

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: RULE NO.:

Approval of Preservice Teacher 6A-5.066
 Preparation Programs

PURPOSE AND EFFECT: The purpose of the rule development is to review the requirements relating to preservice teacher preparation programs to determine what amendments, if any, should be proposed.

SUBJECT AREA TO BE ADDRESSED: Preservice Teacher Preparation Programs.

SPECIFIC AUTHORITY: 1004.04 FS.

LAW IMPLEMENTED: 1004.04 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIMES, DATES AND PLACES LISTED BELOW:

TIME AND DATE: 4:00 p.m. – 6:00 p.m., June 17, 2005

PLACE: Orange County Schools Board Room, 445 W. Amelia Street, Orlando, FL 32801

TIME AND DATE: 3:00 p.m. – 6:00 p.m., June 22, 2005

PLACE: Palm Beach County School Board, Fulton-Holland Educational Services Center, Training Rooms C and D, 3300 Forest Hill Blvd., West Palm Beach, FL 33406

TIME AND DATE: 4:00 p.m. – 6:00 p.m., June 24, 2005

PLACE: Schultz Center for Teaching and Learning, Gentry B-C Meeting Room, 4019 Boulevard Center Dr., Jacksonville, FL 32216

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Pam Stewart, Deputy Chancellor for Educator Quality, Florida Department of Education, 325 West Gaines Street, Room 501, Tallahassee, Florida 32399-0400

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

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Incorporation by Reference 14-15

RULE TITLE: RULE NO.:

Manual of Uniform Minimum Standards for 14-15.002
 Design, Construction and Maintenance
 for Streets and Highways

PURPOSE AND EFFECT: The *Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways*, (Topic #625-000-015), commonly referred to as the Greenbook, is being amended. There are extensive amendments to the manual, especially Chapter 17.

SUBJECT AREA TO BE ADDRESSED: The *Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways* is being amended.

SPECIFIC AUTHORITY: 334.044(2), 336.045(1) FS.

LAW IMPLEMENTED: 336.045 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 IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-15.002 Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways.

The Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways, May – ~~2005~~ 2002, edition, is hereby incorporated by this rule and made a part of the rules of the Department of Transportation. A copy of the manual can be downloaded from the following website: <http://www.dot.state.fl.us/rddesign/Florida%20Greenbook/FGB.htm>. A certified copy has been filed with the Department of State. Copies of this Department manual and any amendments thereto are available from the Department of Transportation, Maps and Publications Sales, 605 Suwannee Street, Mail Station 12, Tallahassee, Florida 32399-0450, at no more than cost.

Specific Authority 334.044(2), 336.045(1) FS. Law Implemented 336.045 FS. History—New 1-22-76, Amended 7-13-81, 6-24-84, Formerly 14-15.02, Amended 8-25-86, 11-29-89, 11-1-94, 5-15-01, 7-9-02, _____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

DEPARTMENT OF CORRECTIONS

RULE TITLE: Inmate Grievances – Miscellaneous Provisions
 RULE NO.: 33-103.015

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to allow the acting warden, in the absence of the warden, to respond to grievances filed directly with the Secretary.

SUBJECT AREA TO BE ADDRESSED: Inmate grievances.

SPECIFIC AUTHORITY: 20.315, 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: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-103.015 Inmate Grievances – Miscellaneous Provisions.

(1) through (2) No change.

(3) The warden, assistant warden or deputy warden (deputy warden applicable to private facilities only) is authorized to designate other staff to receive, review, and investigate any grievance of an institutional nature. The warden is authorized to designate the assistant warden or deputy warden (deputy warden applicable to private facilities only) to grant and implement relief as approved by the warden, except as to grievances involving discipline, grievances alleging violation of the Americans with Disabilities Act, grievances challenging placement in close management and subsequent reviews, grievances of an emergency nature, grievances of reprisal or grievances of a sensitive nature that are filed directly with the warden. For grievances filed directly with the warden, the decision to approve, return, or deny the grievance shall be made by the warden; the assistant warden or deputy warden shall only be authorized to sign as acting warden in the warden’s absence, and must indicate “Acting Warden” beside his or her signature.

(4) through (11) No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 1-29-92, 9-3-92, 12-22-92, 7-11-93, 5-3-94, 4-10-95, 9-23-96, 8-10-97, 12-7-97, 5-10-98, 2-17-99, Formerly 33-29.015, Amended 8-1-00, 10-11-00, 2-7-01, 5-27-02, 1-2-03, 2-9-05, _____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Procedural
 RULE CHAPTER NO.: 40D-1

RULE TITLE: Forms and Instructions
 RULE NO.: 40D-1.659

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to incorporate revisions to two forms, the Application for a Water Well Contractor’s License, Form No. 42.00-44(5/00), and the Application for Renewal of a Water Well Contractor’s License, Form No. 41.10-109(06/01), into Rule 40D-1.659, F.A.C. The proposed revisions to the forms are required to reflect recent statutory changes to the water well contractor licensing standards. The effect of the proposed rule amendment is that applicants for licenses must now demonstrate compliance with continuing education requirements, the line for a Federal Identification Number was removed for privacy purposes, and the dates were changed to reflect the current license cycle.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment adopts revisions to two forms relating to licensure of Water Well Contractors.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.149, 373.171 FS.

LAW IMPLEMENTED: 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.339, 373.413, 373.414, 373.416, 373.419, 373.421 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 District does not discriminate on the basis of disability. Anyone requiring reasonable accommodation should contact: Dianne Lee, (352)796-7211, Ext. 4658, TDD only 1(800)231-6103.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Margaret M. Lytle, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE TITLE: Citations
 RULE NO.: 61G3-21.009

PURPOSE AND EFFECT: The Board proposes to amend the rule to add the penalty for attempting to renew a license when not in compliance with continuing education requirements.

SUBJECT AREA TO BE ADDRESSED: Citations.
 SPECIFIC AUTHORITY: 455.224, 476.064(4), 476.204(2) FS.

LAW IMPLEMENTED: 455.224 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Robyn Barineau, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 61G3-21.009 Citations.
- (1) through (2) No change.
- (3)(a) through (1) No change.
- (m) Attempting to renew a license when not in compliance with continuing education requirements, in violation of Rule 61G3-21.009, F.A.C., shall result in a fine of \$100.00.
- (4) through (7) No change.

Specific Authority 455.224, 476.064(4), 476.204(2) FS. Law Implemented 455.224 FS. History—New 1-19-92, Amended 3-22-92, 2-18-93, Formerly 21C-21.009, Amended 6-16-94, 9-22-94, 8-21-95, 2-14-96, 11-6-97, 5-13-01,

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Continuing Education
 RULE NO.: 61J1-4.003

PURPOSE AND EFFECT: Provides continuing education credits to certified appraisers who volunteer as expert witnesses in disciplinary cases.

SUBJECT AREA TO BE ADDRESSED: Continuing Education.
 SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.613, 475.618, 475.628 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Elizabeth P. Vieira, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Citation Authority
 RULE NO.: 61J1-8.001

PURPOSE AND EFFECT: Update violations that may be resolved by the issuance of citations.

SUBJECT AREA TO BE ADDRESSED: Citation Authority.
 SPECIFIC AUTHORITY: 475.614 FS.
 LAW IMPLEMENTED: 455.224, 455.275 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Elizabeth P. Vieira, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance Boards

RULE CHAPTER TITLE: Certification of Foreign Educational
 RULE CHAPTER NO.: 64B-11

Institutions
 PURPOSE AND EFFECT: The purpose is to implement Section 466.008 F.S., with regard to the certification of foreign dental schools.

SUBJECT AREA TO BE ADDRESSED: Certification of Foreign Educational Institutions.
 SPECIFIC AUTHORITY: 466.008 FS.
 LAW IMPLEMENTED: 466.008 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: Amy M. Jones, Department of Health, 4053 Bald Cypress Way, Bin #C00, Tallahassee, Florida 32399-1703

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

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Forestry

RULE TITLE: Purpose and Definitions RULE NO.: 5I-4.002

PURPOSE AND EFFECT: The purpose is to provide guidance to Department staff and information to the public regarding use of lands managed by the Department for specific activities, and to comply with similar existing laws and rules. The effect will improve administration and provide guidance for public use.

SUMMARY: Increased public use on lands managed by the Department has resulted in a need to clarify the present Rule Chapter 5I-4, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No regulatory cost is anticipated.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 589.011(4), 589.071, 589.12 FS.

LAWIMPLEMENTED: 589.011(4), 589.071 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Waldron, Forest Recreation Coordinator, Department of Agriculture and Consumer Services, Division of Forestry, 3125 Conner Blvd., Mail Station #C25, Tallahassee, FL 32399-1650, (850)414-9852

THE FULL TEXT OF THE PROPOSED RULE IS:

5I-4.002 Purpose and Definitions.

(1) through (26) No change.

(27) SCHEDULE OF FEES: The Division is authorized under Section 589.011(3), F.S., to set and charge fees for the use or operation of facilities on state forest or any lands leased to the Division for management purposes. A schedule of current fees effective July 1, 2005 2003 can be obtained through any local Division of Forestry office, by contacting the Florida Division of Forestry, Bureau of Forest Management, 3125 Conner Blvd., Tallahassee, FL 32399-1650 and they are located on the Division of Forestry's website located at http://www.fl-dof.com/state_forests/Forest_Fees.html.

(28) through (30) No change.

Specific Authority 589.011(4), 589.071, 589.12 FS. Law Implemented 589.011(4), 589.071 FS. History--New 5-24-92, Amended 1-19-95, 11-6-95, 5-31-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: John C. Waldron, Forest Recreation Coordinator, 3125 Conner Blvd., Tallahassee, FL 32399-1650

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Steve Bohl, Assistant Chief, Bureau of Forest Management, 3125 Conner Blvd., Tallahassee, FL 32399-1650

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 31, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 29, 2005

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: Bid Guaranty for Construction Contracts RULE CHAPTER NO.: 14-21

RULE TITLE: Bid Guaranty for Construction Contracts RULE NO.: 14-21.001

PURPOSE AND EFFECT: Section 337.17, Florida Statutes, only requires bid guarantee for construction contracts in excess of \$150,000.00. The rule is amended to remove any references to maintenance contracts.

SUMMARY: Rule 14-21.001, F.A.C., is being amended to remove references to maintenance contracts.

SPECIFIC AUTHORITY: 334.044(2), 337.17 FS.

LAW IMPLEMENTED: 337.17 FS.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost has been prepared.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

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