

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Plant Industry**

<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
Definitions	5B-57.001
Purpose	5B-57.002
Noxious Weed List	5B-57.007
Biomass Planting	5B-57.011

**PURPOSE AND EFFECT:** The purpose of these rule amendments is to provide definitions for biomass permit and biomass planting, to add the language for biomass plantings within the purpose of Rule 5B-57.002, F.A.C., to add the following plants to the Noxious Weed List; *Abrus precatorius*, *Ardisia elliptica*, *Casuarina equisetifolia*, *Casuarina glauca*, *Colubrina asiatica*, *Leucaena leucocephala*, and *Scaevola taccada* and to provide specific requirements for issuing biomass permits. The effects of the amendments will make the Rules consistent with the provisions of Section 581.083(4), F.S., provide the authority for regulating several new plants known to be invasive noxious weeds and outlining specific procedures for obtaining permits to produce biomass plantings.

**SUBJECT AREA TO BE ADDRESSED:** Cultivation of Nonnative Plants.

**SPECIFIC AUTHORITY:** 570.07(13),(23), 581.031(1) FS.  
**LAW INPLEMENTED:** 581.031(1),(4),(5),(6),(7), 581.083, 581.101, 581.141 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 ADMINSTRATIVE WEEKLY.

If an accommodation is needed for a disability in order to participate in this meeting, please notify the Division of Plant Industry, Department of Agriculture and Consumer Services, (352)372-3505, at least seven days prior to the meeting.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS:** Richard Gaskalla, Director, Department of Agriculture and Consumer Services, Division of Plant Industry, Room A116, 1911 S. W. 34th Street, Gainesville, Florida 32608, (352)372-3505

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

5B-57.001 Definitions.

For the purpose of this rule chapter, the following definitions shall apply:

(1) through (3) No change.

(4) Biomass permit. A permit issued by the department authorizing a biomass planting.

(5) Biomass planting. The cultivation of a nonnative plant, including a genetically engineered plant for purposes of fuel production or purposes other than agriculture in plantings greater in size than two acres.

(4) through (16) renumbered (6) through (17) No change.

Specific Authority 570.07(13),(23) FS. Law Implemented 581.031(4),(5),(6), 581.083, 581.091 FS. History--New 7-27-93, Amended 4-18-04, \_\_\_\_\_.

5B-57.002 Purpose.

The purpose of this rule chapter is to control the introduction into, or movement or spread within this state of any plant pest, noxious weed, or arthropod, and to establish procedures under which the field release of plant pests, noxious weeds, arthropods, and biological control agents or biomass plantings are permitted. Such procedures will assist in confirming that introductions and field releases are conducted in a manner which provides for public and environmental protection.

Specific Authority 570.07(13),(23) FS. Law Implemented 581.031(4),(5),(6), 581.083, 581.091 FS. History--New 7-27-93, Amended \_\_\_\_\_.

5B-57.007 Noxious Weed List.

(1) Parasitic Weeds.

(a) *Aeginetia* spp. (*Aeginetia*).

(b) *Alectra* spp. (*Alectra*).

(c) *Cuscuta* spp. Only the native Florida species are excluded from this list. These include:

1. *C. americana*.

2. *C. compacta*.

3. *C. exaltata*.

4. *C. gronovii*.

5. *C. indecora*.

6. *C. obtusiflora*.

7. *C. pentagona*.

8. *C. umbellata*.

(d) *Orobanche* spp. (broomrapes), with the exception of:

1. *O. uniflora*. (oneflowered broomrape)

(2) Terrestrial Weeds.

(a) *Ageratina adenophora* (crofton weed).

(b) *Alternanthera sessilis* (sessile joyweed).

(c) *Abrus precatorius* (rosary pea).

(d) *Ardisia elliptica* (shoebutton ardisia).

~~(e)(e)~~ *Asphodelus fistulosus* (onionweed).

~~(f)(f)~~ *Avena sterilis* (including *Avena budoviciana*) (animated oat, wild oat).

~~(g)(e)~~ *Borreria alata* (broadleaf buttonweed).

~~(h)(f)~~ *Carthamus oxyacantha* (wild safflower).

(i) *Casuarina equisetifolia* (Australian pine).

(j) *Casuarina glauca* (suckering Australian pine).

~~(k)(g)~~ *Chrysopogon aciculatus* (pilipiliula).

(l) *Colubrina asiatica* (latherleaf).

- ~~(m)(h)~~ Commelina benghalensis (Benghal dayflower).
- ~~(n)(i)~~ Crupina vulgaris (common crupina).
- ~~(o)(j)~~ Cupaniopsis anacardioides (carrotwood)  
Propagation prohibited effective 7/1/99; sale or distribution prohibited 1/1/2001.
- ~~(p)(k)~~ Digitaria scalarum (African couchgrass, fingergrass).
- ~~(q)(l)~~ Digitaria velutina (velvet fingergrass, annual couchgrass).
- ~~(r)(m)~~ Dioscorea alata (white yam).
- ~~(s)(n)~~ Dioscorea bulbifera (air potato).
- ~~(t)(o)~~ Drymaria arenarioides (lightning weed).
- ~~(u)(p)~~ Emex australis (three-corner jack).
- ~~(v)(q)~~ Emex spinosa (devil's thorn).
- ~~(w)(r)~~ Euphorbia prunifolia (painted euphorbia).
- ~~(x)(s)~~ Galega officinalis (goat's rue).
- ~~(y)(t)~~ Heracleum mantegazzianum (giant hogweed).
- ~~(z)(u)~~ Imperata brasiliensis (Brazilian satintail).
- ~~(aa)(v)~~ Imperata cylindrica (cogongrass).
- ~~(bb)(w)~~ Ipomoea triloba (little bell, aiea morning glory).
- ~~(cc)(x)~~ Ischaemum rugosum (muraingrass).
- ~~(dd)(y)~~ Leptochloa chinensis (Asian sprangletop).
- ~~(ee)~~ Leucaena leucocephala (lead tree).
- ~~(ff)(z)~~ Lycium ferocissimum (African boxthorn).
- ~~(gg)(aa)~~ Lygodium japonicum (Japanese climbing fern).
- ~~(hh)(bb)~~ Lygodium microphyllum (small-leaved climbing fern).
- ~~(ii)(ee)~~ Melaleuca quinquenervia (melaleuca). <sup>1</sup>
- ~~(jj)(dd)~~ Melastoma malabathricum (Indian rhododendron).
- ~~(kk)(ee)~~ Mikania cordata (mile-a-minute).
- ~~(ll)(ff)~~ Mikania micrantha (climbing hempweed).
- ~~(mm)(gg)~~ Mimosa invisa (giant sensitive plant).
- ~~(nn)(hh)~~ Mimosa pigra (catclaw mimosa). <sup>1</sup>
- ~~(oo)(ii)~~ Nassella trichotoma (serrated tussock).
- ~~(pp)(jj)~~ Neyraudia reynaudiana (Burma reed).
- ~~(qq)(kk)~~ Opuntia aurantiaca (jointed prickly pear).
- ~~(rr)(ll)~~ Oryza longistaminata (red rice).
- ~~(ss)(mm)~~ Oryza punctata (red rice).
- ~~(tt)(nn)~~ Oryza rufipogon (wild red rice).
- ~~(uu)(oo)~~ Paederia cruddasiana (sewer-vine).
- ~~(vv)(pp)~~ Paederia foetida (skunk-vine).
- ~~(ww)(qq)~~ Paspalum scrobiculatum (Kodomillet).
- ~~(xx)(rr)~~ Pennisetum clandestinum (Kikuyu grass).
- ~~(yy)(ss)~~ Pennisetum macrourum (African feathergrass).
- ~~(zz)(tt)~~ Pennisetum pedicellatum (Kyasuma grass).
- ~~(aaa)(uu)~~ Pennisetum polystachyon (missiongrass, thin napiergrass).
- ~~(bbb)(vv)~~ Prosopis spp.
- ~~(ccc)(ww)~~ Pueraria montana (kudzu).
- ~~(ddd)(xx)~~ Rhodomyrtus tomentosa (downy myrtle).

- ~~(eee)(yy)~~ Rottboellia cochinchinensis (itchgrass).
- ~~(fff)(zz)~~ Rubus fruticosus (bramble blackberry).
- ~~(ggg)(aaa)~~ Rubus molluccanus (wild raspberry).
- ~~(hhh)(bbb)~~ Saccharum spontaneum (wild sugarcane).
- ~~(iii)(eee)~~ Salsola vermiculata (wormleaf salsola).
- ~~(jjj)(ddd)~~ Sapium sebiferum (Chinese tallow tree).
- ~~(kkk)~~ Scaevola taccada (beach naupaka). Propagation prohibited immediately and distribution prohibited by July 1, 2007.
- ~~(lll)(eee)~~ Schinus terebinthifolius (Brazilian pepper-tree). <sup>1</sup>
- ~~(mmm)(fff)~~ Setaria pallidifusca (cattail grass).
- ~~(nnn)(ggg)~~ Solanum tampicense (wetland nightshade).
- ~~(ooo)(hhh)~~ Solanum torvum (turkeyberry).
- ~~(ppp)(iii)~~ Solanum viarum (tropical soda apple).
- ~~(qqq)(jjj)~~ Tridax procumbens (coat buttons).
- ~~(rrr)(kkk)~~ Urochloa panicoides (liverseed grass).

<sup>1</sup>Department of Environmental Protection permit required for these species.

Specific Authority 570.07(13),(23) FS. Law Implemented 581.031(4),(5),(6), 581.083, 581.091 FS. History—New 7-27-93, Amended 2-28-94, 6-30-96, 7-7-99.

5B-57.011 Biomass Plantings.

(1) Biomass Permit Requirements. It shall be unlawful to establish a biomass planting greater in size than two contiguous acres except under a biomass permit (DACS 08382) issued by the department. No biomass permit shall be issued for any planting of plants on the state noxious weed list or the federal noxious weed list. No biomass permit shall be issued unless the applicant is the owner of the property or has written permission from the property owner to utilize the land for biomass plantings. Applications for biomass permits shall be made on form DACS 08381 and submitted to the Division of Plant Industry, P. O. Box 147100, Gainesville, FL 32614-7100. Separate applications for biomass permits shall be required for each noncontiguous growing location and must include a complete description of the nonnative plant to be grown and an estimated cost of removing and destroying the subject plant including the basis for calculating or determining that estimate. The applications must be submitted with the permit fee of \$50 and proof that a bond in the form approved by the department and issued by a surety company admitted to do business in Florida or a certificate of deposit has been obtained as described in Section 581.083(4), F.S. Biomass permits are valid for a twelve-month period following the date of issue and must be renewed annually by the submission of another biomass permit application and \$50 permit fee. The application forms can be obtained from the same address or from the Division of Plant Industry website, <http://www.doacs.state.fl.us/~pi/>. In evaluating the permit application, the department shall visit the proposed growing location and determine if feasible measures can be taken to

prevent the spread of the plant into neighboring ecosystems. The permit will include the following requirements as a minimum:

(a) A system of traps or filters shall be required to prevent plants or plant parts from spreading through ditches, natural waterways or other drainage.

(b) Measures will be required to prevent spread by seed.

(c) A fallow area, wide enough to prevent plant spread into adjacent areas, shall be required. The fallow area will be on both sides of a berm surrounding the biomass planting.

(d) Any equipment used on the site must be cleaned of all plant debris before being moved from the property.

(e) Wildfire protection measures will be required to mitigate fire risk and damages to surrounding areas.

(f) A compliance agreement (DACS 08383) containing any additional requirements needed to prevent plant spread shall be signed and will be an addendum to the permit. Failure to abide by the permit stipulations or the compliance agreement is considered to be a violation of these rules.

(2) Bonds or Certificates of Deposit. Each permit holder shall maintain for each separate growing location a bond or a certificate of deposit in an amount of not less than 150 percent of the estimated cost of removing and destroying the plants as described in Section 581.083(4), F.S. The bond or certificate of deposit may not exceed \$5,000 per acre except as allowed by statute.

(3) Abandoned Biomass Plantings. It shall be unlawful for any person to abandon a biomass planting. It is the responsibility of the property owner or permit holder to completely destroy the planting prior to vacating the property or stopping commercial production. If the department determines that the permit holder is no longer maintaining or cultivating the plants subject to the special permit and has not removed and destroyed the plants authorized by the special permit or has exceeded the conditions of the biomass permit, the department shall take action to initiate the removal of the plants through the issuance of an immediate final order and execution of the bond or certificate of deposit as described in Section 581.083(4), F.S.

(4) Exemptions. A biomass permit is not required for plants produced for purposes of agriculture as defined in Section 570.02(1), F.S. or if the department in consultation with the University of Florida, Institute of Food and Agricultural Sciences has determined that the nonnative plant is not invasive and specifically exempts it in this rule. The following plants or groups of plants are exempt:

(a) Any plant that is produced for purposes of human food consumption

(b) Any plant that is commonly grown for commercial feed, feedstuff or forage for livestock

(c) Pinus spp.

Specific Authority 570.07(13),(23) FS. Law Implemented 581.031(4),(5),(6), 581.083, 581.091 FS. History--New \_\_\_\_\_.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Fruit and Vegetable Inspection**

RULE CHAPTER TITLE: Inspection Programs  
 RULE CHAPTER NO.: 5G-5

RULE TITLE: Alternative Inspection Programs  
 RULE NO.: 5G-5.001

PURPOSE AND EFFECT: To provide alternative methods of citrus inspection compliance other than what is currently in place in order to effectively compete in the world market and avert a substantial loss of revenue within the citrus industry.

SUBJECT AREA TO BE ADDRESSED: The inspection compliance methods for citrus.

SPECIFIC AUTHORITY: 570.07(21),(23) FS.

LAW IMPLEMENTED: 570.07(2),(16),(21), 601.27, 601.49 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: Shannon Shepp, Director, Division of Fruit and Vegetable, Department of Agriculture and Consumer Services, 500 3rd Street, Winter Haven, Florida 33881, (863)291-5820

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

**INSPECTION PROGRAMS**

5G-5.001 Alternative Inspection Programs.

The Division of Fruit and Vegetables may approve registered citrus processing plants that apply for, agree to comply with and qualify to operate under the Florida Quality Systems Certification Program Description and Guidelines, dated September 16, 2005 hereby adopted by reference and available from the Division of Fruit and Vegetables, Department of Agriculture and Consumer Services, P. O. Box 1072, Winter Haven, Florida 33882-1072.

Specific Authority 570.07(21),(23) FS. Law Implemented 570.07(2),(16),(21), 601.27, 601.49 FS. History--New \_\_\_\_\_.

**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."

**PUBLIC SERVICE COMMISSION**

UNDOCKETED

RULE TITLES: RULE NOS.:  
 Continuity of Service 25-6.044

Annual Distribution Service Reliability Report 25-6.0455

PURPOSE AND EFFECT: To eliminate ambiguities in the rules, to revise definitions, and to more clearly define the data needed to assess reliability of distribution of electric power.

SUBJECT AREA TO BE ADDRESSED: Continuity and reliability of electric service.

SPECIFIC AUTHORITY: 366.05(1) FS.

LAW IMPLEMENTED: 366.03, 366.04(5), 366.05, 366.04(2)(c),(f) FS.

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

TIME AND DATE: 9:30 a.m., February 22, 2006

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, Florida

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Marlene Stern, Office of General Counsel, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, (850)413-6230

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-6.044 Continuity of Service.

(1) Definitions applicable to this part:

(a) "Area of Service." A geographic area where a utility provides retail electric service. An Area of Service can be the entire system, a district, or a subregion of the utility's system in which centralized distribution service functions are carried out region into which a utility divides its system.

(b) through (p) No change.

(q) Planned Service Interruption." A Service Interruption initiated by the utility to perform necessary ~~scheduled~~ activities for public safety reasons or for scheduled activities, such as maintenance, infrastructure improvements, and new construction due to customer growth. ~~Customers are typically notified in advance of these events.~~

(2) Each utility shall keep a record of its system reliability and continuity of service data, customers' Service Interruption notifications, and other data necessary for the annual reports filed under these rules. These records and data shall be retained for a minimum of ten years from the filing of each annual

report. The utility shall record each Outage Event as planned or unplanned and shall identify the point of origination such as generation facility, transmission line, transmission substation equipment, or distribution equipment. The cause of each Outage event shall be determined and recorded in a standardized manner throughout the utility. The date and time of the Outage Event and the number of Service Interruptions for the Outage Event shall also be recorded.

(3) through (5) No change.

Specific Authority 366.05(1) FS. Law Implemented 366.03, 366.04(2)(c), 366.04(5), 366.05 FS. History—New 7-29-69, Formerly 25-6.44, Amended 2-25-93, 11-7-02, \_\_\_\_\_.

25-6.0455 Annual Distribution Service Reliability Report.

(1) Each utility shall file a Distribution Service Reliability Report with the Director of the Commission's Division of Economic Regulation on or before March 1st of each year, for the preceding calendar year. ~~The report shall contain the following information:~~

~~(a) The utility's total number of Outage Events (N), categorized by cause for the highest 10 causes of Outage Events, the Average Duration of Outage Events (L-Bar), and Average Service Restoration Time (CAIDI). The utility shall record these data and analyses on Form PSC/ECR 102-1, entitled "Outage Events" which may be obtained from the Division of Economic Regulation, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6900;~~

~~(b) Identification of the three percent of the utility's Primary Circuits (feeders) with the highest number of feeder breaker interruptions. For each primary circuit so identified the utility shall report the primary circuit identification number or name, substation origin, general location, number of affected customers by service class served, Number of Outage Events (N), Average Duration of Outage Events (L-Bar), Average Service Restoration Time (CAIDI), whether the same circuit is being reported for the second consecutive year, the number of years the primary circuit was reported on the "Three Percent Feeder List" in the past five years, and the corrective action date of completion. The utility shall record these data and analyses on Form PSC/ECR 102-2, entitled "Three Percent Feeder List" which may be obtained from the Division of Economic Regulation, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6900;~~

~~(c) The reliability indices SAIDI, CAIDI, SAIFI, MAIFIE, and CEMIS for its system and for each district or region into which its system may be divided. The utility shall report these data and analyses on Form PSC/ECR 102-3, entitled "System Reliability Indices" which may be obtained from the Division of Economic Regulation, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6900. Any utility furnishing electric service to fewer than 50,000 retail customers shall not be required to report the reliability indices MAIFIE or CEMIS;~~

(d) The calculations for each of the required indices and measures of distribution reliability;

(2) The Distribution Service Reliability Report will exclude the impact of all service interruptions associated with generation and transmission disturbances governed by subsections 25-6.018(2) and (3), F.A.C. A utility may exclude from the Annual Distribution Service Reliability Report the Outage Events directly caused by one or more of the following: planned interruptions, a storm named by the National Hurricane Center, a tornado recorded by the National Weather Service, ice on lines, a planned load management event, an electric generation disturbance, an electric transmission system disturbance, or an extreme weather or fire event causing activation of the county emergency operation center.

(3) The report shall contain the following information on an actual and adjusted basis: A utility may submit a request to exclude an Outage Event from the Annual Distribution Service Reliability Report that is not specifically provided for in subsection 25-6.0455(2), F.A.C. Such a request must be filed with the Commission's Division of the Commission Clerk and Administrative Services within 30 days of the Outage Event for which an exclusion is being requested. The Commission will approve the request if the utility is able to demonstrate that the outage was not within the utility's control, and that the utility could not reasonably have prevented the outage.

(a) The utility's total number of Outage Events(N), categorized by cause for the highest 10 causes of Outage Events, the Average Duration of Outage Events (L-Bar), and Average Service Restoration Time (CAIDI). The utility shall record these data and analyses on Form PSC/ECR 102-1(a) ( /06) and Form PSC/ECR 102-1(b) ( /06), entitled "Causes of Outage Events – Actual" and "Causes of Outage Events-Adjusted", respectively, which may be obtained from the Division of Economic Regulation, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6900, and which are incorporated herein by reference;

(b) Identification of the three percent of the utility's Primary Circuits (feeders) with the highest number of feeder breaker interruptions. For each primary circuit so identified the utility shall report the primary circuit identification number or name, substation origin, general location, number of affected customers by service class served, Number of Outage Events (N), Average Duration of Outage Events (L-Bar), Average Service Restoration Time (CAIDI), whether the same circuit is being reported for the second consecutive year, the number of years the primary circuit was reported on the "Three Percent Feeder List" in the past five years, and the corrective action date of completion. The utility shall record these data and analyses on Form PSC/ECR 102-2(a) ( /06) and Form PSC/ECR 102-2(b) ( /06), entitled "Three Percent Feeder List – Actual" and "Three Percent Feeder List – Adjusted", respectively, which may be obtained from the Division of

Economic Regulation, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6900, and which are incorporated herein by reference;

(c) The reliability indices SAIDI, CAIDI, SAIFI, MAIFIE, and CEM15 for its system and for each district or region into which its system may be divided. The utility shall report these data and analyses on Form PSC/ECR 102-3(a) ( /06) and Form PSC/ECR 102-3(b) ( /06), entitled "System Reliability Indices – Actual" and "System Reliability Indices – Adjusted", respectively, which may be obtained from the Division of Economic Regulation, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6900, and which are incorporated herein by reference. Any utility furnishing electric service to fewer than 50,000 retail customers shall not be required to report the reliability indices MAIFIE or CEM15; and

(d) The calculations for each of the required indices and measures of distribution reliability.

(4) Adjusted distribution reliability data may reflect Outage Events caused by:

(a) Planned Service Interruptions;

(b) Events resulting in catastrophic damage to utility facilities shown to be beyond the ability of the utility to control and which directly cause more than 10 percent of the utility's retail customers in the utility's Area of Service to experience Service Interruptions within a consecutive 24 hour period.

(5) Each utility shall provide justification for each Outage Event removed from the data in its adjusted reliability indices as reflected in its reported Form PSC/ECR 102-1(b). For each removed Outage Event, the utility will include the following information:

(a) Area of Service affected;

(b) The number of Primary Circuits (feeders) affected;

(c) The physical damages incurred to utility facilities;

(d) The time and resources required to restore service;

(e) The costs incurred to restore service;

(f) The applicable operational or construction standards;

(g) The actions taken to mitigate damages to its facilities;  
and

(h) The effects of the Outage Event on each of the reported indices.

Specific Authority 366.05(1) FS. Law Implemented 366.03, 366.04(2)(c),(f), 366.04(5), 366.05, 366.05(7) FS. History—New 2-25-93, Amended 11-7-02,

## DEPARTMENT OF CORRECTIONS

RULE TITLE:

Close Management

RULE NO.:

33-601.800

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to revise Form DC6-229A, Close Management Daily Record of Segregation, to delete codes already documented on other forms.

SUBJECT AREA TO BE ADDRESSED: Close Management Records.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.800 Close Management.

(1) through (18) No change.

(19) Forms. The following forms referenced in this rule are hereby incorporated by reference. Copies of any of these forms are available from the Forms Control Administrator, Office of Research, Planning and Support Services, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(a) through (e) No change.

(f) Form DC6-229A, Close Management Daily Record of Segregation, effective date \_\_\_\_\_ 4-8-04.

(g) through (l) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History-Formerly 33-601.801-.813, substantially amended 2-1-01, Amended 12-16-01, 4-8-04, 3-10-05, \_\_\_\_\_.

**LAND AND WATER ADJUDICATORY COMMISSION**

**Madeira Community Development District**

RULE CHAPTER TITLE: Madeira Community Development District

RULE CHAPTER NO.: 42CCC-1

RULE TITLES: Establishment 42CCC-1.001  
Boundary 42CCC-1.002  
Supervisors 42CCC-1.003

PURPOSE AND EFFECT: The purpose of this proposed rule is to establish a community development district ("CDD"), the Madeira Community Development District ("District"), pursuant to Chapter 190, F.S. The petition (amended during the November 15, 2005, local public hearing) filed by Ponce Associates, LLC, requests the Commission establish a community development district located within the City of St. Augustine, St. Johns County, Florida. A Notice of Receipt of Petition for the Madeira Community Development District was published in the October 28, 2005, edition of the Florida Administrative Weekly. The land area proposed to be served by

the District comprises approximately 1,006.5 acres (The original petition described the proposed District as approximately 1,010 acres in size. However, the District's legal description was amended to approximately 1,006.5 in size.). A general location map is contained as Exhibit 1 to the amended petition to establish the District. The proposed District is located generally on the east side of U.S. 1 North between Ocean Boulevard to the north and Poinciana Avenue to the south. There are no parcels located within the external boundaries of the proposed District which are to be excluded from the District. The Petitioner either owns or has written consent to establish the District from the landowners of one hundred percent (100%) of the real property located within the proposed District. The development has been approved for 749 residential units consisting of 469 single family homes, 114 condominium units, and 166 town homes. In addition, 170,000 square feet of commercial space is planned. Currently, the lands to be included in the District are zoned planned unit development (PUD). The District, if established, currently intends to finance certain master infrastructure improvements including roads, water, sewer, stormwater management, recreational facilities, landscape/entry features, and professional fees.

SUBJECT AREA TO BE ADDRESSED: Establishment of the Madeira Community Development District.

SPECIFIC AUTHORITY: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 FS.

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

TIME AND DATE: 10:00 a.m. – 12:00 Noon, Thursday, February 16, 2006

PLACE: Room 2107, The Capitol, Tallahassee, Florida 32399-0001

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Barbara Leighty, (850)487-1884, at least two (2) business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jonathan T. Johnson, Hopping Green & Sams, P.A., Post Office Box 6526, Tallahassee, Florida 32314, (850)222-7500 or Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884

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

**DEPARTMENT OF ELDER AFFAIRS**

**Community Care for the Elderly**

RULE TITLE: Application Procedures  
 RULE NO.: 58C-1.004

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to develop minimum standards to exempt lead agencies from the required competitive bidding process.

SUBJECT AREA TO BE ADDRESSED: The establishment of minimum standards for the exemption of Community Care for the Elderly contracted providers from the competitive bid process.

SPECIFIC AUTHORITY: 430.08, 430.203(9)(b) FS.

LAW IMPLEMENTED: 430.203(9)(b) FS.

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

TIME AND DATE: 9:00 a.m. – 12:00 Noon, March 22, 2006

PLACE: State of Florida, Department of Elder Affairs, 4040 Esplanade Way, Conference Room 225F, Tallahassee, Florida 32399-7000

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jim Crochet, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000, e-mail: crocethj@elderaffairs.org

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE TITLE: Dental Services  
 RULE NO.: 59G-4.060

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the revised Florida Medicaid Dental Services Coverage and Limitations Handbook, January 2006. The handbook revisions include policy clarifications and a revised Medicaid Orthodontics Initial Assessment Form and Medicaid Behavioral Management Report Form. The effect will be to incorporate by reference in the rule the Florida Medicaid Dental Services Coverage and Limitations Handbook, January 2006.

SUBJECT AREA TO BE ADDRESSED: Dental Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908, 409.912 FS.

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

TIME AND DATE: 2:00 p.m., Tuesday, February 14, 2006

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room C, Tallahassee, Florida  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mary Cerasoli, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, (850)922-7328

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.060 Dental Services.

(1) No change.

(2) All dental services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Dental Services Coverage and Limitations Handbook, January 2006 2004, updated January 2005, and the Florida Medicaid Provider Reimbursement Handbook, Dental 111, October 2003, which are incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated by reference in Rule 59G-4.001, F.A.C. All handbooks are available from the Medicaid fiscal agent's website at <http://floridamedicaid.acs.inc.com>. Click on Provider Support, and then on Handbooks. Paper copies of the handbooks may be obtained by calling Provider Inquiry at (800)377-8216.

(3) The following forms ~~form~~ that are ~~is~~ included in the Florida Medicaid Dental Services Coverage and Limitations Handbook are ~~is~~ incorporated by reference: Medicaid Orthodontic Initial Assessment Form (IAF), January 2006 2005, five two pages, located in Appendix A; and the Medicaid Behavioral Management Report, January 2006, one page, located in Appendix F. The forms are ~~form~~ ~~is~~ available by photocopying them ~~#~~ from the handbook.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908, 409.912 FS. History—New 7-10-80, Amended 2-19-81, 10-27-81, 7-21-83, Formerly 10C-7.523, Amended 9-11-90, 11-3-92, Formerly 10C-7.0523, Amended 6-29-93, Formerly 10P-4.060, Amended 7-19-94, 7-16-96, 3-11-98, 10-13-98, 12-28-98, 6-10-99, 4-23-00, 4-24-01, 7-5-01, 2-20-03, 8-5-03, 1-8-04, 10-12-04, 6-28-05, \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE TITLE: Approved Forms, Division of Certified Public Accounting  
 RULE NO.: 61-6.024

PURPOSE AND EFFECT: This rule incorporates the existing Division of Certified Public Accounting forms utilized in professional and business licensing, licensing renewal, and licensure discipline.

SUBJECT AREA TO BE ADDRESSED: Adoption of the forms presently used by the Division of Certified Public Accounting.

SPECIFIC AUTHORITY: 455.213(1) FS.

LAW IMPLEMENTED: 120.52(15), 120.55(1)(a)4., 455.203, 455.213 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 program, please advise the Department at least 5 calendar days before the program by contacting: Gail Scott Hill, (850)922-0907. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Gail Scott Hill, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, FL 32399

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE TITLE: Approved Forms, Board of Architecture and Interior Design  
 RULE NO.: 61-6.025

PURPOSE AND EFFECT: This rule adopts existing Board of Architecture and Interior Design forms utilized in professional and business licensing, licensure renewal, and licensure discipline.

SUBJECT AREA TO BE ADDRESSED: The rule adopts Board of Architecture and Interior Design licensing forms.

SPECIFIC AUTHORITY: 455.213(1) FS.

LAW IMPLEMENTED: 120.52(15), 120.55(1)(a)4., 455.203, 455.213 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 program, please advise the Department at least 5 calendar days before the program by contacting: Gail Scott Hill, (850)922-0907. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Gail Scott Hill, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, FL 32399

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE TITLE: Approved Forms, Asbestos Consultants Unit  
 RULE NO.: 61-6.026

PURPOSE AND EFFECT: This rule incorporates the Asbestos Consultants Unit forms utilized in professional and business licensing, licensure renewal, and licensure discipline.

SUBJECT AREA TO BE ADDRESSED: The rule will adopt and incorporate by reference the Asbestos Consultants Unit forms.

SPECIFIC AUTHORITY: 455.213(1) FS.

LAW IMPLEMENTED: 120.52(15), 120.55(1)(a)4., 455.203, 455.213 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 program, please advise the Department at least 5 calendar days before the program by contacting: Gail Scott Hill, (850)922-0907. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Gail Scott Hill, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, FL 32399

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE TITLE: Approved Forms, Board of Athlete Agents  
 RULE NO.: 61-6.027

PURPOSE AND EFFECT: This rule incorporates the existing forms utilized in professional and business licensing, licensing renewal, and licensure discipline.

SUBJECT AREA TO BE ADDRESSED: The rule will adopt and incorporate by reference the Board of Athlete Agent forms.

SPECIFIC AUTHORITY: 455.213(1) FS.

LAW IMPLEMENTED: 120.52(15), 120.55(1)(a)4., 455.203, 455.213 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 program, please advise the Department at least 5 calendar days before the program by contacting: Gail Scott Hill, (850)922-0907. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Gail Scott Hill, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, FL 32399

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE TITLE: Approved Forms, Board of Auctioneers  
 RULE NO.: 61-6.028  
 PURPOSE AND EFFECT: This rule incorporates the Board of Auctioneer forms utilized in applications for professional and business licensing.  
 SUBJECT AREA TO BE ADDRESSED: The rule will adopt and incorporate by reference the Board of Auctioneer forms.  
 SPECIFIC AUTHORITY: 455.213(1) FS.  
 LAW IMPLEMENTED: 455.203, 455.213 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 program, please advise the Department at least 5 calendar days before the program by contacting: Gail Scott Hill, (850)922-0907. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Gail Scott Hill, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, FL 32399

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE TITLE: Approved forms, Barbers' Board  
 RULE NO.: 61-6.029  
 PURPOSE AND EFFECT: This rule incorporates the Barber's Board forms utilized in applications for professional and business licensing.  
 SUBJECT AREA TO BE ADDRESSED: The rule will adopt and incorporate by reference the Barber's Board forms.  
 SPECIFIC AUTHORITY: 455.213(1) FS.  
 LAW IMPLEMENTED: 455.203, 455.213 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 program, please advise the Department at least 5 calendar days before the program by contacting: Gail Scott Hill, (850)922-0907. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Gail Scott Hill, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, FL 32399

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE TITLE: Approved forms, Boxing Commission  
 RULE NO.: 61-6.030  
 PURPOSE AND EFFECT: This rule incorporates the Boxing Commission forms utilized in applications for professional and business licensing.  
 SUBJECT AREA TO BE ADDRESSED: The rule will adopt and incorporate by reference the Boxing Commission forms.  
 SPECIFIC AUTHORITY: 455.213(1) FS.  
 LAW IMPLEMENTED: 455.203, 455.213 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 program, please advise the Department at least 5 calendar days before the program by contacting: Gail

Scott Hill, (850)922-0907. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Gail Scott Hill, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, FL 32399

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE TITLE: Approved forms, Board of Building Code Administrators and Inspectors

RULE NO.:

61-6.031

PURPOSE AND EFFECT: This rule incorporates the Building Code Administrators and Inspectors forms utilized in applications for professional and business licensing.

SUBJECT AREA TO BE ADDRESSED: The rule will adopt and incorporate by reference the Building Code Administrators and Inspectors forms.

SPECIFIC AUTHORITY: 455.213(1) FS.

LAW IMPLEMENTED: 455.203, 455.213 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 program, please advise the Department at least 5 calendar days before the program by contacting: Gail Scott Hill, (850)922-0907. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Gail Scott Hill, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, FL 32399

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE TITLE: Approved Forms, Regulatory Council of Community Association Managers

RULE NO.:

61-6.032

PURPOSE AND EFFECT: This rule incorporates the Community Association Manager forms utilized in applications for professional and business licensing.

SUBJECT AREA TO BE ADDRESSED: The rule will adopt and incorporate by reference the Community Association Manager forms.

SPECIFIC AUTHORITY: 455.213(1) FS.

LAW IMPLEMENTED: 455.203, 455.213 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 program, please advise the Department at least 5 calendar days before the program by contacting: Gail Scott Hill, (850)922-0907. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Gail Scott Hill, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, FL 32399

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE TITLE: Approved Forms, Construction Industry Licensing Board

RULE NO.:

61-6.033

PURPOSE AND EFFECT: This rule incorporates the Construction Industry Licensing Board forms utilized in applications for professional and business licensing.

SUBJECT AREA TO BE ADDRESSED: The rule will adopt and incorporate by reference the Construction Industry Licensing Board forms.

SPECIFIC AUTHORITY: 455.213(1) FS.

LAW IMPLEMENTED: 455.203, 455.213 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 program, please advise the Department at least 5 calendar days before the program by contacting: Gail Scott Hill, (850)922-0907. If you are hearing or speech

impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Gail Scott Hill, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, FL 32399

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE TITLE: Approved Forms, Board of Cosmetology  
 RULE NO.: 61-6.034

PURPOSE AND EFFECT: This rule incorporates the Board of Cosmetology forms utilized in applications for professional and business licensing.

SUBJECT AREA TO BE ADDRESSED: The rule will adopt and incorporate by reference the Board of Cosmetology forms.

SPECIFIC AUTHORITY: 455.213(1) FS.

LAW IMPLEMENTED: 455.203, 455.213 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 program, please advise the Department at least 5 calendar days before the program by contacting: Gail Scott Hill, (850)922-0907. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Gail Scott Hill, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, FL 32399

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE TITLE: Approved Forms, Electrical Contractors' Licensing Board  
 RULE NO.: 61-6.035

PURPOSE AND EFFECT: This rule incorporates the Electrical Contractors' Licensing Board forms utilized in applications for professional and business licensing.

SUBJECT AREA TO BE ADDRESSED: The rule will adopt and incorporate by reference the Electrical Contractors' Licensing Board forms.

SPECIFIC AUTHORITY: 455.213(1) FS.

LAW IMPLEMENTED: 455.203, 455.213 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 program, please advise the Department at least 5 calendar days before the program by contacting: Gail Scott Hill, (850)922-0907. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Gail Scott Hill, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, FL 32399

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE TITLE: Approved Forms, Board of Employee Leasing Companies  
 RULE NO.: 61-6.036

PURPOSE AND EFFECT: This rule incorporates the Board of Employee Leasing Companies forms utilized in applications for professional and business licensing.

SUBJECT AREA TO BE ADDRESSED: The rule will adopt and incorporate by reference the Board of Employee Leasing Companies forms.

SPECIFIC AUTHORITY: 455.213(1) FS.

LAW IMPLEMENTED: 455.203, 455.213 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 program, please advise the Department at least 5 calendar days before the program by contacting: Gail Scott Hill, (850)922-0907. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Gail Scott Hill, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, FL 32399  
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE TITLE: Approved Forms, Board of Professional Geologists  
RULE NO.: 61-6.037

PURPOSE AND EFFECT: This rule incorporates the Board of Professional Geologists forms utilized in applications for professional and business licensing.

SUBJECT AREA TO BE ADDRESSED: The rule will adopt and incorporate by reference the Board of Professional Geologists forms.

SPECIFIC AUTHORITY: 455.213(1) FS.

LAW IMPLEMENTED: 455.203, 455.213 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 program, please advise the Department at least 5 calendar days before the program by contacting: Gail Scott Hill, (850)922-0907. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Gail Scott Hill, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, FL 32399

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE TITLE: Approved Forms, Board of Landscape Architecture  
RULE NO.: 61-6.038

PURPOSE AND EFFECT: This rule incorporates the Board of Landscape Architecture forms utilized in applications for professional and business licensing.

SUBJECT AREA TO BE ADDRESSED: The rule will adopt and incorporate by reference the Board of Landscape Architecture forms.

SPECIFIC AUTHORITY: 455.213(1) FS.

LAW IMPLEMENTED: 455.203, 455.213 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 program, please advise the Department at least 5 calendar days before the program by contacting: Gail Scott Hill, (850)922-0907. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Gail Scott Hill, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, FL 32399

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE TITLE: Approved Forms, Board of Pilot Commissioners, Pilotage Rate Review Board  
RULE NO.: 61-6.039

PURPOSE AND EFFECT: This rule incorporates the Harbor Pilots, Pilot Commission, and Pilotage Rate Review Board forms utilized in applications for professional and business licensing.

SUBJECT AREA TO BE ADDRESSED: The rule will adopt and incorporate by reference the Harbor Pilots, Pilot Commission, and the Pilotage Rate Review Board forms.

SPECIFIC AUTHORITY: 455.213(1) FS.

LAW IMPLEMENTED: 455.203, 455.213 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 program, please advise the Department at least 5 calendar days before the program by contacting: Gail Scott Hill, (850)922-0907. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Gail Scott Hill, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, FL 32399  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE TITLE: Approved Forms, Board of Surveyors and Mappers  
 RULE NO.: 61-6.040

PURPOSE AND EFFECT: This rule incorporates the Board of Surveyors and Mappers forms utilized in applications for professional and business licensing.

SUBJECT AREA TO BE ADDRESSED: The rule will adopt and incorporate by reference the Board of Surveyors and Mappers forms.

SPECIFIC AUTHORITY: 455.213(1) FS.

LAW IMPLEMENTED: 455.203, 455.213 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 program, please advise the Department at least 5 calendar days before the program by contacting: Gail Scott Hill, (850)922-0907. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Gail Scott Hill, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, FL 32399

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE TITLE: Approved Forms, Talent Agents  
 RULE NO.: 61-6.041

PURPOSE AND EFFECT: This rule incorporates the Talent Agent forms utilized in applications for professional and business licensing.

SUBJECT AREA TO BE ADDRESSED: The rule will adopt and incorporate by reference the Talent Agent forms.

SPECIFIC AUTHORITY: 455.213(1) FS.

LAW IMPLEMENTED: 455.203, 455.213 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 program, please advise the Department at least 5 calendar days before the program by contacting: Gail Scott Hill, (850)922-0907. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Gail Scott Hill, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, FL 32399

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE TITLE: Approved Forms, Board of Veterinary Medicine  
 RULE NO.: 61-6.042

PURPOSE AND EFFECT: This rule incorporates the Board of Veterinary Medicine forms utilized in applications for professional and business licensing.

SUBJECT AREA TO BE ADDRESSED: The rule will adopt and incorporate by reference the Board of Veterinary Medicine forms.

SPECIFIC AUTHORITY: 455.213(1) FS.

LAW IMPLEMENTED: 455.203, 455.213 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 program, please advise the Department at least 5 calendar days before the program by contacting: Gail Scott Hill, (850)922-0907. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Gail Scott Hill, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, FL 32399

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE TITLE: Fees  
 RULE NO.: 61-20.504

PURPOSE AND EFFECT: The Board proposes the amendment to the rule to update processing fees.

SUBJECT AREA TO BE ADDRESSED: Fees.

SPECIFIC AUTHORITY: 468.4315, 943.053 FS.

LAW IMPLEMENTED: 455.2171, 455.219(3),(6), 455.2281, 455.271, 468.4315(2), 468.433, 468.433, 468.435, 943.053 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: Anthony Spivey, Executive Director, Regulatory Council of Community Association Managers, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Pilot Commissioners**

RULE TITLE: Percentage of Gross Pilotage Assessed  
 RULE NO.: 61G14-19.001

PURPOSE AND EFFECT: The Board proposes the amendment to reduce the percentage of gross pilotage assessed.

SUBJECT AREA TO BE ADDRESSED: Percentage of gross pilotage.

SPECIFIC AUTHORITY: 310.131, 310.185 FS.

LAW IMPLEMENTED: 310.131 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: Robyn Barineau, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G14-19.001 Percentage of Gross Pilotage Assessed.

(1) The Department of Business and Professional Regulation shall assess the pilots in the respective ports of the state ~~one tenth twenty five hundredths~~ of one percent (.1%) ~~(.25%)~~ of the gross amount of pilotage earned by said pilots during each year. For the purposes of said assessment, the gross amount of pilotage earned shall be the amount of money collected by each pilot or by each entity of which the pilot is a member for piloting which shall include and not be limited to payment for piloting vessels to and from ports of this state, docking or undocking vessels, shifting vessels, running lines, delivering orders at sea, cancelled orders, boat service, detention, pilots being carried to sea, anchoring vessels, and any other related services rendered. Funds collected due under this are to be made payable to the Board and paid by the fifteenth of the following month. When received, the funds are paid into the Professional Regulation Trust Fund as created within the Department.

(2) No change.

THIS RULE SHALL TAKE EFFECT MAY 1, 2006.

Specific Authority 310.131, 310.185 FS. Law Implemented 310.131 FS. History—New 2-5-76, Amended 1-19-77, 1-1-78, 12-7-78, 11-1-81, 6-8-82, 8-9-82, 7-31-83, Formerly 21SS-3.01, Amended 5-30-89, 2-19-90, 12-30-91, 12-2-92, Formerly 21SS-3.001, 21SS-19.001, Amended 3-20-94, 1-5-95, 1-30-96, 3-17-96, 11-21-96, 8-25-97, 1-26-99, 1-31-01, 8-1-02, 7-8-03, 2-17-05, 10-2-05, 2-1-06, 5-1-06.

**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**

**Board of Dentistry**

RULE TITLE: Definitions  
 RULE NO.: 64B5-14.001

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Definitions.

SPECIFIC AUTHORITY: 466.004(4), 466.017(3) FS.

LAW IMPLEMENTED: 466.017(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 IS: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLES:	RULE NOS.:
Notice of Noncompliance	64B8-30.013
Citation Authority	64B8-30.014

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address both the first-time failure and subsequent failure to report a changes in supervisors for physician assistants.

SUBJECT AREA TO BE ADDRESSED: Notice of Noncompliance and citation for failure to report changes in supervisors.

SPECIFIC AUTHORITY: 456.073(3), 456.077, 458.309, 458.347(7)(g),(12) FS.

LAW IMPLEMENTED: 456.073(3), 456.077, 458.331, 458.347(7)(g),(12) 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: Larry McPherson, 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:

64B8-30.013 Notice of Noncompliance.

(1) through (2) No change.

(3) The following violations are those for which the board authorizes the Department to issue a notice of noncompliance:

(a) No change.

(b) Violating any of the following provisions of Chapter 458, F.S., as prohibited by Sections 458.347(7)(g) and 458.331(1)(x), F.S.:

1. through 2. No change.

3. Failure to timely notify the Department of a change of supervision (addition or deletion of a supervisor) (Section 458.347(7)(e), (g), F.S.)

Specific Authority 456.073(3), 458.309, 458.347(7)(g),(12) FS. Law Implemented 456.073(3), 458.331, 458.347(7)(g),(12) FS. History—New 3-3-02, Amended \_\_\_\_\_.

64B8-30.014 Citation Authority.

In lieu of the disciplinary procedures contained in Section 456.073, F.S., the offenses enumerated in this rule may be disciplined by the issuance of a citation. The citation shall include a requirement that the licensee correct the offense, if possible, within a specified period of time, impose whatever obligations will correct the offense, and impose the prescribed penalty.

(1) through (2) No change.

(3) The following violations with accompanying penalty may be disposed of by citation with the specified penalty:

VIOLATIONS	PENALTY
(a) through (f) No change.	
(g) <del>Second failure</del> Failure to report to the Department of addition/deletion/change of supervising physician(s) <u>within 30 days after the change is made.</u>	\$ 250 fine per supervising physician
(Section 456.035, F.S.)	
(Section 458.331(1)(g), F.S.)	
(Section 458.347(7)(e), (g), F.S.)	

(h) through (i) No change.

(4) through (5) No change.

Specific Authority 456.077, 458.309, 458.347(7)(g),(12) FS. Law Implemented 456.077, 458.331, 458.347(7)(g),(12) FS. History—New 3-3-02, Amended 5-19-03, 11-17-03, 5-4-04, 12-12-05, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE:	RULE NO.:
Fees for Application, Examination, Examination Review and Initial Licensure	64B8-51.007

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address the adjustment of various fees.

SUBJECT AREA TO BE ADDRESSED: Adjustment of fees.

SPECIFIC AUTHORITY: 456.064, 478.55(1) FS.

LAW IMPLEMENTED: 456.017, 456.064, 478.55 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: Susan Love, Executive Director, Electrolysis Council, 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 Osteopathic Medicine**

RULE TITLES: RULE NOS.:

Notice of Noncompliance 64B15-6.0105

Citation Authority 64B15-6.01051

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address both the first-time failure and subsequent failure to report a changes in supervisors for physician assistants.

SUBJECT AREA TO BE ADDRESSED: Notice of Noncompliance and citation for failure to report changes in supervisors.

SPECIFIC AUTHORITY: 456.073(3), 456.077, 459.005, 459.022(7)(f),(12) FS.

LAW IMPLEMENTED: 456.073(3), 456.077, 459.015, 459.022(7)(f),(12) 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: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B15-6.0105 Notice of Noncompliance.

(1) through (2) No change.

(3) The following violations are those for which the board authorizes the Department to issue a notice of noncompliance:

(a) No change.

(b) Violating any of the following provisions of Chapter 459 458, F.S., as prohibited by Sections 459.022(7)(f) and 459.015(1)(bb), F.S.:

1. through 2. No change.

3. Failure to timely notify the Department of a change of supervision (addition or deletion of a supervisor) (Section 459.022(7)(d), (f), F.S.)

Specific Authority 456.073(3), 459.005, 459.022(7)(f),(12) FS. Law Implemented 456.073(3), 459.015, 458.347(7)(f),(12) FS. History—New 3-10-02, Amended \_\_\_\_\_.

64B15-6.01051 Citation Authority.

In lieu of the disciplinary procedures contained in Section 456.073, F.S., the offenses enumerated in this rule may be disciplined by the issuance of a citation. The citation shall include a requirement that the licensee correct the offense, if possible, within a specified period of time, impose whatever obligations will correct the offense, and impose the prescribed penalty.

(1) through (2) No change.

(3) The following violations with accompanying penalty may be disposed of by citation with the specified penalty.

VIOLATIONS	PENALTY
(a) through (f) No change.	
(g) <u>Second failure</u> <del>Failure</del> to report to the Department of addition/deletion/change of supervising physician(s) <u>within 30 days after the change is made.</u>	\$ 250 fine per supervising physician
(Section 456.035, F.S.)	
(Section 459.015(1)(g), F.S.)	
(Section 459.022(7)( <u>d</u> ), ( <u>f</u> ) <del>(e)</del> , ( <u>g</u> ), F.S.)	

(h) through (i) No change.

(4) through (5) No change.

Specific Authority 456.077, 459.005, 459.022(7)(f),(12) FS. Law Implemented 456.077, 459.015, 459.022(7)(f),(12) FS. History—New 3-10-02, Amended 1-12-04, 5-4-04, 12-12-05, \_\_\_\_\_.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

RULE CHAPTER TITLE: RULE CHAPTER NO.:

General Provisions 68-1

RULE TITLE: RULE NO.:

Standards 68-1.006

PURPOSE AND EFFECT: The purpose of the proposed rule is to create standards to guide Commission rulemaking relating to fishing and hunting. The effect of the new rule is to inform the public as to the principles behind the Commission's rules to safeguard Florida's fish and wildlife resources.

SUBJECT AREA TO BE ADDRESSED: The subject to be addressed is standards guiding the Commission's rulemaking relating to fishing and hunting.

SPECIFIC 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 calendar days before the workshop/meeting by contacting: ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.



THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68-1.006 Standards.

The Fish and Wildlife Conservation Commission adopts the following standards to guide rulemaking relating to hunting and fishing:

(1) The paramount objective of rulemaking relating to hunting and fishing shall be the management of the fish and wildlife resources of this state for their long-term well-being and for the benefit of people.

(2) Rulemaking shall be based upon the best information available, including biological, sociological, economic, and other information deemed relevant by the Commission.

(3) The biological basis for rulemaking should include but not be limited to stock assessments, biological surveys, management plans or other science-based studies or information.

(4) With respect to harvested populations, rulemaking should permit reasonable means and quantities of harvest, consistent with optimum sustainable populations. Optimum sustainable populations shall mean the highest degree of population productivity within available habitat to sustain fish and wildlife for the long term use or enjoyment of people.

(5) When possible and practicable, populations will be managed as a biological unit. A biological unit shall mean a species or subspecies of fish or wildlife within their dependent habitat or ecosystem.

(6) Conservation and management decisions shall be derived through processes which are fair and accessible to all the people of the state and which are consistent with the procedures in Rule 68-1.001, F.A.C.

(7) When applicable, federal fish and wildlife management plans and management plans of other states or interstate commissions should be considered when developing state hunting and fishing rules.

(8) This rule is effective on July 1, 2006 and shall apply to rules and rule amendments relating to hunting and fishing proposed thereafter.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New \_\_\_\_\_

Section II  
Proposed Rules

**DEPARTMENT OF COMMUNITY AFFAIRS**

**Division of Housing and Community Development**

RULE CHAPTER TITLE: Florida Small Cities Community

RULE CHAPTER NO.: 9B-43

Development Block Grant Program 9B-43

RULE TITLES: RULE NOS.:

Definitions 9B-43.003

Definitions 9B-43.0031

Eligible Applicants 9B-43.004

Application and Administrative Requirements 9B-43.0041

Application Criteria 9B-43.005

Grant Administration and Project

Implementation 9B-43.0051

Application Procedures for All Categories 9B-43.006

Emergency Set-aside Assistance 9B-43.0061

Scoring System 9B-43.007

Section 108 Loan Guarantee Program 9B-43.0071

Program Requirements for Housing 9B-43.009

Program Requirements for Neighborhood

Revitalization 9B-43.010

Program Requirements for Economic

Development 9B-43.012

Program Requirements for Commercial

Revitalization 9B-43.013

General Grant Administration of All Categories 9B-43.014

PURPOSE AND EFFECT: To incorporate 2005 legislative changes, reorganize the rules and provide clarification of the rule chapter.

SUMMARY: Rule Chapter 9B-43, F.A.C., has been revised to make it more user-friendly, and to eliminate duplicative information found in the application manual, federal regulation and state statute. The rule is now a concise document that is easier to follow. The application manual(s) that is incorporated by reference is also being streamlined and consolidated into one document.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Cost has been prepared. However, the rule revisions will not have a financial impact on the State of Florida or any local government served by the Florida Small Cities CDBG Program. The only costs associated with the rule revision are those related to the public meetings being conducted.

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.