

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-6.0902	Requirements for Identification, Eligibility Programmatic and Annual Assessments of English Language Learners
6A-6.09021	Annual English Language Proficiency Assessment for English Language Learners
6A-6.09022	Extension of Services in English for Speakers of Other Languages Program
6A-6.0903	Requirement for Classification, Reclassification, and Post Reclassification of English Language Learners
6A-6.09031	Post Reclassification of English Language Learners

PURPOSE AND EFFECT: The purpose of this rule development is to disaggregate Rules 6A-6.0902 and 6A-6.0903, F.A.C., into five separate rules for finer clarity regarding the requirements for identification and placement of an English language learner (ELL), exit criteria of an ELL, the provisions of the annual English language proficiency assessment, requirements of extension of services, and post reclassification of an ELL. It is proposed that the time period for completing an initial assessment of English language proficiency in Reading and Writing be shortened. The requirement for former English language learners to be assessed on the annual English language proficiency assessment is clarified. The timing and requirements for extension of ESOL services beyond three years are clarified. Parental rights with respect to removal of a student from a language arts instructional program are clarified and the Standards for Student Exit from the ESOL Program are modified.

SUBJECT AREA TO BE ADDRESSED: Identification, assessment, and classification of English language learners; Extension of ESOL services; Annual English language assessment of English language learners; Exiting students from the ESOL program; and post-reclassification monitoring of English language learners.

RULEMAKING AUTHORITY: 1001.02, 1003.56 FS.

LAW IMPLEMENTED: 1003.56, 1011.62 FS.

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

DATE AND TIME: October 29, 2010, 10:00 a.m.

PLACE: Miami Dade College, InterAmerican Campus, Room 3103, 627 S.W. 27th Ave., Miami, FL 33135

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Rodriguez, Bureau of Student Achievement through Language Acquisition, Department of Education, 325 West Gaines Street, Suite 444, Tallahassee, FL 32399, (850)245-0417. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT: <https://app1.fldoe.org/rules/default.aspx>.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-25.001	Federal Regulations Adopted by Reference
6A-25.002	Definitions
6A-25.003	Informed Choice
6A-25.004	Referral and Application Process
6A-25.005	Assessment for Determining Eligibility and Priority for Services
6A-25.006	Extended Evaluation
6A-25.007	Ability to Serve All Eligible Individuals and Order of Selection for Services
6A-25.008	Individualized Plan for Employment
6A-25.009	Authorization for Services
6A-25.010	Scope of Vocational Rehabilitation Services
6A-25.011	Comparable Services and Benefits
6A-25.012	Division Determinations, Review Procedures
6A-25.013	Confidentiality and Release of Consumer Information/Records
6A-25.014	Physical and Mental Restoration Services
6A-25.015	Vocational and Other Training Services
6A-25.016	Rehabilitation Technology Services
6A-25.017	Case Closure
6A-25.018	Recovery from Third Parties
6A-25.019	Forms and Documents

PURPOSE AND EFFECT: The purpose of this rule development is to comply with the requirements in Sections 413.22 and 413.445, Florida Statutes, to adopt rules necessary to carry out the purposes of Chapter 413, Part II, Florida Statutes. The effect will be rules that accurately reflect all current requirements related to the provision of vocational rehabilitation services.

SUBJECT AREA TO BE ADDRESSED: The provision of vocational rehabilitation services.

RULEMAKING AUTHORITY: 413.22, 413.445 FS.

LAW IMPLEMENTED: 257.36(6), 413.22, 413.24, 413.28, 413.30, 413.32, 413.341, 413.445, 413.72, 413.731 FS.

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

DATE AND TIME: November 17, 2010, 1:00 p.m. – 3:30 p.m.

PLACE: Coral Gables Branch Public Library, 3443 Segovia Street, Coral Gables, FL 33134

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: Melinda Cupp, 2002 Old St. Augustine Road, Building A, Tallahassee, Florida 32301, 1(800)451-4327, ext. 53325 or 1(850)245-3325. 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: Brent McNeal, Assistant General Counsel, Department of Education, 2002 Old St. Augustine Road, Building A, Tallahassee, FL 32301-4962, (850)245-3327

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT: <https://app1.fldoe.org/rules/default.aspx>.

DEPARTMENT OF EDUCATION

Education Practices Commission

RULE NO.: 6B-11.009 RULE TITLE: Documentation of Mitigation, Aggravation, and Legal Argument

PURPOSE AND EFFECT: The Board proposes the promulgation and adoption of the new rule to clarify procedures for documentation of mitigation, aggravation and legal arguments.

SUBJECT AREA TO BE ADDRESSED: Documentation of mitigation, aggravation and legal arguments.

RULEMAKING AUTHORITY: 1012.79(7), 1012.796 FS.

LAW IMPLEMENTED: 1012.79(7), 1012.796 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: Kathleen Richards, Executive Director, Education Practices, Turlington Building, Suite 224, 325 West Gaines Street, Tallahassee, Florida 32399

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

DEPARTMENT OF TRANSPORTATION

RULE NOS.: 14-20.0025, 14-20.0032, 14-20.005 RULE TITLES: Definitions, Placement of Benches, Accessibility on Public Rights of Way

PURPOSE AND EFFECT: This rule chapter is being amended to allow for benches to be located at areas other than bus stops, revise definitions, and promulgate a new rule regarding accessibility on public rights of way.

SUBJECT AREA TO BE ADDRESSED: The criteria for the placement of benches at locations other than bus stops and accessibility on public rights of way are addressed.

RULEMAKING AUTHORITY: 334.044(2), 337.408(4) FS.

LAW IMPLEMENTED: 334.044(13), 337.408 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: Deanna R. Hurt, Assistant General Counsel and Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

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

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."

COMMISSION ON ETHICS

RULE NO.: 34-7.010 RULE TITLE: List of Forms and Instructions

PURPOSE AND EFFECT: These amendments to Rule 34-7.010, F.A.C., are intended to satisfy the requirements of Section 120.55(1)(a)4., Florida Statutes, which requires agencies to adopt their forms in substantive rules. Thus, CE Form 1, CE Form 6, CE Form 1F, CE Form 6F, CE Form 1X, and CE Form 6X are being transferred to Chapter 34-8, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The financial disclosure forms that local officers, state officers, and specified state employees are required to file are affected by this rulemaking.

RULEMAKING AUTHORITY: Art. II, Sec. 8(f), (h), Fla. Const., 112.3144, 112.3145, 112.3147, 112.3215(13), 112.322(7), (10), 112.324 FS.

LAW IMPLEMENTED: Art. II, Sec. 8(a), (f), (h), Fla. Const., 112.313(9), (12), 112.3143, 112.3144, 112.3145, 112.3148, 112.3149, 112.3215 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 48 hours before the workshop/meeting by contacting: Julia Cobb Costas, Assistant General Counsel, Florida Commission on Ethics. 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: Julia Cobb Costas, Assistant General Counsel, Florida Commission on Ethics

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

COMMISSION ON ETHICS

RULE NOS.:	RULE TITLES:
34-8.002	General Rule for Filing Full and Public Disclosure of Financial Interests
34-8.008	Final Filing
34-8.009	Amended Filing
34-8.202	General Rules for Filing a Statement of Financial Interests
34-8.208	Final Filing
34-8.209	Amended Filing

PURPOSE AND EFFECT: These amendments to Chapter 34-8, F.A.C., are intended to satisfy the requirements of Section 120.55(1)(a)4., Florida Statutes, which requires agencies to adopt their forms in substantive rules. Thus, CE Form 1, CE Form 6, CE Form 1F, CE Form 6F, CE Form 1X, and CE Form 6X are being transferred to the appropriate rules in Chapter 34-8, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The financial disclosure forms that local officers, state officers, and specified state employees are required to file are affected by this rulemaking.

RULEMAKING AUTHORITY: Art. II, Section 8, Fla. Const., 112.3144, 112.3144(6), 112.3144(7), 112.3145(9), 112.3147, 112.322(9) FS.

LAW IMPLEMENTED: Art. II, Section 8, Fla. Const., 112.3144, FS., 112.3144(5), 112.3144(6), 112.3144(7), 112.3145, 112.3145(2)(b), 112.3145(9) 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 48 hours before the workshop/meeting by contacting: Julia Cobb Costas, Assistant General Counsel, Florida Commission on Ethics. 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: Julia Cobb Costas, Assistant General Counsel, Florida Commission on Ethics

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

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: 40B-9.081
RULE TITLE: Disposition of Surplus Real Property
PURPOSE AND EFFECT: The purpose of the proposed rule is to clarify the criteria the Governing Board uses when considering whether to classify any District-owned real property as surplus lands, and to set forth the process to be followed when disposing of any District-owned real property classified as surplus land.

SUBJECT AREA TO BE ADDRESSED: The proposed rule will set forth the requirements for classifying real property as surplus lands and the procedures for disposing of surplus lands.
RULEMAKING AUTHORITY: 373.113, 373.171 FS.

LAW IMPLEMENTED: 270.11, 373.089, 373.103, 373.139, 373.59 FS.

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

DATE AND TIME: November 16, 2010, 1:30 p.m.
PLACE: Suwannee River Water Management District Headquarters, 9225 CR 49, Live Oak, FL 32060

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Flanagan, Director of Land Acquisition and Management at (386)362-1001

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-8.041
 RULE TITLE: Minimum Flows

PURPOSE AND EFFECT: To amend Rule 40D-8.041, F.A.C. pursuant to Section 373.042, Florida Statutes, to establish Minimum Flows for the upper and middle Withlacoochee River.

SUBJECT AREA TO BE ADDRESSED: Establishment of minimum flows for the upper and middle Withlacoochee River. Members of the District’s Governing Board and Basin Board may attend the scheduled Rule Development Workshop.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421 FS.

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

DATE AND TIME: November 3, 2010, 6:30 p.m.

PLACE: Southwest Florida Water Management District headquarters, 2379 Broad St., Brooksville, FL 34604

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: Southwest Florida Water Management District, Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899; telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702; TDD (FL only) 1(800)231-6103; or email to: ADACoordinator@swfwmd.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: Jason Hood, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4192

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

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

RULE NO.: 60A-1.002
 RULE TITLE: Purchase of Commodities or Contractual Services

PURPOSE AND EFFECT: To update Chapter 60A-1, Florida Administrative Code with needed updates, and to incorporate changes from Chapter 2010-151, Laws of Florida, and to clarify these rules and incorporate additional information regarding current practices and procedures related to purchases made by state offices.

SUBJECT AREA TO BE ADDRESSED: Incorporating changes regarding purchases made by state offices into Chapter 60A-1, Florida Administrative Code, and corresponding forms related to conflicts of interest.

RULEMAKING AUTHORITY: 287.042(3), 287.042(12) FS.

LAW IMPLEMENTED: 287.057, 287.058 FS., Chapter 2010-151, Laws of Florida.

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

DATE AND TIME: November 10, 2010, 2:00 p.m. – 4:00 p.m.

PLACE: Department of Management Services, 4050 Esplanade Way, Suite 360, Room 101, Tallahassee, Florida 32399-0950

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Karen Armstrong, Department of Management Services, 4050 Esplanade Way, Suite 360, Tallahassee, Florida 32399-0950, (850)488-8440, Karen.armstrong@dms.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Karen Armstrong, Department of Management Services, 4050 Esplanade Way, Suite 360, Tallahassee, Florida 32399-0950, (850)488-8440, Karen.armstrong@dms.myflorida.com

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors’ Licensing Board

RULE NOS.: 61G6-5.003
 RULE TITLES: Application for Examination for Certification
 61G6-5.004 Requirement for Business Organizations

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to eliminate the requirement that a licensee sign his/her financial statement in the presence of a notary; to eliminate irrevocable letter of credit option.

SUBJECT AREA TO BE ADDRESSED: Application for Examination for Certification; Requirement for Business Organizations.

RULEMAKING AUTHORITY: 489.507(3), 489.515(1), 489.521 FS.

LAW IMPLEMENTED: 489.505(12), (21), (22), 489.511(2), 489.515(1), 489.521 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, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NO.:	RULE TITLE:
61G6-9.006	Approval of Continuing Education Courses

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate a new form and eliminate the need to contact the board office at least seven days prior to receive CE credit for attending a board meeting.

SUBJECT AREA TO BE ADDRESSED: Approval of Continuing Education Courses.

RULEMAKING AUTHORITY: 489.507(3), 489.517(3) FS.

LAW IMPLEMENTED: 489.517(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NOS.:	RULE TITLES:
61G6-12.001	Requirements for Burglar Alarm System Agent Training Courses
61G6-12.002	Requirements for Fire Alarm System Agent Training Courses

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate a new form and allow provision of on-line course instruction.

SUBJECT AREA TO BE ADDRESSED: Requirements for Burglar Alarm System Agent Training Courses; Requirements for Fire Alarm System Agent Training Courses.

RULEMAKING AUTHORITY: 489.507(3), 489.517, 489.518(1)(b), 489.5185, 489.521 FS.

LAW IMPLEMENTED: 489.507(3), 489.518(1)(b), 489.5185, 489.521 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, Electrical Contractors' Licensing Board, 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 HEALTH

Division of Medical Quality Assurance

RULE NO.:	RULE TITLE:
64B-7.003	Counterfeit-Resistant Prescription Blanks

PURPOSE AND EFFECT: This rule will implement new provisions in the law regarding pain-management clinic controlled substance prescriptions.

SUBJECT AREA TO BE ADDRESSED: Counterfeit-Resistant Prescription Blanks.

RULEMAKING AUTHORITY: 456.004, 456.079, 458.3265(4), 459.0137(4) FS.

LAW IMPLEMENTED: 456.0635, 459.0137, 893.065 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: Larry McPherson, Executive Director, Division of Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-8.018
 RULE TITLE: Voluntary Relinquishment of License
 PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to clarify voluntary relinquishment of license.
 SUBJECT AREA TO BE ADDRESSED: Voluntary relinquishment of license.
 RULEMAKING AUTHORITY: 458.309, 120.53 FS.
 LAW IMPLEMENTED: 458.331 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NOS.: 64B17-3.001
 RULE TITLES: Licensure as a Physical Therapist by Examination
 64B17-3.003 Licensure by Endorsement
 PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address changes for initial licensure application and the English language proficiency requirement.
 SUBJECT AREA TO BE ADDRESSED: Changes for initial licensure application and the English language proficiency requirement language.

RULEMAKING AUTHORITY: 486.025(1), 486.031(3) FS.
 LAW IMPLEMENTED: 456.017, 486.031, 486.051 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 Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NOS.: 64B17-4.001
 RULE TITLES: Licensure as a Physical Therapist Assistant by Examination
 64B17-4.003 Licensure by Endorsement
 PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address changes for initial licensure application and the English language requirement.
 SUBJECT AREA TO BE ADDRESSED: Changes for initial licensure application and the English language proficiency requirement language.
 RULEMAKING AUTHORITY: 486.025, 486.102 FS.
 LAW IMPLEMENTED: 456.017, 486.102(3), 486.104 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 Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

School Psychology

RULE NOS.: 64B21-501.003
 RULE TITLES: Biennial Renewal Fee
 64B21-501.005 Application Fees
 64B21-501.0065 Change of Status Fee
 64B21-501.009 Initial Licensure Fee

PURPOSE AND EFFECT: The Department determined that it needs to reduce fees and to update the rules.

SUBJECT AREA TO BE ADDRESSED: Biennial Renewal Fee; Application Fees; Change of Status Fee; and Initial Licensure Fee.

RULEMAKING AUTHORITY: 456.013, 490.007(1), 490.015, 490.015(2) FS.

LAW IMPLEMENTED: 456.013, 456.036, 456.036(4), 490.005, 490.006 490.007(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, 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 STATE

Division of Library and Information Services

RULE NOS.:	RULE TITLES:
1B-30.002	Style and Form for Filing Rules; Certification Accompanying Materials
1B-30.005	Materials Incorporated by Reference

PURPOSE AND EFFECT: Subsections 1B-30.002(1) and 1B-30.002(3), F.A.C., are amended to clarify the process for submitting a rule certification packet for adoption. Subsections 1B-30.002(7) and 1B-30.002(8), F.A.C., are amended to clarify the process for submitting an emergency rule that constitutes a new rule or is superseding or changing the effect of an existing rule. Subsection 1B-30.005(5), F.A.C., is amended and subsections 1B-30.005(6) and 1B-30.005(7), F.A.C., are created to comply further with legislative changes to Chapter 120, Florida Statutes, triggered by the Open Government Act (particularly ss. 1-9 of Chapter 2008-104, Laws of Florida). Agencies will now be required to submit electronically all materials incorporated by reference into rule, except under certain circumstances.

SUMMARY: Revisions to rule adoption procedures including new electronic submission requirements for materials incorporated by reference in administrative rules.

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.

RULEMAKING AUTHORITY: 20.10(3), 120.54(1)(i)6, 120.54(1)(j), 120.55(1)(d) FS.

LAW IMPLEMENTED: 120.54(1)-(4), (6), 120.55, 403.8055 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: November 8, 2010, 9:00 a.m. – 10:00 a.m.

PLACE: Florida Heritage Hall, Florida Department of State, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: General Counsel, Florida Department of State, R.A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250, (850)245-6536. 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 RULES IS: General Counsel, Florida Department of State, R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250, (850)245-6536

THE FULL TEXT OF THE PROPOSED RULES IS:

1B-30.002 Style and Form for Filing Rules; Certification Accompanying Materials.

(1) An agency shall file a complete rule certification packet when filing a rule for adoption with the Administrative Code and Weekly Section.

(a) A complete rule certification packet for all rules, except emergency rules shall consist of the following:

1. through 2. No change.

3. If materials incorporated are filed electronically in accordance with Rule 1B-30.005, F.A.C., the submitting agency shall provide a copy of the email approval confirmation with the certification form required by this rule. If the agency determines that filing incorporated materials electronically would violate federal copyright laws, then the agency shall file ~~One original certified copy of the materials incorporated by reference in accordance with, if applicable. Material incorporated by reference shall be certified pursuant to the requirements of Rule 1B-30.005, F.A.C.~~

4. No change.

(b) For emergency rules, a complete rule certification packet filed with the Administrative Code and Weekly Section shall consist of the following: