

Section II
Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE NOS.:	RULE TITLES:
5K-4.027	Standard of Identity – Honey
5K-4.028	Adulteration and Misbranding – Honey

PURPOSE AND EFFECT: The purpose of this rule development is to establish a standard of identity for honey that is produced, packed, repacked, distributed and sold in Florida or from Florida. Development of this rule is meant to have the effect on controlling the pervasive, illegal practice of blending or diluting pure honey with low-cost syrups (i.e., sugar, cane, corn, etc.) thereby committing an economic fraud on both the permanent and transient residents of Florida. Preliminary guidelines have been drafted through a cooperative effort between the Department of Agriculture and Consumer Services and the Florida State Beekeepers Association to implement a needed standard of identity for honey. The rule substantially conforms to standards set forth in the Codex Standard for Honey. This rule will have an effect on those establishments permitted by the Department of Agriculture and Consumer Services who produce local honey or sell honey from Interstate Commerce.

SUMMARY: This rule development will address the creation of a standard of identity for honey, comprehensive prohibitions against the deliberate addition of any food ingredient or food additives other than honey, will set maximum moisture content for honey, set parameters for sugar constituents in honey and establish honey labeling guidelines. This rule will also provide a mechanism for the Department to enforce instances of adulteration and misbranding of honey being offered for sale at retail in Florida.

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: 500.09, 570.07(23), 586.10 FS.

LAW IMPLEMENTED: 500.02, 500.03, 500.04, 500.09, 500.10, 500.11, 570.07, 570.50 FS.

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

DATE AND TIME: Friday, March 27, 2009, 2:00 p.m. – 4:00 p.m.

PLACE: The Dairy Conference Room, The Conner Building, 3125 Conner Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Lee M. Cornman, Assistant Director, Division of Food Safety, 3125 Conner Boulevard, Mail Stop #C-18, Tallahassee, FL 32399-1650; telephone: (850)488-0295

THE FULL TEXT OF THE PROPOSED RULES IS:

5K-4.027 Standard of Identity – Honey.

(1) This standard applies to all honey produced by honey bees from nectar and covers all styles of honey presentation that are processed and ultimately intended for direct consumption and to all honey packed, processed or intended for sale in bulk containers as honey, that may be repacked for retail sale or for sale or use as an ingredient in other foods.

(2) “Honey” means the natural food product resulting from the harvest of nectar by honeybees and the natural activities of the honeybees in processing nectar. It consists essentially of different sugars, predominantly fructose and glucose as well as other substances such as organic acids, enzymes and solid particles derived from honey collection. The color of honey can vary from nearly colorless to dark brown. The consistency can be fluid, viscous or partially to completely crystallized. The flavor and aroma vary, but are derived from the plant’s origin.

(3) Honey sold as such shall not have added to it any food additives, as defined in Section 500.03(1)(m), F.S., nor shall any other additions be made other than honey. It shall not have begun to ferment or effervesce and no pollen or constituent unique to honey may be removed except where unavoidable in the removal of foreign matter. Chemical or biochemical treatments shall not be used to influence honey crystallization.

(a) Moisture Content – No water may be added to honey in the course of extraction or packing for sale or resale as honey. Honey shall not have a moisture content exceeding 23%.

(b) Sugars Content.

1. The ratio of fructose to glucose shall be greater than 0.9.

2. Fructose and Glucose (Sum of Both) shall not be less than 60g/100g.

(c) Sucrose Content.

1. Honey not listed below shall not be more than 5g/100g.

2. Alfalfa (*Medicago sativa*), Citrus spp., False Acacia (*Robinia pseudoacacia*), French Honeysuckle (*Hedysarum*), Menzies Banksia (*Banksia menziesii*), Red Gum (*Eucalyptus camaldulensis*), Leatherwood (*Eucryphia lucida*), Eucryphia milligani – not more than 10g/100g.

3. Lavender (*Lavandula spp*) and Borage (*Borago officinalis*) – not more than 15g/100g.

(4) Name of the Food.

(a) Products conforming to the standard of identity as adopted in this rule shall be designated ‘honey’. Foods containing honey and any flavoring, spice or other added ingredient or if honey is processed in such a way that a modification to honey occurs that materially changes the flavor, color, viscosity or other material characteristics of pure honey, then such foods shall be distinguished in the food name from honey by declaration of the food additive or modification.

(b) Honey may be designated according to floral or plant source if it comes predominately from that particular source and has the organoleptic, physicochemical and microscopic properties corresponding with that origin.

(c) Where honey has been designated according to floral or plant source [as stated in paragraph (4)(b)], then the common name or the botanical name of the floral source shall be used in conjunction with or joined with the word “honey”.

(d) The styles in subparagraphs (4)(e)2. and 3. shall be declared.

(e) Honey may be designated according to the following styles:

1. “Honey” which is honey in liquid or crystalline state or a mixture of the two;

2. “Comb Honey” which is honey stored by bees in the cells of freshly built broodless combs and which is sold in sealed whole combs or sections of such combs;

3. “Cut Comb in Honey”, “Honey with Comb” or “Chunk Honey” which is honey containing one or more pieces of comb honey.

Specific Authority 500.09, 570.07(23), 586.10 FS. Law Implemented 500.02, 500.03, 500.04, 500.09, 500.10, 500.11, 570.07, 570.50 FS. History—New _____.

5K-4.028 Adulteration and Misbranding – Honey.

The following shall be prima facie evidence of adulteration under Section 500.10(2)(d) and Section 586.10, F.S. or misbranding under Section 500.11(1)(g) and Section 586.10, F.S., of any product sold or offered for sale as honey:

(1) The product has a maltose content in excess of 10%; or

(2) The product contains oligosaccharides indicative of invert syrup; or

(3) The absolute value of Carbon Stable Isotope Ratio Analysis (CSIRA) is not more negative than -20.0 for the product; or

(4) CSIRA Internal Standard Procedure with a protein value minus honey value is more negative than -1.0 for the product; or

(5) The product fails to conform to the standard of identity stated in Rule 5K-4.027, F.A.C.

Specific Authority 500.09, 570.07(23), 586.10 FS. Law Implemented 500.02, 500.03, 500.04, 500.09, 500.10, 500.11, 570.07, 570.50 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Marion F. Aller, Director, Division of Food Safety, Department of Agriculture and Consumer Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Charles H. Bronson, Commissioner, Department of Agriculture and Consumer Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 24, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 6, 2009, Vol. 35/05

DEPARTMENT OF TRANSPORTATION

RULE NO.: 14-78.005
 RULE TITLE: Participation by Disadvantaged Business Enterprises

PURPOSE AND EFFECT: The language in the “Special Provisions for DBE Contracts” is amended and the reference to the Code of Federal Regulations is updated in order to incorporate the 2008 edition of 49 C.F.R. Part 26. Finally, a reference to 72 Federal Register No. 62 is added for informational purposes.

SUMMARY: The language in the “Special Provisions for DBE Contracts” is amended and the reference to the Code of Federal regulations is updated.

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: 337.125, 337.137, 339.0805 FS.

LAW IMPLEMENTED: 337.125, 337.137, 339.0805 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULE IS:

14-78.005 Participation by Disadvantaged Business Enterprises.

(1) The major purpose of the Disadvantaged Business Enterprise (DBE) Program is to assure nondiscrimination and DBE utilization in road and bridge construction and maintenance projects. Contractors are required to comply with the following special provision contained in all road and bridge contracts:

Special Provision for DBE Contracts

General. Prior to award of the contract, have an approved DBE Affirmative Action Program Plan filed with the Equal Opportunity Office. Update and resubmit the plan every three years. No contract will be awarded until the Department approves the Plan. The DBE Affirmative Action Program Plan and commitment to carry out the Plan must be incorporated into and become part of the awarded contract. Per 49 C.F.R. 26.13(b) each Contract FDOT signs with a Contractor (and each subcontract the prime contractor signs with a subcontractor) must include the following assurance: "The Contractor, sub-recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The Contractor shall carry out applicable requirements of 49 C.F.R. Part 26 in the award and administration of DOT-assisted Contracts. Failure by the Contractor to carry out these requirements is a material breach of this Contract, which may result in the termination of this Contract or such other remedy as the recipient deems appropriate." Failure to keep these commitments will be deemed noncompliance with these specifications and a breach of the contract. Take all necessary and reasonable steps to ensure that Disadvantaged Business Enterprises, as defined in 49 C.F.R. Part 26, have the opportunity to participate in, compete for, and perform subcontracts. Do not discriminate on the basis of age, race, color, religion, national origin, sex, or disability in the award and performance of this contract.

Plan Requirements. Include the following in the DBE Affirmative Action Program Plan:
A policy statement, expressing a commitment to use DBEs in all aspects of contracting to the maximum extent feasible. The policy making body must issue a policy statement signed by the chairperson, which expresses its commitment to utilize DBEs, outlines the various levels of responsibility, and states the objectives of the program. Circulate the policy statement throughout the Contractor's organization.

The designation of a Liaison Officer with the contractor's organization, as well as support staff, necessary and proper to administer the program, and a description of the authority, responsibility, and duties of the Liaison Officer and support staff. The Liaison Officer and staff are responsible for developing, managing, and implementing the program on a day-to-day basis for carrying out technical assistance activities for DBEs and for disseminating information on available business opportunities so that the DBEs are provided an equitable opportunity to participate in contracts let by the Department. Use techniques to facilitate DBE participation in contracting activities which include:

1. Soliciting price quotations and arranging a time for the review of plans, quantities, specifications, and delivery schedules, and for the preparation and presentation of quotations.
2. Providing assistance to DBEs in overcoming barriers such as the inability to obtain bonding, financing, or technical assistance.
3. Carrying out information and communication programs or workshops on contracting procedures and specific contracting opportunities in a timely manner, with such programs being bilingual, where appropriate.
4. Encouraging eligible DBEs to apply for certification.
5. Contacting Minority Contractor Associations and city and county agencies with programs for disadvantaged individuals for assistance in recruiting and encouraging eligible DBE contractors to apply for certification with the Department.

DBE Records and Reports. Submit the Anticipated DBE Participation Statement at or before the Pre-construction Conference. Report monthly, through the Equal Opportunity Reporting System, ~~manually or~~ on the Department's website, actual payments, retainage of all DBE and Minority Business Enterprise (MBE) subcontractors and DBE and MBE construction material, minority status, and work type of all subcontractors and major suppliers. The Equal Opportunity Office will provide instructions on accessing this system. Develop a record keeping system to monitor DBE affirmative action efforts which include the following:

1. The procedures adopted to comply with these specifications;
2. The number of subordinated contracts on Department projects awarded to DBEs;
3. The dollar value of the contracts awarded to DBEs;
4. The percentage of the dollar value of all subordinated contracts awarded to DBEs as a percentage of the total contract amount.
5. A description of the general categories of contracts awarded to DBEs; and
6. The specific efforts employed to identify and award contracts to DBEs.

Upon request, provide the records to the Department for review.

All such records are required to be maintained for a period of five years following acceptance of final payment and available for inspection by the Department and the Federal Highway Administration.

(2) 49 C.F.R. Part 26 (10-1-~~0803~~ Edition) is incorporated herein by reference and adopted by the Department for participation by disadvantaged business enterprises in the Department's federally funded projects. The provisions of 64 Federal Register No. 21, February 2, 1999, and 68 Federal Register No. 115, June 16, 2003, and 72 Fed. Register No. 62, April 2, 2007 are available from the Department for informational purposes only. They also can be obtained on the Internet at <http://www.gpoaccess.gov/fr/index.html>.

NAME OF PERSON ORIGINATING PROPOSED RULE: Arthur Wright, Manager, Equal Opportunity Office
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Stephanie C. Kopelousos, Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 27, 2009
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 19, 2008

Specific Authority 337.125, 337.137, 339.0805 FS. Law Implemented 337.125, 337.137, 339.0805 FS. History—New 12-9-81, Amended 5-23-84, Formerly 14-78.05, Amended 9-21-87, 5-4-88, 6-24-91, 12-2-93, 4-30-96, 8-31-04,_____.

DEPARTMENT OF TRANSPORTATION

RULE NO.: 14-91.007
 RULE TITLE: Selection and Award Process

PURPOSE AND EFFECT: This is an amendment to subsection 14-91.007(5), F.A.C., to revise the composition of the Design-Build Technical Review Committees.

SUMMARY: The proposed amendment revises the requirements for Design-Build Technical Review Committees.

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: 334.044(2), 337.11(7)(b) FS.

LAW IMPLEMENTED: 337.025, 337.11(7) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULE IS:

14-91.007 Selection and Award Process.

(1) through (4)(b) No change.

(5) Technical Review Committee. ~~A There shall be a Technical Review Committee consisting of Department employees whose members are selected based on their experience and the nature of the project. This committee will be assigned the responsibility used to evaluate letters of interest and review technical proposals in accordance with the provisions of the request for proposal. The members of the Technical Review Committee will be designated by the appropriate Director, or designee, based on the nature of the work requested and the complexity of the project. When non-Department personnel serve on the Technical Review Committee, Department personnel shall constitute the majority unless otherwise approved by the appropriate Director. No employee of a firm pursuing a project under consideration will serve on the Technical Review Committee.~~

(6) through (8) No change.

Specific Authority 334.044(2), 337.11(7)(b) FS. Law Implemented 337.025, 337.11(7) FS. History--New 3-13-88, 6-13-90, Amended 2-20-96, 9-3-96, 10-18-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Brian Blanchard, State Highway Engineer

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Stephanie C. Kopelousos, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 27, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 31, 2008

DEPARTMENT OF TRANSPORTATION

RULE NO.: 14-100.001
 RULE TITLE: Training and Qualification Standards for Toll Enforcement Officers

PURPOSE AND EFFECT: Subsection 14-100.001(2), F.A.C., is being amended to require that a government entity must comply with Department rules whether it "owns or" operates the toll facility.

SUMMARY: Subsection 14-100.001(2), F.A.C., is being amended in regard to toll enforcement by governmental entities.

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: 334.044(2), 337.11(7)(b) FS.

LAW IMPLEMENTED: 337.025, 337.11(7) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULE IS:

14-100.001 Training and Qualification Standards for Toll Enforcement Officers.

(1) No change.

(2) Compliance. Compliance with the rule standards shall be the responsibility of the respective governmental entity which owns or operates the toll facility.

(3) through (4)(c) No change.

Specific Authority 334.044 (2) FS. Law Implemented 316.1001, 316.640(1) FS. History--New 10-21-97, Amended 8-13-00, 1-16-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gregory Schiess, Manager, Innovative Strategies

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Stephanie C. Kopelousos, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 27, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 31, 2008

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.: 33-501.301
RULE TITLE: Law Libraries

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend Form DC5-152, Law Library Interlibrary Loan Request, incorporated by reference in Rule 33-501.301, F.A.C., to eliminate language requiring an inmate to specify which outcome(s) of a Shepard's report he or she would like to know (distinguished, overturned, etc.).

SUMMARY: The proposed rule amends Form DC5-152, Law Library Interlibrary Loan Request, incorporated by reference in Rule 33-501.301, F.A.C., to eliminate language requiring an inmate to specify which outcome(s) of a Shepard's report he or she would like to know (distinguished, overturned, etc.).

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: 20.315, 944.09, 945.215 FS.

LAW IMPLEMENTED: 20.315, 944.09, 945.215, 946.002 FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kendra Lee Jowers, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-501.301 Law Libraries.

(1) through (10) No change.

(11) Forms. The following forms are hereby incorporated by reference. A copy of any of these forms is available from the Forms Control Administrator, Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(a) Form DC-152, Law Library Interlibrary Loan Request, effective ~~4-7-07~~.

(b) No change.

Specific Authority 944.09, 944.11 FS. Law Implemented 20.315, 944.09, 944.11 FS. History--New 4-6-93, Amended 7-3-94, 11-2-94, 4-28-96, 9-30-96, 12-7-97, Formerly 33-3.0055, Amended 2-15-01, 11-4-01, 12-23-03, 1-7-07, 1-6-09.

NAME OF PERSON ORIGINATING PROPOSED RULE: Fran Barber, Assistant Secretary of Re-Entry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Walter A McNeil, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 29, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 13, 2009

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NO.: 61G5-18.0055
RULE TITLE: Supervised Cosmetology Practice Exception

PURPOSE AND EFFECT: The purpose and effect is to implement House Bill 601.

SUMMARY: House Bill 601 is implemented.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Board has determined that the proposed rule will not have an impact on small business. 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: 477.016, 477.019(4) FS.

LAW IMPLEMENTED: 477.019(4) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

61G5-18.0055 Supervised Cosmetology Practice Exception.

(1) Following the completion of the first licensing examination by a graduate of licensed cosmetology school or cosmetology program offered in a public school system, which school or program is certified by the Department of Education, an applicant for licensure as a cosmetologist by examination is eligible to practice temporarily in a current, actively licensed cosmetology salon under the following conditions:

(a) No change.

(b) ~~An applicant who fails any part of the examination may not practice as a cosmetologist and may immediately apply for re-examination. In the event that the applicant fails to obtain a passing score on either the written or clinical examination on the first attempt, the applicant shall not be eligible to practice cosmetology under this rule until the applicant:~~

~~1. Applies to the Department for authorization to retake the failed portion(s) of the examination; and~~

~~2. Presents the salon owner a copy of both the reexamination application and the examination scheduling authorization letter from the testing vendor.~~

~~3. Upon completion of these conditions, the applicant is eligible to practice cosmetology in a licensed cosmetology salon subject to the provisions of paragraph (c) referenced below, provided that the applicant posts the examination results for both examinations at their work station with a recent photograph affixed thereto, which practice may extend for a period of no more than 60 days from the date of the reexamination application. The applicant must discontinue practicing when 180 days have passed from the date the original examinations were taken if reexamination has not yet been completed. Under no circumstances shall the applicant be eligible to practice prior to having applied for reexamination and having obtained the examination scheduling authorization letter from the testing vendor.~~

~~(c) All cosmetology services performed by the applicant under this exception shall be performed under the supervision of a licensed cosmetologist. "Under the supervision of a licensed cosmetologist" shall mean that an individual who then holds a current, active Florida license as a cosmetologist shall be physically present at all times when the applicant is performing cosmetology services.~~

~~(2) In the event an applicant, who previously failed either or both of the examinations on the first attempt, fails to obtain a passing score on either or both of the second licensure examination(s), the applicant is no longer eligible to practice cosmetology under this exception and must immediately discontinue practicing cosmetology until the applicant has been issued a license to practice by the Department.~~

Specific Authority 477.016, 477.019(4) FS. Law Implemented Section 29, HB 601, 477.019(4) FS. History—New 11-25-98, Amended 2-25-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Cosmetology

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Cosmetology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 25, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 20, 2009

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-16.006
RULE TITLE: Remediable Tasks Delegable to a Dental Hygienist

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and to add new language to clarify the duties performed by the dental hygienist as indirect supervision or general supervision.

SUMMARY: The rule amendment will delete unnecessary language and to add new language to clarify the duties performed by the dental hygienist as indirect supervision or general supervision.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined that small businesses would not be affected by this rule.

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: 466.004, 466.023, 466.024 FS.

LAW IMPLEMENTED: 466.023, 466.024 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-16.006 Remediable Tasks Delegable to a Dental Hygienist.

(1) The following remediable tasks may be performed by a dental hygienist who has received formal training and who performs the tasks under direct supervision:

~~(a) Marginating restorations with finishing burs, green stones, and/or burlew wheels with slow speed rotary instruments which is not for the purpose of changing existing contours or occlusion;~~

~~(a)(b) No change.~~

~~(c) Cementing temporary crowns and bridges with temporary cement;~~

(d) through (g) renumbered (b) through (e) No change.

~~(h) Monitor the administration of the nitrous-oxide oxygen making adjustments only during this administration and turning it off at the completion of the dental procedure;~~

(i) through (k) renumbered (f) through (h) No change.

(2) The following remediable tasks may be performed by a dental hygienist who has received training in these procedures in pre-licensure education or who has received formal training and who performs the tasks under indirect supervision:

(a) through (g) No change.

~~(h) Applying sealants.~~

~~(i) Placing or removing prescribed pre-treatment separators;~~

(j) through (k) renumbered (h) through (i) No change.

(j) Marginating restorations with finishing burs, green stones, and/or burlaw wheels with slow-speed rotary instruments which is not for the purpose of changing existing contours or occlusion;

(k) Cementing temporary crowns and bridges with temporary cement;

(l) Monitor the administration of the nitrous-oxide oxygen making adjustments only during this administration and turning it off at the completion of the dental procedure; and

(m) Monitor and remove in-office bleaching materials, after placement of bleach by dentist.

(3) The following remediable tasks may be performed by a dental hygienist who has received training in these procedures in pre-licensure education or who has received formal training as defined by Rule 64B5-16.002, F.A.C., and who performs the tasks under general supervision:

(a) through (g) No change.

(h) Using appropriate implements to preassess and chart suspected findings of the oral cavity;:-

(i) Applying sealants; and

(j) Placing or removing prescribed pre-treatment separators.

(4) through (5) No change.

Specific Authority 466.004, 466.023, 466.024 FS. Law Implemented 466.023, 466.024 FS. History—New 1-18-89, Amended 11-16-89, 3-25-90, 9-5-91, 2-1-93, Formerly 21G-16.006, Amended 3-30-94, Formerly 61F5-16.006, Amended 1-9-95, 6-12-97, Formerly 59Q-16.006, Amended 1-25-98, 9-9-98, 3-25-99, 4-24-00, 9-27-01, 7-13-05, 2-14-06, 3-24-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Dentistry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 12, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 6, 2009

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.:
64B5-16.007

RULE TITLE:
Levels of Supervision for Dental Hygienists

PURPOSE AND EFFECT: The Board proposes the rule amendment to add new language to clarify remediable task without additional training as defined in Chapter 64B5-16, F.A.C., and the level of supervision.

SUMMARY: The rule amendment will add new language to clarify remediable task without additional training as defined in Chapter 64B5-16, F.A.C., and the level of supervision.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined that small businesses would not be affected by this rule.

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: 466.004, 466.023, 466.024 FS.

LAW IMPLEMENTED: 466.023, 466.024(3) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-16.007 Levels of Supervision for Dental Hygienists. By virtue of their training and licensure, dental hygienists are authorized to perform the following remediable tasks without additional training as defined in Chapter 64B5-16, F.A.C., under the following levels of supervision:

(1) through (2) No change.

(3) General Supervision:

(a) No change.

(b) Placing and exposing dental and carpal radiographic film and sensors; ~~and~~

(c) Insert and/or perform minor adjustments to sports mouth guards and custom fluoride trays; and

(4) Without Supervision: Provide educational programs, faculty or staff training programs, authorized fluoride rinse programs, apply fluoride varnishes, instruct patients in oral hygiene care and supervising patient oral hygiene care and other services which do not involve diagnosis or treatment of dental conditions.

Specific Authority 466.004, 466.023, 466.024 FS. Law Implemented 466.023, 466.024(3) FS. History–New 1-18-89, Formerly 21G-16.007, 61F5-16.007, Amended 9-27-95, 6-12-97, Formerly 59Q-16.007, Amended 1-8-01, 6-11-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Dentistry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 12, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 6, 2009

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-17.006 RULE TITLE: Prescription Forms

PURPOSE AND EFFECT: The Board proposes the rule amendment to; change the title of the rule to “Prescription Forms”; delete unnecessary language and add new language in compliance with the new rule title; to add new language to clarify the required time for retention period of original prescriptions; and to add new language to clarify the requirements for a registered dental laboratory to perform work for another registered dental laboratory.

SUMMARY: The rule amendment will; change the title of the rule to “Prescription Forms”; delete unnecessary language and add new language in compliance with the new rule title; to add new language to clarify the required time for retention period of original prescriptions; and to add new language to clarify the requirements for a registered dental laboratory to perform work for another registered dental laboratory.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined that small businesses would not be affected by this rule.

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: 466.021 FS.

LAW IMPLEMENTED: 466.021 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-17.006 Prescription ~~Work Order~~ Forms.

(1) Approved prescription ~~work order~~ forms must contain all information necessary for completion of the assigned work and must include at a minimum:

(a) Title – “Laboratory Procedure Prescription Authorization;”

(b) No change.

(c) Name, address and license number of the Florida licensed dentist who owns the prescription ~~work order~~ form and is authorizing the procedure;

(d) Patient’s name or number ~~Name of patient(s);~~

(e) No change.

(f) Signature of the licensed dentist, which may be an electronic signature;-

(g) Sufficient descriptive information to clearly identify each separate and individual piece of work to be performed by the dental laboratory; and

(h) Specification of materials to be contained in each work product.

(2) Copies of prescriptions ~~work order~~ forms must be maintained, either on paper or stored electronically in an encrypted data base, in ~~by~~ the prescribing dentist’s office for a period of four (4) years following the date the prescription was issued. The original prescription shall be retained in a file by the dental laboratory for a period of four (4) years.

(3) A registered dental laboratory may perform work for another registered dental laboratory if that work is performed pursuant to a written authorization form containing all information necessary for completion of the assigned work and must include at a minimum:

(a) Title – “Laboratory Procedure Authorization”;

(b) Name, address and license number of the originating registered dental laboratory;

(c) Name, address and license number of the registered dental laboratory performing the work;

(d) Evidence that the originating laboratory has obtained a valid prescription which shall include the name, address and license number of the licensed dentist who wrote the original prescription authorizing the procedure;

(e) Sufficient descriptive information to clearly identify each separate and individual piece of work to be performed by the dental laboratory; and

(f) Specification of materials to be contained in each work product.

Specific Authority 466.021 FS. Law Implemented 466.021 FS. History–New 12-21-99, Amended 3-23-06, 10-9-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Dentistry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 12, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 6, 2009

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE NO.: 64B6-8.003
RULE TITLE: Trainee Stages, Minimum Training Requirements, and Training Programs

PURPOSE AND EFFECT: The proposed rule amendments are intended to require hearing aid specialist trainees to complete Stage I, the International Hearing Society Home Study Course, before beginning Stage II of the training program. The rule adopts and incorporates by reference the Sponsor Report Form and Training Program Continuation Request Form and provides a website to obtain the forms.

SUMMARY: The proposed rule amendments clarify the various stages of the training programs to be completed by hearing aid specialist trainees. In addition the relevant forms associated with the training programs are being incorporated by reference in the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A statement of Estimated Regulatory Cost has been prepared and is available by contacting: Sue Foster, Executive Director.

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: 484.044, 484.0445(1) FS.

LAW IMPLEMENTED: 484.0445, 484.045 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Hearing Aid Specialists/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B6-8.003 Trainee Stages, Minimum Training Requirements, and Training Programs.

(1) A training program shall be a minimum of six months in length. The trainee shall be in a training program for a minimum of twenty (20) hours each week, ~~and, A trainee shall be under the direct supervision of the sponsor at all times when performing the functions of a hearing aid specialist. During the training program, a trainee shall complete the International Hearing Society Home Study Course and shall submit proof of passing the home study course final examination prior to~~

~~taking the licensure examination. If the trainee passes the home study course final examination but fails the licensure examination, he or she will not have to repeat the home study course prior to the next available licensure examination. The training program shall be divided into four (4) three (3) stages:~~

~~(a) Stage I: During this Stage, the trainee shall complete the International Hearing Society Home Study Course and shall submit proof of passing the home study course final examination. If the trainee passes the home study course final examination but fails the licensure examination, he or she will not have to repeat the home study course prior to the next available licensure examination.~~

~~(b)(a) Stage II – 1 month: During this Stage, the trainee may perform audiometric tests, and make ear mold impressions and modifications, but the sponsor or hearing aid specialist designated by the sponsor shall be physically present, in the same room at all times when the trainee is performing these functions. The trainee may not recommend the selection of a hearing aid, dispense a hearing aid, or counsel a client.~~

~~(c)(b) Stage III – 2 months: During this Stage the trainee may perform all tasks in Stage II, recommend the selection of a hearing aid, and counsel a client, but the trainee shall be under the direct supervision of the sponsor or hearing aid specialist designated by the sponsor. The trainee may not deliver a hearing aid.~~

~~(d)(c) Stage IV – 3 months: During this Stage the trainee may perform all the tasks in Stages II and III and deliver hearing aids, but the sponsor or hearing aid specialist designated by the sponsor shall be physically present in the same room at the time a hearing aid is delivered to the client, and the receipt required by Section 484.051, Florida Statutes, must have the signature and license number of the sponsor or hearing aid specialist designated by the sponsor.~~

(2) It shall be the responsibility of the sponsor to provide instruction and guidance, in order to adequately prepare trainees for practice as a hearing aid specialist. Training received by a trainee during the training program must consist of training in the following subject areas:

- (a) through (m) No change.
- (n) Hearing Aid Measurements ~~(ANSI Standard)~~.
- (o) through (s) No change.

(3) The sponsor shall file a complete report with the Board at the end of each trainee’s training program; this report shall be filed no later than 30 days after the termination of the program. The report shall set forth the number of hours of training in each subject which has been provided. The report must also set forth the educational and training objectives and hours set by the sponsor for the trainees. The report shall be made on the Training Program Sponsor Report Form, Form 1159 (revised 10/08), hereby adopted and incorporated by reference, and can be obtained from the Board of Hearing Aid Specialists’ website at <http://www.doh.state.fl.us/mqa/HearingAid/>.

(4) The training program shall begin at the date of Department certification, unless the Board certifies another date.

(5) Upon completion of the training program, the trainee shall take the first available licensure examination. A trainee may continue to function as a trainee until she or he has received the results of the licensure examination, provided that failure of the sponsor to file the complete report required herein will preclude the trainee from engaging in acts which constitute hearing aid dispensing until such time as the complete report is filed. Until the complete report is filed, the trainee is not eligible to complete the first available licensure examination. Upon receipt of the examination results a trainee that passes the examination may continue in Stage ~~IV~~ ~~III~~ under the direct supervision of his or her sponsor until they have applied and received their license or up to ninety (90) days whichever comes first, pursuant to subsection 64B6-3.001(2), F.A.C. Payment of the fee and all other licensing requirements required by this rule shall be met within ninety (90) days of notification of licensure eligibility, or the eligibility certification becomes null and void and the person must reapply for licensure.

(6) A trainee who fails the licensure examination must immediately stop functioning as a trainee upon receipt of the examination results. However, a trainee may continue one time in Stage ~~IV~~ ~~III~~ of the training program by submitting to the Board within 10 days of receiving the examination results a Training Program Continuation Request (Form DH-MQA 1160, Revised 10/08) and hereby adopted and incorporated by reference, and can be obtained from the Board of Hearing Aid Specialists' website at: <http://www.doh.state.fl.us/mqa/HearingAid/> and taking the next available examination. A trainee who fails the licensure examination and does not submit a Training Program Continuation Request to the Board within 10 days of receiving the examination results may repeat the training program one time by meeting the criteria in Rule 64B6-8.002, F.A.C., and taking the next available examination.

(7) Failure to sit for or receive a passing score on the next scheduled licensure examination for which he or she qualifies will result in termination of trainee status and the ability to further perform services as a trainee within seven days of the mailing of the examination results, but does not preclude submitting another application for examination ~~application for reexamination~~ as provided in Rules 64B6-2.003 and 2.005, F.A.C.

~~(8) Every applicant who is qualified to take the examination shall be allowed to take the examination three times. If an applicant fails to sit for or pass the examination three times, the applicant shall no longer be eligible to take the examination.~~

Specific Authority 484.044, 484.0445(1) FS. Law Implemented 484.0445, 484.045 FS. History--New 2-12-84, Formerly 21JJ-8.03, Amended 8-12-87, 10-1-90, 1-28-91, 4-23-91, 8-19-91, Amended 3-18-93, Formerly 21JJ-8.003, Amended 4-21-94, Formerly 61G9-8.003, Amended 7-11-02, 2-19-03, 8-31-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Hearing Aid Specialists
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Hearing Aid Specialists
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 19, 2008

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.203
RULE TITLE: Licensure by Examination; Application

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to update information concerning incorporated forms and to update requirements for licensure by examination.

SUMMARY: The requirements for licensure by examination and information concerning incorporated forms will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule will not have an impact on small business.

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: 456.033, 465.005 FS.

LAW IMPLEMENTED: 456.013(1), (7), 456.025(3), 456.033, 465.007, 465.022 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca R. Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-26.203 Licensure by Examination; Application.
Applicants who are at least 18 years of age and a recipient of a degree from a school or college of pharmacy accredited by an accrediting agency recognized and approved by the United States Office of Education may apply to take the licensure examination.

(1) All applications for licensure by examination must be made on board approved form DOH/MQA/PH101 (Rev 7/08) (Rev 1/8/03), Application for Pharmacist Examination, which is hereby incorporated by reference, and which can be obtained from the Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, and must be accompanied with a non-refundable examination fee and an initial license fee as set forth in Rules 64B16-26.1001 and 64B16-26.1002, F.A.C.

(2) The applicant must submit proof of having met the following requirements:

(a) Completion of an internship program provided by either an accredited school or college of pharmacy or a state board of pharmacy or jointly by both provided that the program meets requirements of Rule ~~64B16-26.2032~~ ~~64B16-26.2031~~, F.A.C.

(b) Completion of a course not less than 2 hours on medication errors that covers the study of root-cause analysis, error reduction and prevention, and patient safety subjects listed in Rule 64B16-26.601, F.A.C. For applicants who apply within one year following receipt of their pharmacy degree, completed academic course work on medication errors will be accepted by the Board as an educational course under this section, provided such course work is no less than 2 contact hours and that it covers the study of root-cause analysis, error reduction and prevention, and patient safety subjects listed in Rule 64B16-26.601, F.A.C. as evidenced by a letter attesting to subject matter covered from the Dean of the University.

(3) An applicant must reapply if all requirements for licensure are not met within one year of the receipt of the application under the following conditions.

~~(a) For candidates applying after the effective date of this subsection, if all requirements of licensure are not met within one year of the receipt of the application.~~

~~(b) For candidates applying prior to the effective date of this subsection, if all requirements for licensure are not met within one year after initial filing.~~

(4) No change.

Specific Authority 456.033, 465.005 FS. Law Implemented 456.013(1), (7), 456.025(3), 456.033, 465.007, 465.022 FS. History—New 10-17-79, Formerly 21S-12.04, 21S-12.004, Amended 7-31-91, 10-14-91, Formerly 21S-26.203, 61F10-26.203, Amended 7-1-97, Formerly 59X-26.203, Amended 8-17-99, 10-15-01, 1-2-02, 1-12-03, 1-11-05, 2-18-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pharmacy
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 15, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 27, 2008

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF REVENUE

RULE NOS.:	RULE TITLES:
12-18.001	Authorization for Compensation
12-18.004	Submission of Information and Claims for Compensation

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 5, February 6, 2009 issue of the Florida Administrative Weekly.

In response to written comments received from the Joint Administrative Procedures Committee, dated February 27, 2009, regarding the list of taxes, fees, and surcharges administered, regulated, controlled, and collected by the Department of Revenue, paragraph (b) of subsection (1) of Rule 12-18.001, F.A.C., Authorization for Compensation, has been changed as follows:

(b) The Department administers, regulates, controls, and collects the following:

1. Communications services tax;
2. Corporate income and emergency excise tax;
3. Estate tax;
4. Documentary stamp tax;
5. Fuel taxes on motor fuel, diesel fuel, aviation fuel, and alternative fuel, including local option taxes;
6. Government leasehold intangible personal property tax;
7. Gross receipts tax on dry-cleaning;
8. Gross receipts tax on natural gas, manufactured gas, or electricity;
9. Insurance premium taxes, fees, regulatory assessments, excise taxes, and surcharges required to be remitted to the Department;
10. Intangible personal property tax;
11. Local option convention development tax, tourist development tax, and tourist impact tax when the imposing local government has not elected to self-administer the tax;
12. Miami-Dade County lake belt mitigation and water treatment upgrade fees;
13. Motor vehicle warranty fees;
14. Pollutant taxes;
15. Rental car surcharge;
16. Sales and use tax and local option discretionary sales surtaxes;