

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-170.0155
RULE TITLE: Forms

PURPOSE AND EFFECT: To update Form OIR-B1-1802 “Uniform Mitigation Verification Inspection Form” to reflect 2010 statutory changes and other issues related to the form.

SUMMARY: Deletes reference to the My Safe Florida Home inspectors and replaces them with Home inspectors licensed under Section 468.8314, F.S. who has completed at least 3 hours of hurricane mitigation training and completion of a proficiency exam. It implements the statutory changes that allow engineers and contractors to use employees with requisite skill, knowledge and experience to conduct inspections. The form is also revised to incorporate reference to criminal penalties provided by laws for conducting false or fraudulent inspections.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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. An SERC has not been prepared by the agency.

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: 624.308(1), 627.711, 627.736 FS.

LAW IMPLEMENTED: 215.5586, 624.307(1), 627.062, 627.0629, 627.0645, 626.711, 627.736 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: Monday, June 20, 2011, 9:30 a.m.
PLACE: 116 Larson Building, 200 East Gaines 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 5 days before the workshop/meeting by contacting: Michael Milnes, Bureau of Property and Casualty, Office of Insurance Regulation, E-mail michael.milnes@flor.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 IS: Michael Milnes, Bureau of Property and Casualty, Office of Insurance Regulation, E-mail michael.milnes@flor.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69O-170.0155 Forms.

The following forms are hereby adopted and incorporated by reference:

(1)(l) OIR-B1-1802, “Uniform Mitigation Verification Inspection Form,”(Rev. 05/11 ~~2/10~~).

Rulemaking Authority 624.308(1), 627.711, 627.736 FS. Law Implemented 215.5586, 624.307(1), 624.424, 627.062, 627.0629, 627.0645, 627.711, 627.736 FS. History–New 6-19-03, Formerly 4-170.0155, Amended 2-23-06, 12-26-06, 6-12-07, 7-17-07, 9-5-07, 3-13-08, 4-21-10 (1)(l), 4-21-10 (1)(k),_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Milnes, Bureau of Property and Casualty, Office of Insurance Regulation, E-mail michael.milnes@flor.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 8, 2010

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-4.0021
RULE TITLE: Florida Teacher Certification Examinations

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 15, April 15, 2011 issue of the Florida Administrative Weekly.

Rule 6A-4.0021 was inadvertently proposed with a rule development date of November 5, 2011 but the correct date should be November 5, 2010.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors’ Licensing Board

RULE NO.: 61G6-5.002
RULE TITLE: Application for Certification by Examination; Reexamination

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 34, August 27, 2010 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. Subsection (1) shall now read as follows:

(1) An applicant for certification by examination or by endorsement shall submit a complete application on the form prescribed by the Department of Business and Professional Regulation together with all supporting data. The application shall be submitted to the Department and accompanied by the appropriate fee. Any application that is not complete within one year from date of initial filing will be closed. Copies of the application and other forms required can be obtained by contacting the Department at the following address: Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0771 or at: http://www.myflorida.com/dbpr/pro/elboard/documents/eclb_exam_enterable.pdf.

2. Subsection (2) shall now read as follows:

(2) For re-examination on the Technical/Safety examination, a retake exam application must be submitted on a form provided by the Department. The retake exam application may be obtained at http://www.myfloridalicense.com/dbpr/pro/elboard/documents/eclb4457_enterable.pdf. For the second and third examination attempts on the Business Computer-Based Test, a retake exam application is not required to be submitted to the Department. There shall be a 21-day waiting period between retakes of the Business Computer-Based Test.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NO.: 61G6-7.001 RULE TITLE: Specialty Electrical Contractors
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 39, October 1, 2010 issue of the Florida Administrative Weekly has been withdrawn.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: 68B-14.0039 RULE TITLE: Recreational Grouper Seasons
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 17, April 29, 2011 issue of the Florida Administrative Weekly.

The above proposed rule should have stated that the rulemaking is undertaken pursuant to Section 120.54(6), F.S.

Written comments may be submitted within 14 days of the date of this notice of correction to: Bud Vielhauer, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

Substantially affected persons may within 14 days of the date of this notice of correction, file an objection to this rulemaking with the agency. The objection shall specify the portions of the proposed rule to which the person objects and the specific reasons for the objection.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: 68B-14.004 RULE TITLE: Recreational Amberjack Season
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 17, April 29, 2011 issue of the Florida Administrative Weekly.

The above proposed rule should have stated that the rulemaking is undertaken pursuant to Section 120.54(6), F.S.

Written comments may be submitted within 14 days of the date of this notice of correction to: Bud Vielhauer, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

Substantially affected persons may within 14 days of the date of this notice of correction, file an objection to this rulemaking with the agency. The objection shall specify the portions of the proposed rule to which the person objects and the specific reasons for the objection.

**Section IV
Emergency Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

RULE NO.: 5BER11-2 RULE TITLE: Mediterranean Fruit Fly Eradicator – Broward County, FL

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The Mediterranean fruit fly, commonly referred to as Medfly, is one of the most destructive pests of citrus and other known fruits and is the most important and widespread pest in the fruit fly group. Medfly attacks more than 260 different fruits and vegetables. In Florida, the pest has been eradicated twelve times, including five major outbreaks. A