

## Section I

Notices of Development of Proposed Rules  
and Negotiated Rulemaking**DEPARTMENT OF STATE****Division of Library and Information Services**

RULE NO.:                   RULE TITLE:  
1B-2.011                   Library Grant Programs

PURPOSE AND EFFECT: The purpose of this amendment is to modify the Library Cooperative Grant program rules.

The Library Cooperative Grant will be updated to reflect a change to the funding formula and allocation of counties, and to incorporate the Department of State's grant noncompliance policy. These revisions will also update requirements in the grant agreement.

SUBJECT AREA TO BE ADDRESSED: The Library Cooperative Grant program administered by the Division of Library and Information Services.

RULEMAKING AUTHORITY: 257.14, 257.15 FS.

LAW IMPLEMENTED: 257.42 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Tuesday, November 15, 2011, 2:00 p.m. – 4:00 p.m., ET

PLACE: Room 307, Division of Library and Information Services, R.A. Gray Building, 500 S. Bronough Street, Tallahassee, FL

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: Marian Deeney, by mail at: R.A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250, or by email at: Marian.Deeney@DOS.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: Marian Deeney, by mail at: R.A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250, or by email at Marian.Deeney@DOS.MyFlorida.com.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT AND THE INCORPORATED FORMS ARE accessible via the Division of Library and Information Services' webpage for proposed rules at: <http://info.florida.gov/bld/grants/AdminRuleChanges.html>, or is available by contacting the named person listed above

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.:                   RULE TITLE:  
6A-2.0010                   Educational Facilities

PURPOSE AND EFFECT: The purpose of this rule development is to review current requirements of Rule 6A-2.0010, F.A.C., including the State Requirements for Educational Facilities (SREF), relating to public school facilities to determine if changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Incorporate Department of Health Rule 64E-13, School Sanitation, into Chapter 5, State Requirements for Educational Facilities. Change references from community college to Florida college. Clarify who approves certain requests on behalf of the State Board of Education or the Commissioner of Education. Add, delete, and modify definitions. Require certain forms to be submitted electronically. Require contractors to be licensed for a minimum of five (5) years. Correct project threshold limits in Section 4.3 and 5, State Requirements for Educational Facilities and Office of Educational Facilities forms to read \$300,000. Phase III Construction Documents to include fire sprinkler system drawings and calculations. Modify technical requirements in SREF Section 5. Remove duplicate requirements. Modify forms to remove outdated SUNCOM telephone numbers, change community college to Florida college, correct threshold amounts for submitting certain forms to \$300,000, and clarify that Direct Purchase amounts are not included as part of construction change order amounts listed in item 9 on form OEF 209, Certificate of Final Inspection. Grammatical corrections are made throughout the document. Revise procedures for annual fire safety inspections to meet current statute requirements. Delete obsolete language and definitions. Request to use innovative planning and construction techniques are to be approved by the building official. Require 5-year District Facilities Work Plan to be complete and financially feasible for 5, 10, and 20 years. Change 2 mill fund references to 1.5 mill. Revise Comprehensive Planning and Concurrency requirements to meet current statute requirements. Require 5-year district facilities work program to be submitted by October 1 of each year. Require educational specifications to include requirements for school and college construction to meet an energy-efficiency standard, and for classrooms to meet a minimum lighting standard. Rearrange Section 4.3 for better organization. Require the construction project manuals submitted to the Office of Educational Facilities for review to include the time to complete the project and to have the project

manual’s Table of Contents signed and sealed by the design professionals. Correct funding source designations on form OEF 208, Letter of Transmittal.

**RULEMAKING AUTHORITY:** 1(a) Article IX, State Constitution; 1001.02(1), 10013.02(2), 1013.37 FS.

**LAW IMPLEMENTED:** 1(a) Article IX, State Constitution; 381.006(16), 1001.02, 1031.01, 1013.03, 1013.12, 1013.37, 1013.371, 1013.372, 1013.38 FS.

**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**

**DATE AND TIME:** November 14, 2011, 9:00 a.m.

**PLACE:** WD Multi-Purpose Room 105, Tallahassee Community College, 444 Appleyard Drive, Tallahassee, FL 32303

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Jon Hamrick, Construction Planning & Design Manager, Office of Educational Facilities, 325 West Gaines Street, Room 1054, Tallahassee, Florida, (850)245-9230. 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](mailto:lynn.abbott@fldoe.org) or go to <https://app1.fldoe.org/rules/default.aspx>

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: AVAILABLE FROM THE OFFICE OF EDUCATIONAL FACILITIES WEBSITE, <http://www.fldoe.org/edfacil/>. Look under Hot Topics toward the bottom of the page.**

**DEPARTMENT OF EDUCATION**

**State Board of Education**

<b>RULE NO.:</b> 6A-6.03033	<b>RULE TITLE:</b> Specialized Instructional Services for Children with Disabilities in the Voluntary Prekindergarten Education Program
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**PURPOSE AND EFFECT:** Beginning with the 2012-2013 school year, a child who has a disability and enrolls with the early learning coalition under Section 1002.53(3)(d), Florida Statutes, is eligible for specialized instructional services if: (a) The child is eligible for the Voluntary Prekindergarten Education Program under Section 1002.53, Florida Statutes; and (b) A current individual educational plan has been developed for the child by the local school board in accordance with rules of the State Board of Education. The purpose of this rule is to adopt procedures for the Department to approve specialized instructional service providers whose services meet the standards in Section 1002.66(3), Florida Statutes, maintain a list of approved providers, and notify each school district and

early learning coalition of the approved provider list. The effect of the rule will allow the parent of a child who is eligible for the prekindergarten program for children with disabilities to select one or more specialized instructional services that are consistent with the child’s individual educational plan. These specialized instructional services may include, but are not limited to: (a) Applied behavior analysis as defined in Sections 627.6686 and 641.31098, Florida Statutes, (b) Speech-language pathology as defined in Section 468.1125, Florida Statutes, (c) Occupational therapy as defined in Section 468.203, Florida Statutes, (d) Physical therapy as defined in Section 486.021, Florida Statutes, and (e) Listening and spoken language specialists and an appropriate acoustical environment for a child who is deaf or hard of hearing who has received an implant or assistive hearing device.

**SUBJECT AREA TO BE ADDRESSED:** Specialized instructional services for children with disabilities.

**RULEMAKING AUTHORITY:** 1002.66 FS.

**LAW IMPLEMENTED:** 1002.66 FS.

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

**DATES AND TIMES:** Monday, November 21, 2011, 10:00 a.m. – 12:00 Noon (EST) and 2:00 p.m. – 4:00 p.m. (EST)

**PLACE:** Specialized Instructional Services for Children with Disabilities in the VPK Education Program Rule Development Workshop Webinars: 10:00 a.m. – 12:00 Noon, Meeting Number: 599 502 304, and Meeting Password: (This meeting does not require a password.) To join the online meeting go to: <https://suncom.webex.com/suncom/j.php?ED=171804542&UID=1307961397&RT=MIMxMQ%3D%3D>, Call-in toll-free number: 1(888)808-6959 and Conference Code: 245 096 6.

2:00 p.m. – 4:00 p.m., Meeting Number: 594 299 095, Meeting Password: (This meeting does not require a password.) To join the online meeting go to: <https://suncom.webex.com/suncom/j.php?ED=171804852&UID=1307966347&RT=MIMxMQ%3D%3D>, Call-in toll-free number: 1(888)808-6959 and Conference Code: 245 096 6.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Stuart Greenberg, Executive Director, Just Read, Florida! and the Office of Early Learning, Department of Education, Suite 514, 325 West Gaines Street, Tallahassee, Florida 32399, (850)245-0445. To submit a comment on this rule development go to <https://app1.fldoe.org/rules/default.aspx>

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

<b>RULE NO.:</b> 6A-6.05282	<b>RULE TITLE:</b> College Reach-Out Program
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PURPOSE AND EFFECT: The purpose of the rule development is to provide requirements for identifying low-income educationally disadvantaged students and specific criteria and guidelines for selection of participants in the program. The effect is a rule to implement the requirements of Section 1007.34, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Definition of low-income educationally disadvantaged students and selection criteria and guidelines for College Reach-Out Program participants.

RULEMAKING AUTHORITY: 1007.34(1) FS.

LAW IMPLEMENTED: 1007.34 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1520, Tallahassee, FL or lynn.abbott@fldoe.org

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

**PUBLIC SERVICE COMMISSION**

RULE NOS.:	RULE TITLES:
25-4.020	Location of Records
25-4.0201	Audit Access to Records

PURPOSE AND EFFECT: Rule 25-4.020, F.A.C., would be amended to eliminate requirements for preservation of records for telecommunications companies. In addition, there would no longer be a requirement for telecommunications companies to reimburse the Commission for travel when the records are located within 50 miles of the Florida state line. Rule 25-4.0201, F.A.C., would be amended to no longer require Commission access to a telecommunications company’s affiliate company records. Also the word utility is changed to company.

SUBJECT AREA TO BE ADDRESSED: Telecommunications utility regulation.

RULEMAKING AUTHORITY: 350.127(2), 364.016, 364.183 FS.

LAW IMPLEMENTED: 364.016, 364.183, 364.183(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 IS: Rosanne Gervasi, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6224

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-4.020 Location and Preservation of Records.

~~(1) All records that a company is required to keep, by reason of these or other rules prescribed by the Commission, shall be kept at the office or offices of the company within the State unless otherwise authorized by the Commission.~~

~~(1)(2) No change.~~

~~(a) No change.~~

~~(b) The reimbursement requirement in subsection (1)(2) shall be waived:~~

~~1. For any company that makes its out-of-state records available at the company’s office located in Florida or at another mutually agreed upon location in Florida within 10 working days from the Commission’s initial request. If 10 working days is not reasonable because of the complexity and nature of the issues involved or the volume and type of material requested, the Commission may establish a different time frame for the company to bring records into the state. For individual data requests made during an audit, the response time frame established in Rule 25-4.0201, F.A.C., shall control; or~~

~~2. For a company whose records are located within 50 miles of the Florida state line.~~

~~(3) All records shall be preserved for the period of time specified in Form PSC/ECR/17-T (5/93), entitled “Schedule of Records and Periods of Retention” which is incorporated by reference into this rule, and may be obtained from the Director, Division of Economic Regulation, Florida Public Service Commission.~~

~~(a) However, all source documents retained as required by subsection 25-4.020(3), F.A.C., shall be maintained in their original form for a minimum of three years, or for any lesser period of time specified for that type of record in Form PSC/ECR/17-T, after the date the document was created or received by the company. This paragraph does not require the company to create paper copies of documents where the company would not otherwise do so in the ordinary course of its business. The Commission may waive the requirement that documents be retained in their original form upon a showing by a company that it employs a storage and retrieval system that consistently produces clear, readable copies that are substantially equivalent to the originals, and clearly reproduces handwritten notations on documents.~~

~~(b) The company shall maintain written procedures governing the conversion of source documents to a storage and retrieval system, which procedures ensure the authenticity of~~

~~documents and the completeness of records. Records maintained in the storage and retrieval system must be easy to search and easy to read.~~

(2)(4) No change.

Rulemaking Authority 350.127(2), 364.016, ~~364.17, 364.18, 364.183, 364.185~~ FS. Law Implemented 364.016, ~~364.17, 364.18, 364.183, 364.185~~ FS. History—Revised 12-1-68, Amended 3-31-76, Formerly 25-4.20, Amended 6-23-93, 11-13-95, 1-25-09, \_\_\_\_\_.

25-4.0201 Audit Access to Records.

This rule addresses the reasonable access to company utility and affiliate records provided by Section 364.183(1), F.S., for the purposes of management and financial audits.

(1) No change.

(2) Reasonable access means that company responses to audit requests for access to records shall be fully provided within the time frame established by the auditor. In establishing a due date, the auditor shall consider the location of the records, the volume of information requested, the number of pending requests, the amount of independent analysis required, and reasonable time for the company utility to review its response for possible claims of confidentiality or privilege.

(3) In those instances where the company utility disagrees with the auditor's assessment of a reasonable response time to the request, the company utility shall first attempt to discuss the disagreement with the auditor and reach an acceptable revised date. If agreement cannot be reached, the company utility shall discuss the issue with successive levels of supervisors at the Commission until an agreement is reached. If necessary, a final decision shall be made by the Prehearing Officer. If the audit is related to an undocketed case, the Chairman shall make the decision.

(4) The company utility and its affiliates shall have the opportunity to safeguard ~~its their~~ records by copying them or logging them out, provided, however, that safeguard measures shall not be used to prevent reasonable access by Commission auditors to company utility or affiliate records.

(5) through (7) No change.

~~Rulemaking Specific~~ Authority 350.127(2) FS. Law Implemented 364.183(1) FS. History—New 3-1-95, Amended \_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-302.110 RULE TITLE: Written Monthly Reports

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend the way in which individuals on community supervision are to report their monthly circumstances.

SUBJECT AREA TO BE ADDRESSED: Community Corrections Reporting.

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, IF AVAILABLE, IS: Kendra Jowers, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

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

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

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

PURPOSE AND EFFECT: The amendments establish minimum flows pursuant to Section 373.042, F.S., for the Gum Slough Spring Run. This water body is listed on the District's minimum flow and levels priority list for establishment of minimum flows. The minimum flows will be used in the District's permitting and resource management and development programs.

SUBJECT AREA TO BE ADDRESSED: Establishment of minimum flows for the Gum Slough Spring Run located within Sumter and Marion Counties, Florida.

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 17, 2011, 6:00 p.m.

PLACE: Marion Oaks Community Center, 294 Marion Oaks Lane, Ocala, FL

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, Environmental Scientist, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4192  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NO.: 40D-8.624  
 RULE TITLE: Guidance and Minimum Levels for Lakes

PURPOSE AND EFFECT: To amend Rule 40D-8.624, F.A.C., to establish minimum levels for one of the District’s listed priority waters, Lake Carroll, pursuant to Section 373.042, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Establishment of minimum levels for Lake Carroll in Hillsborough County, Florida. A minimum level is the level of surface water at which further water withdrawals would be significantly harmful to the water resources of the area. Members of the District’s Governing Board may attend the Rule Development Workshop.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.042, 373.0421, 373.086, 373.709 FS.

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

DATE AND TIME: November 16, 2011, 6:30 p.m.

PLACE: Carrollwood Recreation Center, 3515 McFarland Road, Tampa, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The 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: Barbara Martinez, Sr. Administrative Assistant, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660 (OGC#2011048)

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE NO.: 61-35.010  
 RULE TITLE: Construction Industry Departmental Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to adopt new application forms.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in this rule is application forms.

RULEMAKING AUTHORITY: 455.203, 455.213 FS.

LAW IMPLEMENTED: 489.109, 489.111, 489.113, 489.1136, 489.114, 489.115, 489.116, 489.117, 489.118, 489.119 FS.

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

DATE AND TIME: Thursday, November 17, 2011, 9:00 a.m. – 12:00 Noon

PLACE: Florida Department of Business and Professional Regulation, Professions Board Room, 1940 North Monroe St., Tallahassee, FL 32399-0783

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: Sheri Snyder at Sheri.Snyder@dbpr.state.fl.us, (850)717-1496. 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: Sheri Snyder at Sheri.Snyder@dbpr.state.fl.us, (850)717-1496

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NO.: 61G15-18.005  
 RULE TITLE: Probable Cause Determination

PURPOSE AND EFFECT: The Board reviewed the rule pursuant to Executive Order 11-01, Section 5, and proposes the rule amendment to delete unnecessary language.

SUBJECT AREA TO BE ADDRESSED: The rule amendment will delete unnecessary language and renumber the rule accordingly.

RULEMAKING AUTHORITY: 455.225 FS.

LAW IMPLEMENTED: 455.225 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: Carrie Flynn, Executive Director, Board of 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303-5268

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
62-777.100	Referenced Guidelines
62-777.150	Applicability
62-777.170	Derivation of Cleanup Target Levels

**PURPOSE AND EFFECT:** The purpose of this rulemaking is to respond to a Petition to Initiate Rulemaking filed by Associated Industries of Florida pursuant to Section 120.54(7), F.S. The effect of initiating rulemaking will be to begin the necessary dialogue among various interested stakeholders to discuss proposed amendments to the rules governing the Risk-Based Corrective Action (RBCA) process at contaminated sites and the rules that govern the derivation of Cleanup Target Levels in Florida.

**SUBJECT AREA TO BE ADDRESSED:** The subject areas to be addressed include the FDEP’s RBCA guidance documents, in particular the “Technical Report: Development of Cleanup Target Levels (CTLs) for Chapter 62-777, F.A.C. (February 2005)”. Additional subject areas to be addressed include the applicability provisions of the rule and whether the FDEP will be mandated to approve proposed Alternative CTLs (ACTLs), and the derivation of CTLs and ACTLs and whether site-specific soil properties should be considered in establishing an ACTL.

**RULEMAKING AUTHORITY:** 376.303, 376.30701, 376.3071, 376.3078(4), 376.81, 403.061, 403.704 FS.

**LAW IMPLEMENTED:** 376.30701, 376.3071, 376.3078(4), 376.81, 403.707 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: Brian Dougherty at (850)245-7503 or brian.dougherty@dep.state.fl.us

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
62-780.100	Referenced Guidelines
62-780.600	Site Assessment
62-780.610	Fate and Transport Model and Statistical Method Requirements
62-780.650	Risk Assessment
62-780.680	No Further Action and No Further Action with Controls

**PURPOSE AND EFFECT:** The purpose of this rulemaking is to respond to a Petition to Initiate Rulemaking filed by Associated Industries of Florida pursuant to Section 120.54(7), F.S. The effect of initiating rulemaking will be to begin the necessary dialogue among various interested stakeholders to discuss proposed amendments to the rules governing the Risk-Based Corrective Action (RBCA) process at contaminated sites in Florida.

**SUBJECT AREA TO BE ADDRESSED:** The subject areas to be addressed include the FDEP’s RBCA guidance documents, in particular the “Technical Report: Development of Cleanup Target Levels (CTLs) for Chapter 62-777, F.A.C. (February 2005)”. Additional subject areas to be addressed include the site assessment process, fate and transport modeling and statistical methods, the risk assessment process including the criteria for allowing the use of probabilistic risk assessment, and the criteria for achieving the “No Further Action” status at contaminated sites (with or without controls).

**RULEMAKING AUTHORITY:** 376.30701, 403.0877 FS.

**LAW IMPLEMENTED:** 376.30701, 403.0877 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: Brian Dougherty at (850)245-7503 or brian.dougherty@dep.state.fl.us

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

**DEPARTMENT OF HEALTH**

**Division of Medical Quality Assurance**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
64B-1.003	Examination Administration
64B-1.005	Special Testing Accommodations

64B-1.008 Grading of Examinations; Grade Notification  
 64B-1.011 Requirements and Standards of a National Examination  
 64B-1.013 Post-Examination Review  
 64B-1.016 Fees: Examination and Post-Examination Review

PURPOSE AND EFFECT: To establish examination fees and procedures for the development, administration, security, grading, and review, of examinations used to measure the minimum competency of applicants for health care practitioner licensure.

SUBJECT AREA TO BE ADDRESSED: Examination requirements for healthcare practitioners.

RULEMAKING AUTHORITY: 456.004, 456.017 FS.

LAW IMPLEMENTED: 456.004, 456.017 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: Jennifer Wenhold, 4052 Bald Cypress Way, Bin #C-90, Tallahassee, Florida 32399-3255

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: RULE TITLE:  
 64B3-2.003 Definitions

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the definition of general clinical laboratory experience and to clarify the accredited training programs.

SUBJECT AREA TO BE ADDRESSED: Definitions.

RULEMAKING AUTHORITY: 483.805(4), 483.811(2) FS.

LAW IMPLEMENTED: 483.803, 483.811, 483.821, 483.823 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: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: RULE TITLE:  
 64B3-5.0011 Definitions

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify definitions and to remove obsolete language.

SUBJECT AREA TO BE ADDRESSED: Definitions.

RULEMAKING AUTHORITY: 483.805, 483.823 FS.

LAW IMPLEMENTED: 483.823 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.

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**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: RULE TITLE:  
 64B3-5.002 Supervisor

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the requirements for education, training/experience and certification for the qualifications and responsibilities for a supervisor.

SUBJECT AREA TO BE ADDRESSED: Supervisor Licensing Requirements.

RULEMAKING AUTHORITY: 483.805(4), 483.823 FS.

LAW IMPLEMENTED: 381.0034(3), 483.800, 483.809, 483.815, 483.823 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: Bruce

Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: 64B3-5.003                      RULE TITLE: Technologist

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the requirements for a technologist.

SUBJECT AREA TO BE ADDRESSED: Technologist Licensing Requirements.

RULEMAKING AUTHORITY: 483.805(4), 483.811(2), 483.823 FS.

LAW IMPLEMENTED: 381.0034(3), 483.800, 483.809, 483.811(2), 483.815, 483.823 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: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: 64B3-5.004                      RULE TITLE: Technician

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the requirements for a technician.

SUBJECT AREA TO BE ADDRESSED: Technician.

RULEMAKING AUTHORITY: 483.805(4), 483.811(2), 483.823 FS.

LAW IMPLEMENTED: 381.0034, 483.800, 483.809, 483.811(2), 483.815, 483.823 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: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: 64B3-5.007                      RULE TITLE: Director; Limitations and Qualifications

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the qualifications for a director.

SUBJECT AREA TO BE ADDRESSED: Director Licensing Requirements.

RULEMAKING AUTHORITY: 483.805(4) FS.

LAW IMPLEMENTED: 381.0034(3), 483.800, 483.809, 483.823(1), 483.824 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: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: 64B3-6.001                      RULE TITLE: Manner of Application

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate an updated version of the application form.

SUBJECT AREA TO BE ADDRESSED: Manner of Application.

RULEMAKING AUTHORITY: 483.805(4) FS.

LAW IMPLEMENTED: 456.013, 483.815, 483.823 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: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: 64B3-8.002  
 RULE TITLE: Inactive Status and Reactivation of Inactive Clinical Laboratory Personnel License

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the requirements for changing an inactive status license to an active status license.

SUBJECT AREA TO BE ADDRESSED: Inactive Status and Reactivation of Inactive Clinical Laboratory Personnel License.

RULEMAKING AUTHORITY: 456.036, 483.805(4), 483.819 FS.

LAW IMPLEMENTED: 456.036, 483.817 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: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: 64B3-10.005  
 RULE TITLE: Scope of Practice Relative to Specialty of Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the type of testing that each specialty of clinical laboratory personnel may perform.

SUBJECT AREA TO BE ADDRESSED: Scope of Practice Relative to Specialty of Licensure.

RULEMAKING AUTHORITY: 483.805(4) FS.

LAW IMPLEMENTED: 483.813, 483.823, 483.825 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: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NO.: 68B-12.0046  
 RULE TITLE: Commercial Fishing Season for King Mackerel in the Gulf-Atlantic Fishery; Commercial Season Segments, Vessel and Landing Limits

PURPOSE AND EFFECT: The purpose of this rule amendment is to allow king mackerel to be landed in Collier County, a closed area, when they are caught in nearby waters of Monroe County that are open to harvest. This proposed rule amendment was requested by the commercial king mackerel industry because the current king mackerel landing regulations create an economic burden on commercial fisherman located in Collier County. These fishermen are currently required to transport their legally-harvested king mackerel to the Keys to land and sell their legally-caught king mackerel because there are no wholesale fish dealers in mainland Monroe County near Collier County. The effect of this rule would be to remove an economic burden to commercial king mackerel fisherman based in Collier County by allowing the landing of king mackerel in Collier County when the king mackerel are harvested from open waters adjacent to mainland Monroe County.

SUBJECT AREA TO BE ADDRESSED: Subject areas to be addressed in the rule development notice include the landing of commercially caught king mackerel.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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: The ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Jessica McCawley, Director, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-0554

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-12.0046 Commercial Fishing Season for King Mackerel in the Gulf-Atlantic Fishery; Commercial Season Segments, Vessel and Landing Limits.

(1) through (3) No change.

(4) Western Region – Persons harvesting king mackerel for commercial purposes from waters of the Western Region shall have a season that begins on July 1 of each year and continues through June 30 of the following year, unless closed sooner by operation of this subsection. These persons shall be subject to commercial vessel limits effective during segments of the season as follows:

(a) through (d) No change.

(e) King mackerel may be landed from April 1 through June 30 in Collier County when the Western Region of the Gulf-Atlantic Fishery has been closed, under the following conditions:

1. The king mackerel have been legally harvested from adjacent state or federal waters off Monroe County pursuant to Chapter 68B-30, F.A.C. or pursuant to Part 622 of the Code of Federal Regulations (CFR) for Atlantic migratory group king mackerel.

2. The king mackerel have been harvested pursuant to a Florida saltwater products license and restricted species endorsement (Section 379.362, F.S.) and a federal king mackerel permit (Part 622 CFR).

3. The transport of king mackerel through the closed state waters off Collier County is continuous and direct from the area open to harvest to the place of landing, and

4. All fishing gear is stowed during transit through the closed area.

(5) No change.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla Const. Law Implemented Art. IV, Sec. 9, Fla Const. History--New 10-1-90, Amended 12-4-91, 11-29-93, 12-28-95, 1-1-97, 1-1-98, Formerly 46-12.0046, Amended \_\_\_\_\_.

## Section II Proposed Rules

### STATE BOARD OF ADMINISTRATION

RULE NO.: 19-8.010  
RULE TITLE: Reimbursement Contract

PURPOSE AND EFFECT: The State Board of Administration of Florida, Florida Hurricane Catastrophe Fund, seeks to amend the rule listed above to implement Section 215.555, F.S.  
SUMMARY: The rule is being amended to adopt the 2012/2013 Reimbursement Contract, including Addenda and Optional Amendment.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

A Reimbursement Contract, meeting the requirements set forth in Section 215.555, F.S., must be adopted annually pursuant to Section 215.555(4) and (18)(b), F.S. Upon review of the proposed changes to the upcoming Contract Year's Reimbursement Contract, which is incorporated into Rule 19-8.010, F.A.C., Reimbursement Contract, the State Board of Administration of Florida has determined that the preparation of a Statement of Estimated Regulatory Costs is not necessary nor does this rule meet the statutory threshold for ratification by the legislature. The changes to this rule also do not directly or indirectly have an adverse impact on economic growth, private sector job creation or employment, or private sector investment, business competitiveness or innovation or increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the 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.

RULEMAKING AUTHORITY: 215.555(3) FS.

LAW IMPLEMENTED: 215.555(2), (3), (4), (5), (6), (7), (10), (17), (18) FS.