627-3386

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

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NOS.:	RULE TITLES:
69A-46.010	Submission of the Application
69A-46.015	Testing
69A-46.016	Insurance Requirements
69A-46.0165	Submission of the Application for a Water-Based Fire Protection Permit
69A-46.017	Required Continuing Education
69A-46.040	Installation Requirements for Automatic Sprinkler Systems Employing Water as the Extinguishing Agent
69A-46.041	Inspection Requirements for Fire Protection Systems

PURPOSE AND EFFECT: The purpose of these rule amendments is to update Rule Chapter 69A-46, F.A.C., to provide for submission of an updated application for water-based systems, and inspection tags using a new system of red and green tags to indicate compliance and non-compliance. The effect of these rules will be to provide a uniform method of filing an application for water-based fire suppression systems and for tagging fire suppression equipment.

SUBJECT AREA TO BE ADDRESSED: The amendments address application procedures for Fire Protection System Contractors and Systems, including applications for Water-Based Fire Protection Permits, installation requirements for automatic sprinkler systems employing water as an extinguishing agent, and testing, tagging and maintenance requirements for fire protection systems.

SPECIFIC AUTHORITY: 633.01, 633.517(1), 633.521(4) FS.
 LAW IMPLEMENTED: 471.025, 553.79(6), 633.065, 633.521, 633.521(4), 633.524, 633.534, 633.537, 633.547(2)(e) FS.

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

DATE AND TIME: Friday, November 30, 2007, 9:30 a.m.
 PLACE: Third Floor Conference Room, The Atrium Building, 325 John Knox Road, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Casia Sinco, Safety Program Manager, 200 E. Gaines Street, Tallahassee, Florida 32399-0342; telephone: (850)413-3171; fax: (850)414-6119

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69A-46.010 Submission of the Application.

(1) through (2) No change.

(3)(a) As a prerequisite to challenging the examination as a Contractor I, II, or III, the applicant shall provide evidence of four (4) years proven experience in the employment of a Contractor I, II, or III, or a combination of experience and education equivalent thereto.

1. "Experience in the employment of a contractor", as required by Section 633.521(3), Florida Statutes, must be gained from full-time employment by a contractor licensed as provided in Section 633.521, Florida Statutes, such employment relating to technical areas. For purposes of this rule chapter, "technical areas" means those activities engaged in by a contractor and participated in by the applicant which provide experience in laying out, fabricating, installing, inspecting, altering, repairing, or servicing fire protection systems. For purposes of this rule chapter, four (4) years proven experience as a certified plumber plumbing contractor, licensed pursuant to the provisions of Chapter 489, Florida Statutes, may be offered toward the experience requirements for a Contractor I or II and shall be considered equivalent to two (2) years proven experience in the employment of a contractor. A certified plumbing contractor shall offer no more than 4 years as a certified plumbing contractor toward the 4 years experience requirement in Section 633.521, Florida Statutes. The applicant's experience must be verified by the contractor employing the applicant utilizing Form DFS-K3-1795 (Effective: _____) Employment Verification Form, incorporated herein by reference, or: the The required verification shall be in the form of a letter from the employing contractor employer, on company stationery, attesting to describing the applicant's duties, the kinds of jobs he worked on; his dates of employment; and any other information reasonably calculated to provide the division with an informed understanding of the applicant's work experience. A copy of Form DFS-73-1795 (Effective: _____) can be obtained

from the Bureau of Fire Prevention, Division of State Fire Marshal, Department of Financial Services, 325 John Knox Road, The Atrium, Third Floor, Tallahassee, Florida 32303. An applicant offering self-employment experience shall provide verification in the form of letters from customers, and others familiar with his work. It is the applicant's responsibility to furnish the required verification. The experience will be evaluated to determine an applicant's qualifications for the class of certificate requested; or,

2. through 4. No change.

(b) No change.

(c) As a prerequisite to challenging the examination as a Contractor V, the applicant shall provide evidence of:

1. No change.

2. Four years experience in the employment of Employment by an individual licensed as a certified underground utility contractor or plumbing contractor pursuant to the provisions of Chapter 489, Florida Statutes, ~~that the applicant has four (4) years experience in the employment of a certified underground utility contractor,~~ which shall be submitted utilizing Form DFS-K3-1795 (Effective: _____) Employment Verification Form; in the form of a letter, on company stationery, signed by the certified underground utility contractor or plumbing contractor, attesting to, ~~describing~~ the applicant's duties; the kinds of jobs he worked on; his dates of employment; and any other information reasonably calculated to provide the division with an informed understanding of the applicant's work experience; or

3. A combination of education and experience equivalent to four (4) years proven experience in the employment of a certified underground utility contractor or plumbing contractor. For purposes of combining education and experience, education in the areas described in paragraph (a)3., above, including at least 3 credit hours from a 4-year college or university or junior or community college in courses which teach the material in the National Fire Protection Association standards on which the applicant will be tested; or other equivalent coursework; and experience in the areas described in subparagraph (a)1., or subparagraph (c)1. or 2., above, shall be provided.

(d) No change.

(4) No change.

Specific Authority 633.01, 633.517(1) FS. Law Implemented 633.521, 633.524, 633.534 FS. History--New 10-14-86, Amended 12-21-88, 10-20-93, Formerly 4A-46.010, Amended _____.

69A-46.015 Testing.

(1) An applicant who has been qualified to challenge an examination will be notified in writing of available examination dates and examination locations. Upon receipt of a written request for a specific examination date, the applicant will be sent a notice of the exam date, time and location at least seven days prior to the scheduled exam. The applicant will be

expected to challenge the exam on that day unless he or she submits a written waiver of his or her right to challenge the exam on that day and requests a later date. ~~The Regulatory Licensing Section will schedule an applicant for a later day upon receipt of a written request. The applicant will also be permitted to challenge the examination at the Regulatory Licensing Section's office in Tallahassee if the applicant makes a request for such testing in writing and receives written notification when the next available scheduled examination will be held in Tallahassee.~~

(2) through (9) No change.

Specific Authority 633.01, 633.517(1) FS. Law Implemented 633.521 FS. History--New 10-14-86, Amended 12-21-88, 8-1-90, 10-20-93, 10-2-96, 6-8-98, 11-21-01, Formerly 4A-46.015, Amended _____.

69A-46.016 Insurance Requirements.

(1) The Fire Protection System Contractor I, II, III, IV, or V licensed pursuant to Section 633.521, Florida Statutes, shall provide evidence of current and subsisting insurance coverage meeting the requirements of Section 633.521, Florida Statutes, to the Regulatory Licensing Section on Form DFS-K3-25, Certificate of Insurance Fire Protection System Contractor, revised and dated Effective: _____, as adopted and incorporated herein by reference. This form is available from the Regulatory Licensing Section, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342.

(2) The licensed Fire Protection System Contractor I, II, III, IV, or V shall be responsible to ensure that current and subsisting insurance coverage meets the requirements of Section 633.521, Florida Statutes, and that an original signed Form DFS-K3-25, Certificate of Insurance is on file with the Regulatory Licensing Section.

(3) Failure to provide evidence of insurance coverage within 30 days of the expiration date of the policy or within 30 days of a notice to provide evidence of coverage shall result in administrative proceedings pursuant to Section 624.4211, Florida Statutes, as provided in subsection (4) of Section 633.521, Florida Statutes and pursuant to Section 633.547, Florida Statutes.

Specific Authority 633.01, 633.517(1), 633.521(4) FS. Law Implemented 633.521(4) FS. History--New 10-20-93, Amended 11-21-01, Formerly 4A-46.016, Amended _____.

69A-46.0165 Submission of the Application for a Water-Based Fire Protection Permit.

(1) An individual employed by a Fire Protection System Contractor I or II who will be inspecting water based fire protection systems must be issued a permit by the State Fire Marshal in accordance with Section 633.521, Florida Statutes, to conduct such work.

(2) The applicant for a Water-Based Fire Protection Permit shall submit an application on Form DFS-K3-1794, "Application for Water-Based Fire Protection Inspector Permit," (Effective: _____), incorporated herein by

reference, and available from the Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0342.

(3) The application shall be accompanied by a fee as prescribed in Section 633.524(1), Florida Statutes.

(4) The application shall be accompanied by two current full-face color passport size photographs, and a photocopy of the applicant's driver's license or identification card issued by the Florida Department of Highway Safety and Motor Vehicles. Each photograph shall have the name of the applicant printed legibly on the back of the photograph. Effective July 1, 2008, each application shall be accompanied by evidence that the applicant holds a NICET II in a subfield of Inspection and Testing of Water-Based Systems.

(5) Upon submission of a completed application, fee, and photographs, a permit and photo identification card will be issued to the applicant.

(6) Permittees must have a valid and subsisting permit upon their persons at all times while engaging in the inspection, testing and maintenance of fire protection systems. The permit must be produced upon demand. A permittee may perform only those services authorized under the Fire Protection System Contractor I or II employing such permittee.

(7) A permit shall be valid solely for use by the holder thereof in his or her employment by the licensee under whose license the permit was issued. A permittee changing his or her employer or place of employment shall obtain a new permit under the license of the holder at the new place of employment. The licensee shall notify the Regulatory Licensing Section, in writing, of the termination of a permittee within fifteen days of the termination. A permit and photo identification card of an individual leaving the employment of a Fire Protection System Contractor I or II becomes void and inoperative on the date of termination, pursuant to Section 633.521, Florida Statutes.

(8) A Water-Based Fire Protection Inspector permittee must qualify and maintain a NICET II certification in a subfield of Inspection and Testing of Water-Based Systems as a condition to renewal effective July 1, 2008.

Specific Authority 633.01, 633.517(1), 633.521(4) FS. Law Implemented 633.521(4) FS. History—New _____.

69A-46.017 Required Continuing Education.

(1) Fire Protection System Contractors Certificateholders shall complete a continuing education course or combination of courses in compliance with Section 633.537, Florida Statutes, within each biennial license period, except that a contractor who completes the competency examination and receives a license issued for 1 year or less shall be required to complete a continuing education course or combination of courses prorated at 50 percent of the required hours for a biennial license.

(2) The continuing education course or combination of courses shall be in a fire protection discipline related to the Certificate of Competency held by the Fire Protection System Contractor. All licensed Fire Protection System Contractors are required to complete an approved course or courses providing at least one hour of workplace safety class, one hour of business practices class, and one hour of a workers' compensation class as part of the required continuing education for each biennial renewal period.

(3) through (5) No change.

(6) The number of contact hours assigned to any course shall be determined by the Regulatory Licensing Section based on the course content and length of the course.

(a) through (b) No change.

(c) Each Fire Protection System Contractor certificateholder shall be notified by the Regulatory Licensing Section, in writing, if the coursework does not satisfy the continuing education requirement in Section 633.537, Florida Statutes. No notification will be given over the telephone.

(d) through (j) No change.

(7) Each Fire Protection System Contractor certificateholder is responsible for attending the appropriate course or courses and for maintaining proof of completion of the course or courses. Such proof shall be in the form of copies of certificates of completion awarded. The Regulatory Licensing Section will not accept any proof of completion except that submitted in accordance with subsection (8) below.

(8) Prior to the annual expiration of the Certificate of Competency, the Fire Protection System Contractor shall submit proof of completion of the required course or courses to the Regulatory Licensing Section. Submissions shall be submitted on a "Fire Protection System Contractor Continuing Education Coursework" Form, DFS-K3-441240 (Rev: _____) (~~03/00~~) as adopted and incorporated herein by reference. Forms are available from and submissions shall be sent to: Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0342. Each Fire Protection System Contractors Certificateholders will be notified by the Regulatory Licensing Section, in writing, if the coursework does not satisfy the continuing education requirement in Section 633.537, Florida Statutes. No notification will be given over the telephone.

(9) Any Fire Protection System Contractor who does not complete the continuing education requirement shall not have his or her certificate renewed. If the Fire Protection System Contractor certificateholder is not renewed, the contractor certificateholder shall perform no work for which a license is required. A contractor certificateholder wishing to become licensed again shall meet the requirements of Section 633.521, Florida Statutes.

(10) Effective July 1, 2005 a Water-Based Fire Protection Inspector shall complete 8 hours of approved continuing education in compliance with Section 633.537, Florida

Statutes, which are preparatory curriculum for NICET II certification and shall support the general and special work elements for NICET II certification. An additional 16 hours of continuing education must be completed between July 1, 2006 and June 30, 2008.

(11) A Water-Based Fire Protection Inspector shall complete 16 hours of approved continuing education coursework in compliance with Section 633.537, Florida Statutes, within each biennial license period.

Specific Authority 633.01, 633.517(1) FS. Law Implemented 633.521, 633.537 FS. History--New 10-2-96, Amended 6-18-97, 6-8-98, 11-21-01, Formerly 4A-46.017, Amended _____.

69A-46.040 Installation Requirements for Automatic Sprinkler Systems Employing Water as the Extinguishing Agent.

(1) Fire protection system contractors installing an automatic sprinkler system employing water as the extinguishing agent shall supervise and be responsible for the complete system in accordance with the provisions of Section 633.539, Florida Statutes, except that a contractor installing the underground pipe shall supervise and be responsible only for the portion he or she installs and the contractor installing the remaining portion of the system shall be responsible only for his or her portion of the work. the contractor shall be responsible for installing the complete system in compliance with the National Fire Protection Association standards adopted pursuant to Rule Chapter 69A-3, F.A.C., except that if a contractor installs the underground portion of the system in compliance with Section 633.539(3), Florida Statutes, pipe he or she shall be responsible to ensure for that portion of the system, and the contractor installing the remaining portion shall be responsible for the system from the point of connection to the underground throughout the remainder of the system.

(2) through (8) No change.

Specific Authority 633.01 FS. Law Implemented 553.79(6), 633.065, 633.547(2)(e) FS. History--New 12-21-88, Amended 8-1-90, 10-20-93, 11-21-01, Formerly 4A-46.040, Amended _____.

69A-46.041 Inspection Requirements for Fire Protection Systems, Testing and Maintenance.

~~The contractor I or II shall submit in writing to the Regulatory Licensing Section the names, addresses, and evidence of NFPA 25 training of all individuals in his or her employ that are performing inspections of fire protection systems. In addition, the licensed contractor I or II shall submit a full face current color passport photograph of each inspector along with a copy of the inspector's current driver's license or identification card issued by the Florida Department of Highway Safety and Motor Vehicles. The contractor shall not allow any individual to perform inspections under his or her certificate until that individual has been listed with the Regulatory Licensing~~

~~Section. The Regulatory Licensing Section shall issue a identification card to each inspector. The identification card is not a license. The contractor shall be responsible for each listed individual's inspections until he or she has requested in writing that the Regulatory Licensing Section delete the individual from his or her list of inspectors. The licensed fire protection system contractor shall notify the Regulatory Licensing Section, in writing, of an inspector leaving his or her employ within fifteen days of the termination. An inspector photo identification card of an individual leaving the employ of a contractor becomes void and inoperative on the date of departure.~~

(1) A Fire Protection Contractor, contracting to perform inspecting, testing, and maintenance service on a fire protection system shall comply with the requirements of Chapter 633, Florida Statutes, and the applicable NFPA standards as adopted in Rule Chapter 69A-3, F.A.C.

(2) Each system that has been inspected, tested, or maintained by a fire protection contractor, or his or her permitted Water-Based Fire Protection Inspector designated inspector, shall have a record tag of durable and weather resistant material placed on the riser ~~or control device.~~ The tag at "Figure A" shall include the following:

~~(a) Name, address and contractor license number of company.~~

~~(b) Date of inspection and type of inspection.~~

~~(c) Inspected by _____.~~

~~(d) The tag shall state "For more information see the inspection report."~~

~~(e) The tag shall state "Do not remove by order of the State Fire Marshal."~~

~~(f) The tag shall be approximately 3 1/2 inches by 5 1/2 inches.~~

~~SEE FLORIDA ADMINISTRATIVE CODE FOR "FIGURE A"~~

(3) Inspection Tags.

(a) After inspection and testing, an inspection tag shall be completed indicating all work that has been done, and then attached to the system riser in such a position as to permit convenient inspection and not hamper activation or operation. A new inspection tag shall be attached to the system riser each time an inspection and test service is performed.

(b) Inspection tags must be a maximum dimension of 133 mm (5 1/4 inches) in height and 89 mm (3 1/2 inches) in width.

(c) Inspection tags shall bear the following information in an easily read format:

1. 'DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL.' This particular information shall be in a minimum of 10pt type and in all capital letters.

2. The licensed Fire Protection System Contractor I or II's name and licensed physical address.

3. The license number of the Fire Protection System Contractor I or II;

4. The permit number of the Water-Based Fire Protection Inspector;

5. The permitted Water-Based Fire Protection Inspector's signature;

6. The day, month and year (to be punched);

7. The facility name and address.

8. Affixing this tag shall not be construed to invalidate the owner's responsibility to maintain the system as provided in Section 633.082, Florida Statutes.

9. The reverse of the non-compliant tag shall include at least four separate boxes for the listing of repair work as follows:

a. Date of Repair: _____

b. Repaired by (Signature): _____

c. Print Name: _____

d. Type of Repair: _____

e. Permit Number: _____ (if repair is made by a Water Based Fire Protection Inspector Permit Number must be noted.).

(d) Inspection tags may be printed and established for a five year period of time.

(e) An inspection tag shall only be removed by the Fire Protection System Contractor or his permitted Water-Based Fire Protection Inspector.

(4) Compliance and Noncompliance Tag.

(a) If a fire protection system is found to be in compliance with the applicable NFPA standards, a GREEN Compliance Tag shall be attached to the main control valve of the system.

(b) If a fire protection system is found to have deficiencies and is not in compliance with the applicable NFPA standards, a completed RED Noncompliance Tag shall be attached to the main control valve of the system to indicate that corrective action is necessary. If the system is operational but not in compliance with the applicable NFPA standards, the building owner or authorized representative and occupant shall be notified by copy of the NFPA 25 inspection report within 30 days of the inspection. If the system is not operational, the contractor or inspector shall notify the building owner or authorized representative, the occupant, and the authority having jurisdiction within 24 hours of the time of the inspection.

(5)(3) The contractor shall maintain in his or her file all records of any fire protection system having been inspected, serviced and maintained.

(6)(4) These records shall be made available to the State Fire Marshal upon request.

(7)(5) The contractor or his or her permitted Water-Based Fire Protection Inspector the designated inspector shall complete in detail the inspection reports as required in NFPA 25, as adopted in Rule Chapter 69A-3, F.A.C., that outlines all

points of the inspection, test, and maintenance as required by the applicable NFPA standards. A copy of the inspection report which shall be provided to the owner at the completion of each inspection performed.

~~(8)(6)~~ The inspection report shall include a detailed explanation of every deficiency, and any deficiencies. The report shall indicate if the inspection is a weekly, monthly, quarterly or annual inspection. The inspection report shall include the name of the permitted Water-Based Fire Protection Inspector registered inspector, the inspector permit registration number, the inspector's signature, the date and time of the inspection, and the signature of the owner or the owner's representative.

(9) Pursuant to the provisions of Section 633.082, Florida Statutes, it is the owner's responsibility to maintain the fire protection system. Affixing an inspection tag as required herein does not invalidate responsibility nor shall a transfer of risk be construed.

Specific Authority 633.01 FS. Law Implemented 633.071, 633.082 471.025, ~~553.79(6)~~, 633.065, 633.547(2)(e) FS. History—New 10-20-93, Amended 11-21-01, Formerly 4A-46.041, Amended _____.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 690-144.005
 RULE TITLE: Credit for Reinsurance
 PURPOSE AND EFFECT: To implement revisions to Section 624.610, F.S., relating to rating based collateral requirements.
 SUBJECT AREA TO BE ADDRESSED: Credit for reinsurance.

SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 624.610 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: November 26, 2007, 9:30 a.m.

PLACE: Room 116, Larson Building, 200 East Gaines Street, 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 5 days before the workshop/meeting by contacting: Ray Spudeck, Economist, Office of Insurance Regulation, E-mail ray.spudeck@fldfs.com. 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: Ray Spudeck, Economist, Office of Insurance Regulation, E-mail ray.spudeck@fldfs.com
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

Section II Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.09421 RULE TITLE: High School Competency Test Requirements

PURPOSE AND EFFECT: The proposed rule amendment will change the required administration schedule for the High School Competency Test to an annual administration. This change will provide an administration schedule that is commensurate with the current number of test takers each year. In addition, the amendment will eliminate obsolete provisions.

SUMMARY: This rule is amended to reduce the number of administrations per year of the High School Competency Test (HSCT) and to allow students to meet the high school testing requirement through earning passing scores on the Florida Comprehensive Assessment Test (FCAT). In addition, obsolete provisions are eliminated.

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

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 1001.02, 1008.22 (11) FS.

LAW IMPLEMENTED: 1001.02, 1003.428, 1003.43, 1008.22 FS.

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

DATE AND TIME: December 11, 2007, 10:00 a.m.

PLACE: Marriott Tampa Airport, Pinellas Room, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cornelia Orr, Assistant Deputy Commissioner, Assessment and School Performance, Florida Department of Education, 325 West Gaines Street, Suite 414, Tallahassee, Florida 32399, (850)245-0513

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09421 High School Competency Test Requirements. The minimum student performance skills and competencies required for high school graduation by Section 229.57(3)(c)5., Florida Statutes, for the period 1994-95 through 1998-99 shall be determined in the manner prescribed below:

(1) The student examination, known as the High School Competency Test, required by Sections 232.246(5)(a) and 229.57(3)(c)5., Florida Statutes, shall be administered annually developed under the direction and supervision of the Deputy Commissioner for Educational Programs, and shall be:

(a) Kept secured at all times.

(b) Provided to testing centers ~~all school districts~~ in the quantity needed ~~for the students in the district.~~

(c) Administered in accordance with standard written instructions appropriate for the examination.

~~(d) Revised and updated as needed.~~

(2) The test shall ~~be developed in consultation with teachers and other appropriate professionals and shall be approved by the Commissioner prior to being administered to students. The test shall:~~

(a) Consist of two (2) sections; one (1) comprising communications skills, and one (1) comprising mathematical skills.

(b) Be derived from the skills adopted in subsection 6A-1.0941(1), F.A.C., for the time period from 1994-95 through 1998-99.

~~(3) The High School Competency Test shall be administered in cooperation with district school boards at least four (4) times during each school year.~~

~~(a) The test shall be scheduled at least twice each year for secondary students who are classified as high school juniors or seniors. The Division of Public Schools and the district school boards shall cooperate to the extent practicable in using other scheduled administrations to accommodate migrant students, transfer students, and others who are unable to be tested on the designated dates. No student shall be tested more than one (1) time in any thirty (30) day period.~~

~~(b) An adult who has earned sufficient credits to be classified as a high school sophomore, junior, or senior may take the examination initially at any scheduled administration. Adults who have taken the test previously but who have not yet earned passing scores in both sections of the test may retake the examination at any subsequent scheduled administration.~~

(4) To qualify for a high school diploma, each ~~secondary~~ ~~or~~ adult student must earn passing scores on both sections of the High School Competency Test or earn passing scores on the FCAT, as defined in Section 1008.22(3)(c), F.S., or scores on a standardized test that are concordant with passing scores on the FCAT as defined in Section 1008.22(9), F.S. High School Competency Test scores shall be reported in terms of an equated score scale. The passing scale score shall be seven hundred (700).