

**Section I**

**Notices of Development of Proposed Rules and Negotiated Rulemaking**

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Forestry**

**RULE NOS.:** 5I-6.003  
**RULE TITLES:** Presumption of Compliance  
 5I-6.004 Notice of Intent to Implement

**PURPOSE AND EFFECT:** The purpose of this rule amendment is to amend by request from JAPC existing language in subsection 5I-6.003(4), F.A.C., by striking “non-regulatory and incentive-based” from line (4); and to incorporate by reference Best Management Practices for Silviculture Notice of Intent to Implement Rule 5I-6.004, F.A.C., DACS Form No. 11305, Revised 02/2010.

**SUBJECT AREA TO BE ADDRESSED:** To respond to a language maintenance request from JAPC by amending existing language in subsection 5I-6.003(4), F.A.C., and to incorporate by reference Best Management Practices for Silviculture Notice of Intent to Implement Rule 5I-6.004, F.A.C., DACS Form No. 11305, Revised 02/2010.

**RULEMAKING AUTHORITY:** 403.067(7)(c)2., 570.07(23) FS.

**LAW IMPLEMENTED:** 403.067(7)(c)2., 589.04(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.**

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: Jeffery L. Vowell, Division of Forestry, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, Telephone (850)414-9969, Fax (850)488-0863. 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:** Jeffery L. Vowell, Division of Forestry, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, Telephone (850)414-9969, Fax (850)488-0863

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE NO.:** 6A-6.0960  
**RULE TITLE:** Florida Tax Credit Scholarship Program

**PURPOSE AND EFFECT:** The purpose of the rule development is to establish provisions for private school on-site inspections in conjunction with a formal complaint and to allow the Department to refer an inquiry to the Office of Inspector General at any point. In addition, the title of the program will be amended to reflect statutory changes. The effect will be a rule that will further strengthen the Department’s administration and implementation of the program.

**SUBJECT AREA TO BE ADDRESSED:** Administration and implementation of the Florida Tax Credit Scholarship Program.

**RULEMAKING AUTHORITY:** 220.187 FS.

**LAW IMPLEMENTED:** 220.187 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:** Mike Kooi, Executive Director, Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, FL 32399; mike.kooi@fldoe.org

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

6A-6.0960 ~~Florida Corporate~~ Florida Tax Credit Scholarship Program.

The ~~Florida Corporate~~ Florida Tax Credit Scholarship Program will be implemented as required by Section 220.187, F.S., to allow nonprofit scholarship-funding organizations to provide scholarships from eligible contributions to qualified students attending eligible private schools or public schools outside the school district in which the student resides or in a laboratory school.

(1)(a) through (d) No change.

(e) No later than March 15 of each year, the Department shall submit to the Florida Department of Revenue a list of organizations that it has determined to be eligible to be listed as a nonprofit scholarship-funding organization for participation in the ~~Florida Corporate~~ Florida Tax Credit Scholarship Program.

(f) through (h) No change.

(2) through (3) No change.

(5) Private school participation. To participate in the ~~Florida Corporate~~ Tax Credit Scholarship Program, a school must meet the definition of an “eligible private school” as defined in Section 220.187(2)(e)(~~d~~), F.S., and:

- (a) through (d) No change.
- (6) No change.

(a) Pursuant to Section 220.187(9)(i), F.S., relating to the identification and selection of nationally norm-referenced tests for the measurement of student achievement, participating private schools must annually administer a nationally norm-referenced test that has been approved by the Department and listed on the Department’s website to students receiving ~~Florida Corporate~~ Income Tax Credit Scholarships. The list may be accessed at [http://www.floridaschoolchoice.org/information/CTC/norm\\_referenced\\_assessment.asp](http://www.floridaschoolchoice.org/information/CTC/norm_referenced_assessment.asp).

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

(7) Commissioner’s duties. The Commissioner may deny, suspend, or revoke a private school’s participation in the scholarship program pursuant to Section 220.187(~~11~~)(40), F.S.

- (a) through (c) No change.
- (8)(a) through (e) No change.

(f) The Department shall notify the complainant of the final result of all legally sufficient formal complaints.

- (9)(a)(b)1. No change.

2. A private school, then the Department shall proceed with the noncompliance procedures related to the Commissioner’s authority established pursuant to Section 220.187(~~11~~)(40), F.S., and this rule.

3. A school district, then the Department shall take any actions allowable under law to compel school district compliance with program requirements and to ameliorate the effect of the violation on the parent, the student, or private school as appropriate ~~a formal notice will be sent from the Commissioner to the district’s Superintendent stating that failure to respond within five (5) working days shall be deemed to be an admission of the stated violation or allegation.~~

(c) The Department shall review the response to the letter of inquiry and:

1. If satisfied that no violation of laws or rules related to scholarship program participation occurred, notify the parent, private school, or school district and complainant that the inquiry will be closed.
2. If more information is needed, request additional information related to the inquiry from the complainant, parent, private school, or school district or conduct a site audit/inspection as appropriate.
3. If a violation of laws or rules related to scholarship program participation has been committed by:

a. A parent, then the Department shall notify the appropriate nonprofit scholarship-funding organization of the violation which it may use to reconsider its determination of student eligibility.

b. A private school, then the Department shall proceed with the noncompliance procedures related to the Commissioner’s authority established pursuant to Section 220.187(~~11~~)(40), F.S., and this rule.

c. A school district, then the Department shall take any actions allowable under law to compel school district compliance with program requirements and to ameliorate the effect of the violation on the parent, student, or private school as appropriate.

(d) The Department may at any point in the process set forth in this rule refer an inquiry to the Department’s Office of Inspector General or another appropriate agency for investigation.

(e) Notwithstanding any other provisions of this rule, the Commissioner may at any point during the inquiry process exercise the authority given under Section 220.187(~~11~~)(40), F.S., and this rule ~~to immediately suspend payments to a private school if there is probable cause to believe that there is an imminent threat to the health, safety, and welfare of students or suspected fraudulent activity on the part of the private school.~~

Rulemaking Specific Authority 220.187(9)(i), 220.187(12)(c) FS. Law Implemented 220.187 FS. History–New 2-5-07, Amended 11-26-08,\_\_\_\_\_.

**DEPARTMENT OF COMMUNITY AFFAIRS**  
**Division of Housing and Community Development**

RULE NO.: 9B-70.002  
 RULE TITLE: Commission Approval and Accreditation of Advanced Building Code Training Courses

PURPOSE AND EFFECT: This rule is amended to correct a reference from paragraph (4)(f) to (3)(f); clarify language in paragraph (3)(f) relating to accreditation of updated courses; to add new paragraph (3)(g) to allow administrative approval (without accreditation) of a course under identified circumstances and subject to identified conditions; and add new paragraph (3)(h) to specify that a change in course delivery format requires accreditation.

SUBJECT AREA TO BE ADDRESSED: Forms relating to Building Code Education.

RULEMAKING AUTHORITY: 553.841(8) FS.

LAW IMPLEMENTED: 553.841(8) FS.

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

DATE AND TIME: April 7, 2010, 8:30 a.m., or as soon thereafter as the matter comes before the Commission in accordance with its agenda

PLACE: Hilton University, 1714 S.W. 34th Street, Gainesville, 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 7 days before the workshop/meeting by contacting: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-203.101  
 RULE TITLE: Canteen Operations

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to remove language regarding the time frames inmates may possess consumable items from the institutional canteen, as this language is being moved to Rule 33-602.201, F.A.C., via Chapter 120, F.S.

SUBJECT AREA TO BE ADDRESSED: Canteen Operations.  
 RULEMAKING AUTHORITY: 20.315, 944.09, 945.215 FS.

LAW IMPLEMENTED: 20.315, 944.09, 945.215, 946.002 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: Kendra Lee Jowers, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-203.101 Canteen Operations.

(1) through (3) No change.

(4) Items Authorized for Sale in Canteens.

(a) through (c) No change.

~~(d) In keeping with good sanitary practices, food in dormitories or cells is restricted to nonperishable items or food that is to be consumed immediately. Storage of perishable food is prohibited.~~

(5) through (8) No change.

Rulemaking Specific Authority 20.315, 944.09, 945.215 FS. Law Implemented 20.315, 944.09, 945.215, 946.002 FS. History-New 1-20-86, Formerly 33-3.035, Amended 11-21-91, 5-25-95, 11-13-95, 5-28-96, 2-12-97, Formerly 33-3.0035, Amended 11-18-02, 12-2-03, 12-14-04, 6-16-05, 11-29-06, 11-9-08,\_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-602.101  
 RULE TITLE: Care of Inmates

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify that inmates are permitted to wear authorized athletic shoes, such as canteen-purchased athletic shoes, as part of the Class A uniform except for the purposes of visitation.

SUBJECT AREA TO BE ADDRESSED: Care of Inmates.

RULEMAKING AUTHORITY: 944.09, 945.215 FS.

LAW IMPLEMENTED: 944.09, 945.215 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: Kendra Lee Jowers, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.101 Care of Inmates.

(1) Each institution shall provide a canteen to be operated within the institution for the convenience of the inmates in obtaining items which are not furnished ~~them~~ by the Department of Corrections, but which are allowable within the institution through canteen purchase. Proceeds from the operation of the canteen shall be deposited in the general revenue fund as provided by law. These profits shall be used as provided in Rule 33-203.101, F.A.C. Such canteen operation shall be subject to audit, as other institutional operations are audited. Institutions with a cashless canteen shall restrict canteen purchases to those inmates with proper identification. Alternate purchase procedures shall be established for those

inmates with temporary ID cards. These alternate procedures shall ensure at least a weekly opportunity to make canteen purchases.

(2) Inmates shall at all times wear the regulation clothing and identification card in accordance with Department rules, procedures, and institution policy.

(a) Class Uniforms will be as follows:

1. The male Class A uniform shall require the following:

a. through g. No change.

h. Footwear (including authorized athletic shoes, state issued canvas shoes, work boots, or approved medically necessary footwear). Authorized athletic shoes may not, however, be worn for visitation.

2. The female Class A uniform shall require the following:

a. through d. No change.

e. Footwear (including authorized athletic shoes, state issued canvas shoes, work boots, or approved medically necessary footwear). Authorized athletic shoes may not, however, be worn for visitation.

3. through 5. No change.

(b) General Clothing Regulations: The following general clothing regulations will not supersede the clothing or uniform requirements or allowances for inmates in Maximum Management, Close Management, Disciplinary Confinement, Administrative Confinement, Work Release or Community Release inmates contained in other rules. Work release inmates shall wear civilian clothing as required by Rule 33-601.602, F.A.C.

1. through 5. No change.

6. Inmates shall wear either shorts ~~or~~ pants, ~~(or females may wear a dress or pajamas with a robe fully buttoned)~~ any time inmates are not in their beds, except that females may wear a dress or pajamas with a robe fully buttoned. Pants shall be completely buttoned before exiting the dormitory. The waist of pants and shorts shall be worn above the buttocks, around the natural waist.

7. through 8. No change.

9. No hats shall be worn inside, except as stated for religious reasons, and shall be removed from the head when passing through any gate area. Skull caps of any kind are prohibited.

10. No change.

(c) through (h) No change.

(i) Institutional clothing is the property of the State of Florida and must be returned to the Department ~~department~~ upon an inmate's release from incarceration. Institutional clothing shall not be worn by an inmate being released from incarceration.

(j) through (k) No change.

(3) The warden or Officer-in-Charge shall give each inmate a receipt for any personal clothing in his possession other than that allowed by the Department of Corrections. In

addition, inmates shall be permitted to send such clothing to their families, residences or other persons approved by the warden or Officer-in-Charge at no expense to the Department of Corrections. Enclosed with such clothing sent from the institution shall be an itemized list thereof, a signed copy of the inmate's written request that it be sent to the addressee to whom the clothing is forwarded. A copy of such list and a signed copy of such written request shall be placed in the inmate's record jacket, along with a notation showing the date of mailing. If the inmate does not send his clothing out of the institution or gives it to the institution within 30 days after his arrival at the institution, it shall be considered forfeited and may be placed in a "clothes closet" for later use by inmates, donated to charity, or disposed of by the institution. Notice of such forfeiture shall be given to the inmate in writing by the warden or designee and a copy of such notice shall be filed in the inmate's property file. (Also see Control of Contraband, Rule 33-602.203, F.A.C.).

(4) through (10) No change.

(11) Inmate health and comfort items shall be provided in accordance with the guidelines in the Inmate Health and Comfort Items – Issuance, Form NI1-071. Form NI1-071, Inmate Health and Comfort Items – Issuance, is hereby incorporated by reference. A copy of this form is available from the Forms Control Administrator, ~~Research, Planning and Support Services~~, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is 10-23-06.

Rulemaking Specific Authority 944.09, 945.215 FS. Law Implemented 944.09, 945.215 FS. History–New 10-8-76, Amended 4-19-79, 4-24-80, 10-14-84, 1-9-85, Formerly 33-3.02, Amended 11-3-87, 10-6-88, 7-23-89, 8-27-91, 3-30-94, 11-13-95, 6-2-99, Formerly 33-3.002, Amended 11-21-00, 1-25-01, 1-19-03, 9-23-03, 3-5-06, 10-23-06, 1-18-07, 5-13-08, \_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-602.201                      RULE TITLE: Inmate Property

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to add a bowl to the list of permissible items and clarify the circumstances and time frames under which consumable canteen purchased may be kept.

SUBJECT AREA TO BE ADDRESSED: Inmate Property.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 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: Kendra Lee Jowers, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.201 Inmate Property.

(1) through (3) No change.

(4) Authorized Property.

(a) through (d) No change.

(e) Inmates shall be required to maintain receipts for items purchased from the canteen for as long as they possess the items. In instances where items purchased from the canteen are added to Form DC6-224, Inmate Personal Property List, by the property officer, the inmate will not be required to maintain the original canteen receipt. ~~Perishable food~~ ~~Food~~ and beverage items purchased from the canteen are intended for immediate consumption and may not be stored in an inmate's housing area, and inmates may not retain such items longer than 30 days, as evidenced by the canteen receipt. ~~Perishable food and beverage items are those that are unsealed or that require refrigeration.~~ Nonperishable A food or beverage items ~~item~~ may not be kept longer than 30 days, as evidenced by the canteen receipt, and shall be considered contraband if found in the possession of an inmate more than 30 days after ~~its~~ purchase.

(f) No change.

(5) through (17) No change.

APPENDIX ONE  
PROPERTY LIST

This list incorporates all property authorized to be possessed by inmates in all Department institutions and facilities except community correctional centers. Except for items specified below as "exemptions", property received must be in compliance with this list. Inmates in possession of property previously approved by the Department of Corrections which meets the description of property on the list shall be allowed to retain the property. Inmates transferring to Department facilities from private correctional facilities shall be allowed to retain only those items that are in compliance with the list of authorized property. As items sold in canteens at private

facilities may differ from those sold in Department canteens, items purchased in canteens at private facilities will not always be admissible in Department facilities.

Definitions.

The "quantity" establishes a maximum possession limit. This does not mean that all state issue items will be issued to each inmate, or that the maximum number of items will be issued. Items found in the possession of an inmate that are in excess of the established "quantity" shall be treated as contraband in accordance with Rule 33-602.203, F.A.C. Where there is a "value" indicated, the authorized item shall not exceed that value. The terms "canteen" and "state issue" refer to the sources from which property can be obtained after January 1, 1996. All items with the "canteen" designation shall be available in all institutional canteens or through canteen order. All canteen items are transferable between institutions. "State issue" means that the institution has the authority to issue this item to inmates based upon the character of the institution, the location of the institution, the housing or work assignment of the inmate, or other factors related to institution or inmate needs. Institutions housing death row inmates shall make adjustments to this property list when possession of listed items by death row inmates would create a threat to the security of the institution.

Exemptions.

Inmates already in possession of the following previously approved items shall be allowed to retain the items until they are no longer serviceable, but shall not be allowed to replace them with like items.

- Clothing items of a different color than specified on the property list.
- Locks other than V68 series
- Plastic bowls, tumblers, cups and lids
- Pantyhose
- Nail clippers larger than 2-1/2"

AUTHORIZED PROPERTY LIST

CLOTHING

Quantity	Unit	Value	Articles
1	each		Athletic Bra (canteen – female only)
1	each		Belt (state issue)
4	each		Bras (state issue or canteen – female only)
1	each		Coat (state issue)
3	each		Dresses (state issue – female only)
1	pair		Gloves, work (state issue)
4	each		Handkerchief, cotton, white only (canteen)
1	each		Hats (state issue)
2	pair		Pajamas – long (state issue or canteen) Light blue or white – female only
			Light blue – male
7	each		Panties (state issue or canteen – female only)
3	each		Pants (state issue)
1	each		Raincoat or Poncho – clear (state issue or canteen)
1	each		Robe (state issue – female only)

3	each	Shirt, outer (state issue)
4	each	Shirt, T-Shirt (state issue or canteen order – gray for female, white for male) *inmates may possess both state-issue and canteen-purchased shirts, but the total combined number cannot exceed 4.
1	pair	Shoes, Athletic (canteen)
1	pair	Shoes, Work (state issue)
2	each	Shorts, athletic (navy blue) (canteen)
1	each	Shower cap, clear only (female only) (canteen)
1	pair	Shower slides (canteen)
3	each	Slips (state issue – female only)
6	pair	Socks (state issue or canteen)
1	each	Supporter, athletic (male only) (canteen)
2	each	Sweatshirts (gray only) (canteen order)
4	each	Undershorts (male only) (state issue or canteen)
2	each	Underwear, thermal (state issue or canteen)

PERSONAL ARTICLES

Quantity	Unit	Value	Articles
Number in use			Batteries (canteen)
25	each		Roller clips – plastic only (females only), (canteen)
*			Books (legal, educational, religious, fiction) – * Quantity as specified by Rule 33-501.401, F.A.C.
<u>1</u>	<u>each</u>		<u>Bowl – plastic (canteen)</u>
1	package		Breath tablets (canteen)
1	each		Calendar, as specified by Rule 33-501.401, F.A.C.
*			Canteen purchases – * limited by approved storage space;
1	set		Checkers (light wood or plastic, standard checkers only) (canteen order)
1	set		Chess (light wood or plastic, 2 inches max. height) (canteen order)
1	each		Coffee mug – plastic (canteen)
1	each		Comb-pocket type, no handles (non-metal) (state issue or canteen)
*			Correspondence – * limited by storage space limitations
1	pack		Cotton swabs (plastic or paper stems only) (canteen)
2	each		Crème rinse and conditioner (canteen)
1	each		Cup, drinking – plastic (canteen)
1	package		Dental floss, (floss loops only), unwaxed (canteen)
1	each		Denture adhesive (state issue or canteen)
1	each		Denture cup (canteen order)
2	each		Deodorant and antiperspirant (no aerosols) (canteen)
1	set		Domino (light wood or plastic, standard size) (canteen order)
1	pair		Earphone pads (replacement) (canteen order)
1	pair		Ear rings, post type (female only) (canteen order)
*			Educational supplies (items must be pre-approved for vocational education or correspondence study programs. Items are authorized only for the duration of the course)
1	pack		Emery board – cardboard (canteen)
25	each		Envelopes – legal (#10 size) (canteen)
5	each		Envelopes – oversized (10" x 13") (canteen)
*			Envelopes, self-addressed stamped – * the total in the inmate’s possession shall not exceed the limit of 1 pack.
2	each		Eyeglasses, case, contact lens and solutions (state issue or personal; “personal” means that inmates already in possession of these items will be allowed to retain them, but any future items will be provided by the institution if needed.) Contact lenses will only be provided if medically indicated
1	each		Eye shadow, eyeliner, mascara, eyebrow pencil, blemish preparation, lipstick, blemish and spot

1	box		cover-up, lip coloring (female only) (canteen)
			Feminine hygiene products (internal and external)
*			(female only) (state issue or canteen)
20			File folders (*limited by storage space)
1	each		Greeting cards and accompanying envelopes
2	each		Hairbrush – nonmetal, handles for females only (canteen)
1	each		Hairdressing (styling gel, pink oil, cholesterol, perm kit – female only) (no aerosols) (canteen)
25	each		Hair net (female only) (canteen)
2	each		Hair rollers (female only) (canteen)
1	each		Handballs or racketballs (canteen)
1	each		Headphones for use with radio (canteen)
1	each		Health aids – headache and cold remedies, antacids, antifungal preparations, cough drops, nasal spray, etc. No imidazoline, tetrahydrozoline, or hydrochloride compounds (canteen – as approved by health services)
2	each		Hearing aid (state issue or personal)
*			Hobby craft – at locations where program exists and subject to storage space limitations
1	each		Insect repellant (canteen)
1	each		Jigsaw puzzle (canteen order)
1	each		Laundry bag (state issue or canteen)
1	each		Lighter, disposable (approved type) (canteen)
1	each		Lip balm (canteen)
1	each		Locks, combination (V68 series) (canteen)
1	each		Make-up bag, clear only (female only) (canteen)
1	each		Mirror – plastic, nonbreakable, 5" x 7" max. (canteen)
1	each		Moisturizer – no mineral oils, no vaseline (canteen)
1	each		Mouthwash (canteen)
1	each		Nail clippers, not to exceed 2 1/2" (canteen)
2	pack		Notebook paper (canteen)
4	each		Pens, ballpoint, flair-type, pencils with erasers, or security pens, no markers (canteen)
*			Periodicals – * as specified by Rule 33-501.401, F.A.C., and storage space limitations
1	each		Photo album, non-metal (canteen)
50	each		Photographs (personal)
2	decks		Playing cards (standard) (canteen)
5	each		Pony tail holder (fabric) or hair claws (plastic) (female only)
1	each		P.R.I.D.E. service pin (issued to inmate from P.R.I.D.E.)
*			Prosthesis – * as approved by health services
1	each	50.00	Radio, DC/AM/FM only, "Walkman" type, maximum 4" x 5" (canteen)
1	each		Razor, disposable (state issue)
1	each	50.00	Razor, battery operated, non-rechargeable (canteen order)
*			Religious requirements – as approved by chaplaincy services, (examples: head covering, prayer rug)
1	each	50.00	Religious medallion with chain (personal or provided by Chaplain)
1	each	100.00	Ring, engagement (personal, female only)
1	each	100.00	Ring, wedding (personal)
1	each		Roller cap, clear only (female only) (canteen)
1	set		Scrabble (canteen order)
2	each		Shampoo (canteen)
1	each		Shaving cream (canteen)
1	each		Shaving powder (canteen)
1	pair		Shoe laces (canteen)
1	each		Shoe wax (Liquid only, non flammable, no nitrobenzene; canteen)
2	each		Soap, bath (state issue or canteen)
1	each		Soap dish (canteen)

1	each		Soap, laundry (female only) (canteen)
*			Special needs – * special devices as approved for compliance with medical needs
1	each		Spoon, plastic (canteen)
40	each		Stamps (the equivalent of 40 1-ounce 1st class) (canteen)
1	each		Sunglasses, no mirror type (canteen)
1	each		Sunscreen lotion (canteen)
1	each		Talcum powder (canteen)
1	each		Toothbrush (state issue or canteen)
1	each		Toothbrush holder (canteen)
2	each		Toothpaste and Toothpaste with mouthwash (state issue or canteen)
2	each		Towels (state issue)
1	each		Wallet (canteen)
1	each	50.00	Watch (personal or canteen)
1	each		Watch band (nylon and Velcro only) (canteen)
2	each		Washcloths (state issue or canteen)

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 6-4-81, Formerly 33-3.025, Amended 11-3-87, 11-13-95, 5-20-96, 1-8-97, 6-1-97, 7-6-97, 10-15-97, 2-15-98, 3-16-98, 8-4-98, 12-7-98, Formerly 33-3.0025, Amended 11-21-00, 9-12-01, 5-16-02, 7-8-03, 8-18-04, 1-25-05, 10-23-06, 2-27-08, 12-25-08, 1-25-10, \_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE NO.: 40E-7.220  
 RULE TITLE: Policy  
 PURPOSE AND EFFECT: To create procurement rules to educate the public regarding the District’s procurement processes.  
 SUBJECT AREA TO BE ADDRESSED: Chapter 40E-7, Part II, F.A.C., regarding procurement of goods and services for the South Florida Water Management District.  
 RULEMAKING AUTHORITY: 120.536(1), 120.54, 287.055, 373.044, 373.113 FS.  
 LAW IMPLEMENTED: 373.083 FS.  
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:  
 DATE AND TIME: April 6, 2010, 10:00 a.m.  
 PLACE: South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, Location: B-1 auditorium  
 DATE AND TIME: April 13, 2010, 10:00 a.m.  
 PLACE: South Florida Water Management District, Lower West Coast Service Center, 2301 McGregor Boulevard, Ft. Myers, FL 33901, Location: Fort Myers 1st Floor Large Conference Room  
 DATE AND TIME: April 20, 2010, 10:00 a.m.  
 PLACE: South Florida Water Management District, St Cloud Field Station, 3800 Old Canoe Creek Road, St. Cloud, FL 34769, Location: Kissimmee Field Station Conference Room  
 DATE AND TIME: April 26, 2010, 10:00 a.m.  
 PLACE: South Florida Water Management District, Miami Field Station, 9001 N.W. 58th Street, Miami, FL 33178, Location: Miami Field Station Conference Room

DATE AND TIME: April 29, 2010, 10:00 a.m.  
 PLACE: South Florida Water Management District, Ft. Lauderdale Field Station, 2535 Davie Road, Davie, FL 33317, Location: Joe Lopez, Jr. Conference Room  
 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: South Florida Water Management District Clerk 1(800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Meier, Lead Contract Compliance Specialist, South Florida Water Management District, Post Office Box 24680, Mail Stop Code 6611, West Palm Beach, FL 33416 4680, telephone 1(800)432-2045, extension 6384 or (561)682-6384 (internet:mmeier@sfwmd.gov)  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Technology Program**

RULE NO.: 60FF-5.004  
 RULE TITLE: Requirements for Fee Remittance Submitted by or on Behalf of Wireless and Non-wireless Service Providers  
 PURPOSE AND EFFECT: The Board proposes to promulgate and adopt the new rule to set forth the procedural requirements for submitting and reporting the 911 fees required by Section 365.172, Florida Statutes.  
 SUBJECT AREA TO BE ADDRESSED: The new rule will set forth the procedural requirements for submitting and reporting the 911 fees required by Section 365.172, Florida Statutes.



RULEMAKING AUTHORITY: 365.172(6)(a)11., 365.172(8) FS.

LAW IMPLEMENTED: 365.172(8) 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: John C. Ford, Board Chair, E911 Board, 4030 Esplanade Way, Suite 235M, Tallahassee, Florida

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Veterinary Medicine**

RULE NO.:	RULE TITLE:
61G18-15.0025	Minimum Standards for a Mobile Veterinary Practice for Agricultural Animals

PURPOSE AND EFFECT: The Board proposes to the rule amendment to add a requirement concerning the presence of controlled substances in the unit.

SUBJECT AREA TO BE ADDRESSED: Minimum Standards for a Mobile Veterinary Practice for Agricultural Animals.

RULEMAKING AUTHORITY: 474.206, 474.215(6) FS.

LAW IMPLEMENTED: 474.215(6) 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: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Division of Law Enforcement**

RULE NOS.:	RULE TITLES:
62N-16.012	Discharge Cleanup Organization; Approval
62N-16.027	Form: Request for Reimbursement for Damage
62N-16.033	Terminal Facility Discharge Contingency Plan

PURPOSE AND EFFECT: The purpose of this amendment is to make the appropriate changes to Chapter 62N-16, F.A.C. Pursuant to Section 120.55(1)(a)4., F.S., the Form: Application for Approval as a Discharge Cleanup Organization will be incorporated into subsection 62N-16.012(1), F.A.C., and the reference to Rule 62N-16.026, F.A.C., will be removed since this rule number has been repealed. Also the reference to Section 376.06, F.S., in Rule 62N-16.012, F.A.C., will be removed since this statute number no longer exists. Furthermore Rule 62N-16.027, F.A.C., which is labeled the Form: Request for Reimbursement for Damage, will be repealed since Rule 62N-16.020, F.A.C., the rule number to which the form applies to no longer exists. Finally, subsection 62N-16.033(4), F.A.C., will be repealed. This is due to the fact that Rule 62N-16.036, F.A.C., Vessel Spill Contingency Plan, which is the contingency plan referenced in subsection 62N-16.033(4), F.A.C., no longer exists.

SUBJECT AREA TO BE ADDRESSED: The rule amendments will do the following: incorporate the appropriate form into the rule, remove references that are no longer exist and repeal certain rule numbers that are no longer valid.

RULEMAKING AUTHORITY: 376.07 FS.

LAW IMPLEMENTED: 376.065, 376.07, 376.09 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Phil Wieczynski, Division of Law Enforcement, Bureau of Emergency Response, 3900 Commonwealth Blvd., MS 600, Tallahassee, FL 32399-3000, (850)245-2010, e-mail: [Phil.Wieczynski@dep.state.fl.us](mailto:Phil.Wieczynski@dep.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Phil Wieczynski at the address/phone above.

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

**DEPARTMENT OF JUVENILE JUSTICE**

**Program Accountability**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
63L-2.001	Purpose and Scope
63L-2.002	Definitions
63L-2.003	Frequency of Reviews
63L-2.004	Program Notification and Review Preparation
63L-2.005	Conducting Reviews
63L-2.006	Indicators, Standards and Ratings
63L-2.007	Certified Reviewers
63L-2.008	Challenges to Program Reports
63L-2.009	Failed Standards
63L-2.010	Internal Review Board
63L-2.011	Deemed Status

**PURPOSE AND EFFECT:** The rule chapter governs the administration of the department’s statewide quality assurance system, which ensures the quality of programs operated by or on behalf of the department to serve youth and families.

**SUBJECT AREA TO BE ADDRESSED:** The rule chapter governs the quality assurance system, including the review and reporting of program performance.

**RULEMAKING AUTHORITY:** 985.64 FS.

**LAW IMPLEMENTED:** 985.632 FS.

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

**DATE AND TIME:** Tuesday, April 13, 2010, 2:00 p.m.

**PLACE:** DJJ Headquarters, 2737 Centerview Drive, General Counsel’s Conference Room 3223, Tallahassee, Florida. For information about participation by telephone, contact John Milla at (850)921-4129

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us

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

**DEPARTMENT OF HEALTH**

**Board of Psychology**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
64B19-11.012	Application Forms

**PURPOSE AND EFFECT:** The Board proposes the rule review to delete unnecessary language and to add new language to clarify the application forms.

**SUBJECT AREA TO BE ADDRESSED:** Application forms.

**RULEMAKING AUTHORITY:** 490.004(4) FS.

**LAW IMPLEMENTED:** 490.005. 490.006(1)(b) 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: Allen Hall, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255 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 AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
5E-1.012	Reports and Inspection Fee Payment, Inspection Fees, Reporting, Continuous Bond, Certificate of Deposit Requirement

**PURPOSE AND EFFECT:** Provide a reference for the Application for Monthly Report of Fertilizer Sold in the State of Florida, (DACS-13239, Rev. 02/10) and Application for Monthly Fertilizer Tonnage Reporting, (DACS-13238, Rev. 05/08), not previously referenced in rule language. Update the rule tonnage reporting requirements to agree with the Application for Monthly Fertilizer Tonnage Reporting, (DACS-13238, Rev. 05/08). To provide fertilizer companies the means to submit the Application for Monthly Report Of Fertilizer Sold In The State of Florida, (DACS-13239, Rev. 02/10) and Application for Monthly Fertilizer Tonnage Reporting, (DACS-13238, Rev. 05/08).

**SUMMARY:** Rule 5E-1.012, F.A.C., references the forms to be utilized for reporting monthly fertilizer tonnage sales and reporting statistical tonnage data.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The agency has determined that this rule will have an impact on small business. The SERC prepared by the agency states that the proposed rule will update and amend existing rules already in effect and specified in Rule 5E-1.012, F.A.C., affecting the 522 estimated fertilizer licensees. There are no anticipated costs of implementation or maintenance of this proposed rule to the Florida Department of Agriculture and Consumer Services or any other government agencies. There are no anticipated additional costs to be incurred by individuals and entities required to comply with