

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE NOS.:	RULE TITLES:
5K-1.003	Application for Inspection, Fees, Rejection of Application, Updates, Renewal, Official Numbers and Withdrawal of Inspection
5K-1.0051	Schedule of Operations, Water Supply for Cleaning, Application of Pesticides, Vehicles Transporting Animal Products, Permission for Release of Stop-Sale Product, and Retention Tags
5K-1.019	United States Federal Regulations for Mandatory Meat Inspection and Mandatory Poultry Product Inspection, U.S.D.A. Directives, and Parts XI and XII of the State Performance Plan Adopted
5K-1.020	Approved Methods of Humane Slaughter
5K-1.021	Inspection of Nontraditional Livestock – Requirements, Scheduling, Inspection Marks, Fees

**PURPOSE AND EFFECT:** The purpose of this Notice of Rule Development is to repeal a set of obsolete rules that are based on statutory language that was repealed by the Florida Legislature in 2000. The Florida Department of Agriculture and Consumer Services previously had statutory authority for the regulation and inspection of operations engaged in the slaughter of animals or the preparation of animal products for human consumption. Chapter 585, Part III, Animal and Animal Product Inspection and Labeling (ss. 585.70 – 585.96) was repealed during the 2000 Legislative Session (Chapter 2000-308, Section 38, L.O.F.). Those duties and the impacted firms were administratively transferred back to the U. S. Department of Agriculture (USDA). The remaining rules have not been used by this agency since that time and to repeal such will have no impact on the Department or its regulated entities.

**SUBJECT AREA TO BE ADDRESSED:** This rule amendment addresses the repeal of obsolete rules relative to the regulation of animal slaughter operations and meat processing plants. This program is no longer a function performed by the Department.

SPECIFIC AUTHORITY: 585.002(4), 585.715(2), 585.93, 828.25(1) FS.

LAW IMPLEMENTED: 570.07(2), 585.71, 585.72, 585.73, 585.74, 585.75, 585.76, 585.77, 585.78, 585.79, 585.80, 585.81, 585.82, 585.83, 585.84, 585.85, 585.86, 585.87, 585.89, 585.90, 585.93, 585.902, 585.903, 585.904, 585.905, 585.91, 828.22, 828.24 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: Paul M. Raynes, Senior Management Analyst II, Division of Food Safety, Bureau of Food and Meat Inspection, 3125 Conner Boulevard, Mail Stop C-18, Tallahassee, FL 32399-1650, telephone: (850)245-5520

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5K-1.003 Application for Inspection, Fees, Rejection of Application, Updates, Renewal, Official Numbers and Withdrawal of Inspection.

Specific Authority 585.002(4), 585.715(2) FS. Law Implemented 585.74(1), (2), (4), (5), (7), 585.72(2), 585.75(2), 585.79, 585.84, 585.91(1), (2), (4), (6), (7) FS. History–New 6-29-62, Formerly 5C-1.03, Amended 1-5-94, Formerly 5C-1.003, Amended 7-5-95, 1-17-96, Repealed.

5K-1.0051 Schedule of Operations, Water Supply for Cleaning, Application of Pesticides, Vehicles Transporting Animal Products, Permission for Release of Stop-Sale Product, and Retention Tags.

Specific Authority 585.002(4), 585.715(2) FS. Law Implemented 585.71, 585.74(2), 585.78, 585.80(3), 585.90, 585.83, 585.91 FS. History–New 1-5-94, Formerly 5C-1.0051, Amended 7-5-95, 1-17-96, Repealed.

5K-1.019 United States Federal Regulations for Mandatory Meat Inspection and Mandatory Poultry Product Inspection, U.S.D.A. Directives, and Parts XI and XII of the State Performance Plan Adopted.

Specific Authority 585.002(4), 585.715(2) FS. Law Implemented 570.07(2), 585.72, 585.73, 585.74, 585.75, 585.76, 585.77, 585.78, 585.79, 585.80, 585.81, 585.82, 585.83, 585.84, 585.85, 585.86, 585.87, 585.89, 585.90, 585.902, 585.903, 585.904, 585.905, 585.91, 585.93 FS. History–New 3-20-71, Formerly 5C-1.19, Amended 1-5-94, Formerly 5C-1.019, Amended 10-30-95, 1-17-96, 9-3-96, 4-10-97, Repealed.

5K-1.020 Approved Methods of Humane Slaughter.

Specific Authority 828.25(1) FS. Law Implemented 828.22, 828.24 FS. History–New 7-5-95, Repealed.

5K-1.021 Inspection of Nontraditional Livestock – Requirements, Scheduling, Inspection Marks, Fees.

Specific Authority 585.002(4), 585.715(2), 585.93 FS. Law Implemented 585.93 FS. History–New 1-17-96, Repealed.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Aquaculture**

RULE NO.: 5L-1.003 RULE TITLE: Shellfish Harvesting Area Standards

PURPOSE AND EFFECT: This amendment proposes to classify the St. Marks shellfish harvesting area. A sanitary survey has been conducted that evaluated current information on pollution sources and bacteriological water quality, and recommends classification of the St. Marks shellfish harvesting area.

SUBJECT AREA TO BE ADDRESSED: The proposed classification and management of the St. Marks shellfish harvesting area for shellfish harvesting is in accordance with Rule 5L-1.003, F.A.C., to protect the health of shellfish consumers and to provide access to renewable shellfish resources.

SPECIFIC AUTHORITY: 597.020 FS.

LAW IMPLEMENTED: 597.020 FS.

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

DATE AND TIME: December 5, 2008, 12:00 Noon – 5:00 p.m.

PLACE: Division of Aquaculture, Apalachicola Shellfish Center, 260 7th Street, Apalachicola, Florida 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Chris Brooks, Division of Aquaculture, 1203 Governor’s Square Boulevard, 5th Floor, Tallahassee, Florida 32301, phone: (850)488-4033. 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: Chris Brooks, Division of Aquaculture, 1203 Governor’s Square Boulevard, 5th Floor, Tallahassee, Florida 32301, phone: (850)488-4033

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-4.0083 RULE TITLE: School Principal – Administrative Class

PURPOSE AND EFFECT: The purpose of the rule development is to amend the rule to allow educators at Florida charter schools to participate in the district school principal development program. Currently, only educators who are employees of the district school board may participate.

SUBJECT AREA TO BE ADDRESSED: School principal development program.

SPECIFIC AUTHORITY: 1001.02, 1012.55, 1012.56 FS.

LAW IMPLEMENTED: 1001.02, 1012.55, 1012.56 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Beverly Gregory, Chief, Bureau of Educator Certification, 325 West Gaines Street, Room 201, Tallahassee, Florida 32399-0400, (850)245-0431

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-4.0083 School Principal – Administrative Class.

(1) No change.

(2) Document successful performance of the duties of the school principalship. These duties shall be performed in a Department of Education approved district school principal certification program pursuant to Rule 6A-5.081, F.A.C., designed and implemented consistent with the principal leadership standards approved by the State Board of Education. In addition, these duties shall:

(a) Be performed as a full-time employee in a Florida public school ~~of a district school board~~ in a leadership position through which the candidate can fully demonstrate the competencies associated with the Florida Principal Leadership Standards.

Specific Authority 1001.02, 1012.55, 1012.56 FS. Law Implemented 1001.02, 1012.55, 1012.56 FS. History–New 7-1-86, Formerly 6A-4.083, Amended 7-1-86, 10-31-88, 7-1-07, \_\_\_\_\_.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-6.021 RULE TITLE: State of Florida High School Diplomas

**PURPOSE AND EFFECT:** The purpose of the rule development is review the General Educational Development (GED) testing fees to recommend an increase in the testing fees so that the Department of Education, as well as local testing centers, can operate with a minimal deficit due to increasing operating costs related to administering the GED test.

**SUBJECT AREA TO BE ADDRESSED:** General Educational Development (GED) Testing Fees.

**SPECIFIC AUTHORITY:** 1001.02(1), 1003.435(1)(5) FS.

**LAW IMPLEMENTED:** 1003.435 FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400, (850)245-9661

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

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
12A-19.080	Distribution Adjustments to Local Taxing Jurisdictions

**PURPOSE AND EFFECT:** The purpose of this notice is to inform the public that the department is developing procedures for reporting and paying adjustments in distributions of communications services tax to local governments.

The effect of this action is to ensure that the Department’s rules conform to the applicable provisions in Chapter 202, Florida Statutes.

**SUBJECT AREA TO BE ADDRESSED:** The subject area that will be addressed is the distribution of collections from the communications services tax.

**SPECIFIC AUTHORITY:** 202.26(3)(a) FS.

**LAW IMPLEMENTED:** 202.18(3)(c), 202.22(5), 202.231, 202.35(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.**

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: the Florida Relay Service, 1(800)955-8770 (Voice)

and 1(800)955-8771 (TDD). 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:** Vince Aldridge, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)488-0718, e-mail address: aldridgev@dor.state.fl.us

**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**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
33-602.701	Use of Blue Lights and Sirens

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule is to require officers who have completed a certified law enforcement crossover course and are currently certified to complete the Department’s 4 hour classroom training portion of the 16 hour requirement.

**SUBJECT AREA TO BE ADDRESSED:** Use of blue lights and sirens training.

**SPECIFIC AUTHORITY:** 944.09 FS.

**LAW IMPLEMENTED:** 316.003, 316.072, 316.2397 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 Jordan-Nunes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

- 33-602.701 Use of Blue Lights and Sirens.
  - (1) through (5) No change.
  - (6) Training:
    - (a) No change.
    - (b) Correctional officers who have attended and successfully completed a certified law enforcement crossover course and have their certificates of certification as law enforcement officers on file with the department will be

~~required to complete the 4 hour classroom portion of the 16 hour considered as meeting this training requirement.~~ In the event there is no cross over emergency vehicle operation course, the additional department training will be required.

(c) through (d) No change.

Specific Authority 944.09 FS. Law Implemented 316.003, 316.072, 316.2397 FS. History—New 6-16-08, Amended.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Personnel Management System**

RULE NO.: 60L-33.004  
 RULE TITLE: Layoff and Employee Transition

PURPOSE AND EFFECT: To implement changes to the administrative rule as required by Ch. 2008-126, Laws of Florida, which amended Section 110.227, Florida Statutes, to require agencies to develop objective measures to assess employee retention in layoff situations and give consideration to employee’s length of service.

SUBJECT AREA TO BE ADDRESSED: The proposed rule affect the layoff provisions for Career Services employees as amended by Ch. 2008-126, Laws of Florida.

SPECIFIC AUTHORITY: 110.1055, 110.201(1), 110.227(2) FS.

LAW IMPLEMENTED: 110.201, 110.227 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: August 8, 2008, 10:00 a.m. – 12:00 Noon  
 PLACE: Department of Management Services, 4050 Esplanade Way, Room 235K, Tallahassee, Florida 32399-0950  
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Phil Spooner, (850)488-2445. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Phil Spooner, (850)488-2445 or phil.spooner@dms.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

60L-33.004 ~~Layoff Workforce Reduction~~ and Employee Transition.

(1) ~~A workforce reduction is the deletion of positions. Agencies may delete both vacant and filled positions.~~ Agencies may effect a layoff delete positions for a variety of reasons, including budget cuts, program reductions resulting from

outsourcing or privatization efforts, or program phase-outs. Agencies shall accomplish a layoff workforce reductions in an orderly, systematic, and uniform manner in accordance with this rule.

(2) Each agency shall have a Department-approved workforce transition plan. The goal of the plan is to ensure that the agency makes reasonable efforts to provide a smooth transition for the career service employees adversely affected by the ~~layoff workforce reduction~~. The plan shall identify the steps the agency will take during the layoff workforce reduction to advance this goal. The following steps are reasonable and shall be included in any plan, unless the plan justifies in writing why they are not included:

(a) Appoint a workforce transition team, which is responsible for overseeing and administering the layoff workforce reduction.

(b) Develop a communications plan, designed to ensure open, honest, and frequent communication regarding staffing changes. Provide clear avenues for employees to seek and obtain information and assistance. Address necessary communications with the Department, the Agency for Workforce Innovation, and unions.

(c) Assess the positions to be deleted and the mission and goals of the residual program (that is, the program area that will remain after the deletion of functions and positions). Identify the employees and programs or services that will be affected by the layoff workforce reduction. Identify the knowledge, skills, and abilities that employees will need to carry out the residual program.

(d) Assess employees.

1. If the ~~layoff workforce reduction~~ affects law enforcement or correctional officers, firefighters, or professional health care providers, develop procedures to establish the relative merit and fitness of these employees. Include a formula for uniform application within a competitive area, taking into consideration the type of appointment, the length of service, and the evaluation of the employee’s performance within the last five years of employment. The Department may authorize selective competition within the competitive area, based upon specific qualifications deemed necessary for a position, if the duties and responsibilities requiring such qualifications are clearly reflected in the official position description on file with the agency.

2. If the ~~layoff workforce reduction~~ affects any other career service employee, develop assessment procedures which shall base employee retention on objective measures that include the following considerations: the comparative merit, demonstrated skills, and experience and length of service in the State Personnel System of each employee. In determining which employees to retain, the primary retention considerations should be the employees’ job performance, the job-related skills possessed by employees and consider which employees will best enable the agency to advance its mission,

~~I;~~ in this context, consider how each employee fares with respect to the following factors: commitment, cooperation, excellence, fairness, honesty/integrity, initiative, respect, and teamwork. An employee's experience and length of service in the State Personnel System shall also receive consideration for employee retention and may be used in those instances where employees receive equal assessments.

(3) A ~~permanent~~ career service employee with permanent status in their current position facing layoff ~~as a result of a work force reduction~~ shall have an opportunity for first interview within any agency for a vacancy for which the employee is qualified and has applied.

(4) Before laying off a ~~permanent~~ career service employee with permanent status in their current position ~~as part of a work force reduction~~, an agency shall provide the employee reasonable notice of the intended action. Where possible, the agency shall provide at least thirty days notice, and in all cases the agency shall provide at least ten days notice or, in lieu thereof, pay or a combination of notice and pay.

(5) The Agency for Workforce Innovation through its existing programs shall make available placement assistance to affected agencies and employees.

(6) Agencies shall prepare update and maintain ~~a~~ the workforce transition spreadsheet database and provide the spreadsheet to the Department upon request ~~any additional information related to the database.~~

(7) ~~A~~ Consequences of a workforce reduction, including a layoff ~~is,~~ are not a disciplinary actions therefore, it may not be appealed to the Public Employees Relations Commission.

Specific Authority 110.1055, 110.201(1), 110.227(2) FS. Law Implemented 110.201, 110.227 FS. History--New 1-1-02, Amended 4-3-03, \_\_\_\_\_.

**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**

**Office of the Secretary**

RULE NOS.:	RULE TITLES:
62S-4.001	Definitions
62S-4.004	Application Procedures for Coastal Partnership Initiative Grants
62S-4.0045	Application Procedures for Coastal Management Grants to State Agencies and Water Management Districts
62S-4.005	Eligibility for Funding of Coastal Partnership Initiative Grants

62S-4.0055	Eligibility for Funding of Coastal Management Grants to State Agencies and Water Management Districts
62S-4.007	Review Procedures and Criteria
62S-4.008	Funding Coastal Partnership Initiative Grants

PURPOSE AND EFFECT: Substantially rewrite Rules 62S-4.004 and .007 and add new Rule 62S-4.008, F.A.C., to amend grant funding categories; increase the amount of grant funds available; amend the date for noticing availability of funds; create and incorporate by reference a grant application form; amend eligibility requirements for Coastal Partnership Initiative applicants; amend review procedures and criteria; delete rules applicable to state agencies (Rules 62S-4.0045, 62S-4.0055 and 62S-4.007(3)); reorder rule sections; revise title of Chapter 62S-4, F.A.C.; add a definition; and make other clarifications.

SUBJECT AREA TO BE ADDRESSED: Florida Coastal Management Program Grants.

SPECIFIC AUTHORITY: 380.22 FS.

LAW IMPLEMENTED: 380.27 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: August 8, 2008, 3:00 p.m. until Close of Business

PLACE: Rm. 953B, Dept. of Environmental Protection, 3900 Commonwealth Blvd., Tallahassee, FL 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: Susan Goggin, (850)245-2161. 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: Susan Goggin, telephone (850)245-2161, fax (850)245-2189; email: [susan.goggin@dep.state.fl.us](mailto:susan.goggin@dep.state.fl.us)  
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Office of the Secretary**

RULE NOS.:	RULE TITLES:
62S-5.001	Definitions
62S-5.002	Application Procedures
62S-5.003	Review Procedures and Criteria

PURPOSE AND EFFECT: Develop Rule Chapter 62S-5, F.A.C., to describe application procedures; review procedures and criteria; and funding of grants to state agencies and water management districts.

SUBJECT AREA TO BE ADDRESSED: Florida Coastal Management Program Grants.

SPECIFIC AUTHORITY: 280.22 FS.

LAW IMPLEMENTED: 380.27 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: August 8, 2008, 3:00 p.m. until Close of Business

PLACE: Rm. 953B, Dept. of Environmental Protection, 3900 Commonwealth Blvd., Tallahassee, FL 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: Susan Goggin, (850)245-2161. 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: Susan Goggin, telephone (850)245-2161, fax (850)245-2189; email: susan.goggin@dep.state.fl.us

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

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.: 64B15-14.0055      RULE TITLE: Pain Management Facilities

PURPOSE AND EFFECT: The Board proposes promulgation of this rule to address standards for licensees related to pain management facilities.

SUBJECT AREA TO BE ADDRESSED: Pain Management Facilities.

SPECIFIC AUTHORITY: 459.015(1)(z) FS.

LAW IMPLEMENTED: 459.015(1)(z) FS.

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

DATE AND TIME: August 23, 2008, 9:00 a.m., or as soon thereafter as can be heard

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, Florida 33607

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least five days before the workshop/meeting by contacting: Pamela E. King, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3256. 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: Pamela E. King, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3256

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

**DEPARTMENT OF HEALTH**

**Division of Disease Control**

RULE NO.:	RULE TITLE:
64D-3.046	Immunization Requirements: Public and Nonpublic Schools, Grades Preschool, and Kindergarten Through 12, and Adult Education Classes

PURPOSE AND EFFECT: Clarification that all immunization requirements will be referenced in the current Immunization Guidelines effective with the 2009/2010 school year.

SUBJECT AREA TO BE ADDRESSED: Immunization Requirements.

SPECIFIC AUTHORITY: 381.0011(13), 381.003(1), (2), 381.005(2), 1003.22 FS.

LAW IMPLEMENTED: 381.0011(4), 381.003(1), 381.005(1)(i), 1003.22 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: Kimberly Quinn, Florida Department of Health, Bureau of STD Prevention and Control, 4052 Bald Cypress Way, Bin A19, Tallahassee, FL 32399-1716, telephone (850)245-4604, Kimberly\_Quinn@doh.state.fl.us

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**RULE NO.:** 68-1.003  
**RULE TITLE:** Florida Fish and Wildlife Conservation Commission Grants Program

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule development is to incorporate the Nongame Wildlife, Fish and Wildlife Research Institute and the Florida State Wildlife grants programs’ application forms by reference for consistency with Chapter 120, F.S. Additionally, we plan on adding the Derelict Vessel Removal Grant Program rule language, in full, to move it from the current location in Rule 68D-16.029, F.A.C. to Rule 68-1.003, F.A.C., for consistency and ease of location, and subsequently repealing the language in Rule 68D-16.029, F.A.C. Finally, we will be amending specific State Wildlife Grant program guidelines that are incorporated by reference into the overall rule on the issuance of agency grants. The amendment will update the date of the guidelines referenced in the rule from March 2007 to September 2008. These guidelines are being changed to clarify the existing application process by making a few technical clarifications, eliminating the preliminary review option for grant applications, clarifying (but not changing) the partial prohibition on the use of indirect costs as matching funds by more simply stating that the program does not allow them to exceed more than 15% of the salary request per fiscal year, and a statement explaining to applicants that when planning a project time frame they must build into it enough time for completion of the draft and final reports without requiring an amendment for additional time, as such an amendment could be considered a late deliverable when reviewing future applications. These changes reflect the Program’s progress and development within the agency.

**SUBJECT AREA TO BE ADDRESSED:** Grant Program Guidelines for the Florida’s State Wildlife Grants Program, incorporated by reference, and Derelict Vessel Removal Grant Program.

**SPECIFIC AUTHORITY:** Article IV, Section 9, Fla. Const.; 206.606, 376.15, 379.106 FS.

**LAW IMPLEMENTED:** Article IV, Section 9, Fla. Const.; 206.606, 376.15, 379.106, 823.11 FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Florida’s State Wildlife Grants Program: Brian Branciforte, Florida Fish and Wildlife Conservation Commission, 620 S. Meridian Street, Tallahassee, FL 32399, telephone: (850)488-3831,

email brian.branciforte@myfwc.com. Derelict Vessel Removal Grant Program: Tim Woody, Florida Fish and Wildlife Conservation Commission, 620 S. Meridian Street, Tallahassee, FL 32399, telephone: (850)410-0656, ext. 17173, email tim.woody@myfwc.com

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

**Section II  
Proposed Rules**

**DEPARTMENT OF STATE**

**Division of Elections**

**RULE NO.:** 1S-5.026  
**RULE TITLE:** Post-Election Certification Voting System Audit

**PURPOSE AND EFFECT:** This new rule is necessary to implement the provisions of s. 8 of Chapter 2008-95, Laws of Florida, which substantially revised Section 101.591, Florida Statutes, relating to voting system audits. Under the pre-2008 version of Section 101.591, Florida Statutes, the Legislature could, subject to appropriations, direct that an independent voting system audit be conducted at any time. An audit was deemed to include a study and evaluation of the voting system to assess and affirm that the voting system properly counted the votes and provided safeguards against unauthorized manipulation. No directive existed to adopt rules.

In 2008, the Florida Legislature substantially revised the section to require that county or local canvassing boards conduct a voting system audit after every election based on randomly selected races on the ballot and precincts. The audit is required to be conducted within 7 days of election certification. The purpose of the new rule is to provide uniform procedures to the county canvassing board or local canvassing board to conduct voting system audits. The language in the proposed rule tracks the language in emergency Rule 1SER08-4, also entitled “Post-Election Certification Voting System” that was adopted and became effective on July 1, 2008.

**SUMMARY:** This new rule provides the specific procedures necessary to implement the legislative intent to conduct a voting system audit in every election by randomly selecting a race and precincts and to report on the overall accuracy of such system and to identify problems or discrepancies, if any.

**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.