

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

DATE AND TIME: Thursday, November 2, 2006, 9:30 a.m.
 PLACE: Room 139, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kandi Winters @ (850)413-3162 If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kandi Winters, Chief of Deferred Compensation, Division of Treasury, Bureau of Deferred Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0346, (850)413-3162

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69C-6.003 The Plan; Prescribed Forms.

(1) Form DFS-J3-1176 (Eff.), State of Florida Employees Deferred Compensation Plan, is hereby established and incorporated into this rule by reference as the plan contemplated in Section 112.215, F.S.

(2) through (4) No change.

Specific Authority 112.215(12) FS. Law Implemented 112.215 FS. History—New 1-1-87, Amended 10-7-87, 2-14-88, 2-19-89, 6-21-89, 8-7-95, 9-21-98, 6-11-02, Formerly 4C-6.003, Amended 8-26-04, 2-21-05, 7-9-06,_____.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-207.003 RULE TITLE: Forms Incorporated by Reference

PURPOSE AND EFFECT: To adopt forms for use by specialty insurers for filings with the Office.

SUBJECT AREA TO BE ADDRESSED: Adoption of forms.

SPECIFIC AUTHORITY: 624.308(1) FS.

LAW IMPLEMENTED: 624.307(1), 626.8805, 626.9912, 626.9913, 626.99175, 627.829, 628.4615, 634.031, 634.061, 634.303, 634.304, 634.3073, 634.407, 641.405, 642.021 FS.

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

DATE AND TIME: November 9, 2006, 9:30 a.m.

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sandra DuPont, Specialty Product Administration, Office of Insurance Regulation, E-mail: Sandra.DuPont@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sandra DuPont, Specialty Product Administration, Office of Insurance Regulation, E-mail: Sandra.DuPont@fldfs.com.

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

**Section II
Proposed Rules**

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Building Commission

RULE CHAPTER NO.: 9B-60	RULE CHAPTER TITLE: Florida Building Energy Rating System
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RULE NOS.: 9B-60.002 9B-60.003 9B-60.004 9B-60.005 9B-60.007 9B-60.008	RULE TITLES: Definitions Department Activities Florida Building Energy Rating System, Adopted Training and Certification Program Florida Building Energy Rating System, Existing Public Buildings RESNET Standards, Adopted
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PURPOSE, EFFECT AND SUMMARY: Section 553.992, Part XI, F.S., requires the Department of Community Affairs (the Department) to update the Building Energy-Efficiency Rating System in accordance with the procedures of Chapter 120, F.S. Section 553.995(2), F.S., requires the BERS program to be compatible with standard federal rating systems and state building codes and standards, where applicable. The proposed rule changes coincide with changes made to the national standard governing home energy rating systems. Updating to this standard allows Florida to maintain its accreditation with the National Association of State Energy Officials (NASEO), which has positioned itself to provide certifications for buildings whose owners wish to claim federal tax credits from the Internal Revenue Service.

Although the effect of upgrading to a new computer program initially causes a divergence between the BERS program and Florida's energy code, both the energy code and the BERS rating reports provide information required by Section 553.902, F.S.: levels of insulation, the amount and type of glass, and the HVAC and water heating system efficiencies. Efforts to ameliorate this divergence in compliance tools include a translation program to take code compliance files and transfer the information to the BERS program, and a proposal to upgrade the energy code to the EnergyGauge USA program during the 2007 code update cycle. The EPL Display Card referenced in Section 553.9085, F.S., currently utilizes an Estimated Energy Performance Score, which mimics the current Class 3 BERS rating. This "score" will be maintained until the code is changed.

The revised standard proposed as a change to Rule 9B-60.008, F.A.C., the 2006 Mortgage Industry National Home Energy Rating Systems Standards (HERS), amended November 7, 2005, requires the following additional changes to the program. These changes are reflected in the proposed revisions to Chapter 9B-60, F.A.C.:

The HERS Score is changed to a HERS Index with the Reference Standard for a home becoming a ratio when compared to the Design home.

The ratings will no longer be based on the Florida energy code because the computer program used to calculate energy code compliance is not capable of meeting the new National HERS Standards. Rather, the program will utilize the EnergyGauge USA program, which meets the new Standards.

Class 1 raters will be required by the Standards to pass the RESNET National Core Exam. Recertification of raters will no longer require peer review and reevaluation.

Reporting of ratings will be via website upload.

A Form 300 request was made during the Rule Development process to clarify that sampling is not an acceptable rating procedure in Florida, which is incorporated into subsection 9B-60.004(2), F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was 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.

SPECIFIC AUTHORITY: 553.992, 553.994, 553.998 FS.

LAW IMPLEMENTED: 553.992, 553.995, 553.995(1), (1)(c), (4), 553.996 FS.

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

DATE AND TIME: November 8, 2006, 9:30 a.m.

PLACE: Randall Kelly Training Room, Third Floor, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

Any person requiring special accommodations at the workshop because of a disability or physical impairment should contact: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824, at least seven days before the date of the workshop. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ann Stanton, Building Codes Analyst, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-0964, SunCom 278-0964

THE FULL TEXT OF THE PROPOSED RULES IS:

9B-60.002 Definitions.

For the purpose of this chapter, the following words, unless the context does not permit such meaning, shall have the meanings indicated:

(1) through (19) No change.

(20) HERS Rating – An audit and computer-generated performance evaluation of a home conducted in accordance with Rule 9B-60.004, F.A.C., of this chapter and resulting in a HERS Index Score.

(21) HERS Index Score – The numerical rating for a home with a value between 0 and 100 where a value of 0 ~~100~~ indicates that the home uses no purchased energy for heating, cooling, ~~and~~ hot water, lighting and appliances, and a value of 100 ~~80~~ indicates that the home has the same energy use for heating, cooling, ~~and~~ hot water, lighting and appliances as the Reference Home ~~reference home~~ established by the 2006 Mortgage Industry National Home Energy Rating Systems Accreditation Standards.

Specific Authority 553.992 FS. Law Implemented 553.992, 553.995 FS. History—New 7-1-94, Amended 1-11-95, 12-27-98, 11-28-04,

9B-60.003 Department Activities.

(1) No change.

(2) Within three (3) years of the date of adoption of the rating system, and at least triennially thereafter in conjunction with the triennial review of Chapter 13 of the Florida Building Code, Building (the Code), the Department shall review the energy rating system program criteria and the calculation tools used in common by both the BERS and the Code that are adopted herein to determine the need for revision or modification. The residential rating system methodology is based on Method A of Sub-Chapter 6 of Chapter 13 of the Code, while the commercial rating system methodology is based on Method A of Sub-Chapter 4 of the Code. At a minimum, the Department shall update the rating system by

adopting modifications to the current editions of the Code and ~~Attachment 1 to the 2006 Mortgage Industry National Home Energy Rating Systems Accreditation Standards (the National Home Energy Rating Technical Guidelines)~~ promulgated by ~~the Residential Energy Services Network and the National Association of State Energy Officials~~. Copies of the 2006 Mortgage Industry National Home Energy Rating Systems Standards Code and the National Home Energy Rating Technical Guidelines are available at the website <http://www.resnet.us/standards/RESNETStandards-2006.pdf> or from the Florida Department of Community Affairs, Building Codes and Standards Office, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

(3) Any person may submit recommendations for proposed revisions or modifications to the rating system to the Department for consideration. Such proposed revisions and modifications shall be submitted in writing on Department of Community Affairs' Form #300, incorporated herein by reference, effective July 1, 1994. Copies of this form are available by writing to the Department of Community Affairs, Building Energy Rating System Program, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100. Such proposals shall include the date of submittal, an identification of the submitter, identification of the section of the rating system to be revised, the new proposed language, a justification or reason for the change, and anticipated financial impacts of the change. The Department shall conduct a public hearing(s) in accordance with the requirements of Chapter 120, F.S.

(4) The Department shall develop, maintain and make available, at no cost to the prospective purchaser, a Building Energy Rating System disclosure information brochure to be provided to the prospective purchaser.

Specific Authority 553.992, 553.998 FS. Law Implemented 553.992, 553.996 FS. History—New 7-1-94, Amended 12-27-98, 11-28-04,_____.

9B-60.004 Florida Building Energy Rating System, Adopted.

(1) No change.

(2) The home energy rating (HERS rating) for residential buildings shall be determined using only EnergyGauge® USA, version 2.5, ~~the Florida Residential Building Energy Rating System software (EnergyGauge/ResFREE, Version 3), which produces the Florida Building Energy Rating Guide forms: Form #11A-01 for the North climate zone, Form #11B-01 for the Central climate zone, and Form #11C-01 for the South climate. The rating system software (EnergyGauge/ResFree, Version 3) that produces these forms is hereby incorporated by reference.~~ Confirmed HERS ratings shall be specific to one residence; sampling is not an acceptable procedure for ratings in Florida. Air distribution system testing for Class 1 ratings shall be performed in accordance with Annex B and Annex C of BSR/ASHRAE Standard 152-04, "Method of Test for

Determining the Design and Seasonal Efficiency of Residential Thermal Distribution Systems." A Class 3 rating shall be clearly labeled as a "projected rating based on plans."

(3) No change.

(4) The energy rating for public and commercial buildings shall be determined using only the Florida Commercial Building Energy Rating System software (EnergyGauge/ComFREE, Version 2 ~~4~~) which produces the Florida Building Energy Rating Guide forms: Form #12A-01 for the North climate zone, Form #12B-01 for the Central climate zone and Form #12C-01 for the South climate zone. The Florida Commercial Building Energy Rating System software (EnergyGauge/ComFREE, Version 2 ~~4~~) is hereby incorporated by reference. Public buildings owned or leased by state agencies and units of local government that are governed by Section 255.254, F.S., may utilize this rating system as one of the annual energy usage and cost by methods approved by those agencies.

(5) No change.

Specific Authority 553.992 FS. Law Implemented 553.994, 553.995(1) FS. History—New 7-1-94, Amended 10-3-94, 1-11-95, 12-27-98, 11-28-04,_____.

9B-60.005 Training and Certification Program.

(1) General Provisions.

(a) Beginning with the implementation date of this rule, no person may provide a rating for buildings in Florida unless such a person has been certified as provided by this part. To perform a rating for any building as required by this rule, the person performing the rating must be certified by the Department of Community Affairs. In accordance with Section 102.13.6 of the 2006 Mortgage Industry National Home Energy Rating Systems Standards, Chapter 1, Section 4.C.6 of the "National Accreditation Procedures for Home Energy Rating Systems," a Florida Certified Rater who has a financial or other interest resulting from the energy Rating results (including any recommended improvements resulting from the Rating) shall provide written disclosure of the nature of the financial or other interest to the owner of the property being rated utilizing Form 11D-01, Interest Disclosure Form.

(b) Certification will be valid for one (1) year following the date of issuance. No rating activity shall be conducted after the expiration of the term of certification. A duplicate certificate may be obtained by written request to the Department.

(c) An application for annual certification renewal shall be submitted on Form 500B-01, herein incorporated by reference, with a renewal fee of \$50. In addition to the annual renewal fee, a certified residential rater must, over a three year period, have completed twelve credit hours of continuing education in courses accepted by the Department for certification renewal. Acceptable courses shall, in general, be those dealing with energy use in buildings and building systems (including

heating, ventilating and air conditioning), building design or construction, codes or plan review, financing or selling buildings, and courses on energy rating systems.

(2) The following qualifications, at a minimum, are required for certification as a rater:

(a) The individual shall submit an application on the Department of Community Affairs Form #500A-01, herein incorporated by reference, and pay the appropriate application fee of \$150.00. The form is available by writing to the Department of Community Affairs, Energy Rating System Program, 2555 Shumard Oak Blvd, Tallahassee, Florida 32399-2100.

(b) Individuals applying for certification as raters for new residential (Class 3), public and commercial buildings shall attend a training program provided by the Department or its designee and shall demonstrate achievement of a level of knowledge and proficiency so as to successfully rate buildings by passing Department tests specific to the type of building rated for certification. Individuals may also qualify for Class 3 certification without attending the Class 3 training program by passing a Class 3 challenge test. Individuals applying for certification as Class 2 raters for residential buildings, in addition to the above certification requirements, shall attend a Class 2 training program provided by the Department and shall demonstrate achievement of a level of knowledge and proficiency so as to successfully perform residential energy audits to rate existing residential buildings by passing a Department test specific to Class 2 certification. Individuals may also qualify for Class 2 certification without attending the Class 2 training program by passing a Class 2 challenge test. Individuals applying for certification as Class 1 raters for residential buildings shall demonstrate having the same stated requirements as Class 2 raters, shall attend a Class 1 training program provided by the Department and shall demonstrate achievement of a level of knowledge and proficiency so as to successfully perform residential performance tests by passing a Department test specific to Class 1 certification. Individuals may also qualify for Class 1 certification without attending the Class 1 training program by passing a Class 1 challenge test. In addition, a Class 1 rater candidate must complete five Class 1 ratings under the supervision of a certified Class 1 rater in order to obtain a Class 1 certification as well as pass the RESNET National Core Exam. Individuals applying for certification as raters of existing commercial buildings, in addition to the requirements stated above for new commercial buildings, shall demonstrate certification as an energy auditor from a recognized commercial energy auditing program or have at least one year of experience performing a minimum of fifteen commercial energy audits.

(c) The rates for providing building ratings shall be as follows: for Class 3 new residential building ratings, \$25.00 above those charges for providing Energy Code compliance calculations, or no more than the actual cost of conducting the

rating, whichever is greater; for Class 2 residential building ratings, \$75.00 above those charges for providing the energy audit, or no more than the actual cost of conducting the rating, whichever is greater; for Class 1 residential building ratings, \$125.00 above those charges for providing the energy audit and performance tests, or no more than the actual cost of conducting the rating, whichever is greater; for new public and new commercial buildings which must comply with the Energy Code, \$50.00 above those charges for providing Energy Code compliance calculations, or no more than the actual cost of conducting the rating, whichever is greater; for those new public buildings which are exempt from Energy Code compliance, \$200.00 may be charged, or no more than the actual cost of conducting the rating whichever is greater; and for existing commercial buildings, \$100.00 above those charges for performing the energy audit, or no more than the actual cost of conducting the rating, whichever is greater.

(d) No certification shall be approved unless the applicant demonstrates to the Department that the following conditions are met: the applicant has not been found to be in violation of Part XI, Chapter 553, F.S., or this rule chapter; the applicant has filed an accurate and complete application with the application fee describing compliance with the relevant certification requirements; the applicant is capable of performing the activities for which he/she is seeking certification; the applicant has not shown a lack of ability or intention to comply with Part XI, Chapter 553, F.S., or this rule chapter, or has not been unable or unwilling to conduct Energy Code compliance related activities forthrightly and honestly with his/her clients. Decertification shall be in accordance with procedures for revoking licenses of Chapter 120, F.S.

(e) Recertification is required within six months of the effective date of major revisions to Chapter 13 of the Florida Building Code, Building, or at least every three years from the rater's last date of certification. For recertification, the applicant shall attend training on changes impacting the rating system provided by the Department of Community Affairs and demonstrate achievement of a level of knowledge and proficiency so as to successfully rate buildings by passing a Department test applicable to the buildings being rated. The fee for recertification shall be the annual certification renewal fee. In addition to the written test, Class 1 residential raters shall be required to satisfactorily demonstrate performance testing skills necessary to perform a Class 1 rating as part of the recertification as well as at the time of training and testing. ~~Class 1 residential raters shall be required to satisfactorily perform and complete one Class 1 rating, accompanied and evaluated by another randomly chosen Class 1 rater, as a requirement for recertification and to comply with Attachment 1 of the Mortgage Industry National Accreditation Procedures for Home Energy Rating Systems (the National Home Energy Rating Technical Guidelines) requirement for periodic peer review and reevaluation of raters. Class 1 raters shall also be required to serve as a Class 1 peer evaluator at least once~~

within three years before being recertified. These regulations in no way exempt any person from other state and local occupational licensure requirements. Any rater who fails to pass the recertification test in his or her rating classification shall be required to attend a refresher course approved by the Department of Community Affairs and retake the test. Until the rater can demonstrate his/her ability to perform ratings in his/her classification, registration of ratings by the rater shall be prohibited.

(3) Reporting Requirements. Certified raters shall submit all ratings to the Department in care of the Florida Solar Energy Center, 1679 Clearlake Road, Cocoa, FL 32920 via the website upload at: <http://dbase.fsec.ucf.edu/pls/enuage/rating.home>. in electronic format, either via electronic mail (e-mail) or on 3 1/2 " diskette.

(a) The Florida Solar Energy Center shall maintain an electronic database that can be queried by the public to verify that a BERS Rating has been registered for a specific real property.

(b) Upon request and if authorized by the homeowner or his/her agent, the Florida Solar Energy Center may provide a registered BERS Rating report from the electronic database to a homeowner, or prospective home purchaser, for a fee.

(4) A written report shall be provided to the purchaser of real property or that individual who requested the rating. Such report shall include the Florida Building Energy Rating report and the following:

(a) A completed copy of the Florida Building Energy Rating Guide (Form #11-01 or Form #12-01);

(b) The certified rater's signature, typed or printed name and certification number;

(c) The date that the rating was completed;

(d) The statement: "This notice is provided to you by an individual certified by the Florida Department of Community Affairs to perform a building energy rating evaluation. Any questions, comments, or complaints regarding the person or agency performing this service may be directed to the Florida Department of Community Affairs, Building Energy Rating System Program, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, or the Florida Solar Energy Center, 1679 Clearlake Road, Cocoa, FL 32920. The Department or the Florida Solar Energy Center may request the owner's permission in the future to conduct a quality assurance review of this rating;" and

(e) The disclosure form printed from [EnergyGauge@USA, version 2.5](#) the EnergyGaugeRes/Free program (Form No. 11D-01).

Specific Authority 553.992 FS. Law Implemented 553.995(4) FS. History--New 7-1-94, Amended 10-3-94, 1-11-95, 12-27-98, 11-28-04,_____.

9B-60.007 Florida Building Energy Rating System, Existing Public Buildings.

(1) through (2) No change.

(3) The energy rating for existing public buildings shall be determined using the Florida Commercial Building Energy Rating System software (EnergyGauge/ComFREE 97, Version 2-2) in accordance with Rule 9B-60.004, F.A.C. Public buildings owned or leased by state agencies and units of local government governed by Section 255.254, F.S., may utilize this rating system as one of the annual energy usage and cost methods approved by those agencies.

(4) No change.

Specific Authority 553.992 FS. Law Implemented 553.991, 553.993, 553.994, 553.995, 553.997, 553.998 FS. History--New 7-21-94, Amended 12-27-98,_____.

9B-60.008 RESNET Standards Guidelines for Uniformity, Adopted.

The 2006 Mortgage Industry National Home Energy Rating Systems Accreditation Standards, amended November 7, 2005, promulgated by the Residential Energy Services Network (RESNET) and the National Association of State Energy Officials, ~~June 15, 2002~~, are adopted and incorporated by reference as the rule of this Department.

Specific Authority 553.992 FS. Law Implemented 553.995(1)(c) FS. History--New 12-27-98, Amended 11-28-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ann Stanton, Building Codes Analyst, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-0964, SunCom 278-0964

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ila Jones, Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 22, 2006

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.: RULE CHAPTER TITLE:

14-15 Incorporation by Reference

RULE NO.: RULE TITLE:

14-15.0081 Toll Facilities Description and Toll Rate Schedule

PURPOSE AND EFFECT: The Florida Department of Transportation, Florida's Turnpike Enterprise is proposing to convert the existing N.W. 106th Interchange located on the Homestead Extension of Florida's Turnpike (HEFT) at MP 34 to a SunPass-Only interchange. Tolls at this interchange are currently collected using SunPass or cash collection methods. The project is located in Miami-Dade County. Tolls are proposed to be collected from vehicles accessing to and

from the north. Section 338.155(1), Florida Statutes, does not permit the use of the State's toll facilities without paying a toll. The existing cash rate for payment of the toll at this interchange is being deleted from the Toll Rate Schedule. The SunPass rate for payment of the toll at this interchange is not being changed by this amendment.

SUMMARY: The Florida Department of Transportation, Florida's Turnpike Enterprise is proposing to convert the existing NW 106th interchange located on the HEFT at MP 34 to a SunPass-Only interchange. Tolls at this interchange are currently collected using either SunPass or cash collection methods. The project is located in Miami-Dade County. Tolls are proposed to be collected from vehicles accessing to and from the north.

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.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Thursday, November 16, 2006, Informal Open House 5:30 p.m. – 6:30 p.m. Public Hearing begins at 6:30 p.m.

PLACE: City of Hialeah Gardens Commission Chambers, 10001 N.W. 87th Avenue, Hialeah, Florida 33016

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE 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 FULL TEXT OF THE PROPOSED RULE IS:

14-15.0081 Toll Facilities Description and Toll Rate Schedule.

The Toll Facilities Description and Toll Rate Schedule, adopted November 15, 1987, and amended on February 8, 1988, August 1, 1988, February 2, 1989, May 10, 1989, July 1, 1991, August 1, 1991, November 6, 1991, July 11, 1993, November 28, 1993, September 18, 1994, June 6, 1995, July 9, 1995, January 1, 1996, March 31, 1996, April 28, 1996, June 2, 1996, July 28, 1996, September 23, 1997, November 24, 1997, February 12, 1998, June 30, 1998, July 29, 1998, January 6, 1999, February 9, 1999, April 29, 1999, June 21, 1999, September 4, 2001, March 26, 2002, April 10, 2003, October 1, 2003, December 11, 2003, March 7, 2004, May 20, 2004, November 1, 2005, February 5, 2006, July 27, 2006, October 26, 2006, and _____, is hereby incorporated by this rule and made a part of the rules of the Department. Copies of this

Department of Transportation Toll Facilities Description and Toll Rate Schedule and any amendments thereto are available at no more than cost.

Specific Authority 334.044(2), 338.155(1) FS. Law Implemented 338.222, 338.231, 338.155 FS. History—New 11-15-87, Amended 2-8-88, 8-1-88, 2-2-89, 5-10-89, 7-1-91, 8-1-91, 11-6-91, 7-11-93, 11-28-93, 9-18-94, 6-6-95, 7-9-95, 1-1-96, 3-31-96, 4-28-96, 6-2-96, 7-28-96, 9-23-97, 11-24-97, 2-12-98, 6-30-98, 7-29-98, 1-6-99, 2-9-99, 4-29-99, 6-21-99, 9-4-01, 3-26-02, 4-10-03, 10-1-03, 12-11-03, 3-7-04, 5-20-04, 11-1-05, 2-5-06, 7-27-06, 10-26-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: James Ely, Executive Director, Florida's Turnpike Enterprise

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Denver J. Stutler, Jr., P.E., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 2, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 18, 2006

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

PUBLIC SERVICE COMMISSION

DOCKET NO. 060607-TP

RULE NO.: 25-4.0665 **RULE TITLE:** Lifeline Service

PURPOSE AND EFFECT: To adopt rules to administer the Lifeline service program.

SUMMARY: Requires eligible telecommunications carriers to provide notice of the impending termination of Lifeline service; sets forth the information that must be contained in that notice; and sets forth a procedure for reinstating Lifeline service to those subscribers who provide proof of continued eligibility for Lifeline service subsequent to the termination of the Lifeline service.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The SERC concluded that eligible telecommunications carriers should benefit because the companies will have clear and concise direction on the implementation of the Lifeline program; subscribers will likely experience less difficulty and delay in the Lifeline program; and it is not anticipated that the proposed rule will cause additional expense to the Commission, any other agency, or small businesses, cities, or counties.

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: 350.127(2), 364.10(3)(j) FS.
 LAW IMPLEMENTED: 364.01(4)(a), 364.10, 364.105 FS.
 WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.
 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: Samantha Cibula, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850)413-6202

THE FULL TEXT OF THE PROPOSED RULE IS:

25-4.0665 Lifeline Service.

(1) An eligible telecommunications carrier must provide 60 days written notice prior to the termination of Lifeline service. The notice of pending termination shall contain the telephone number at which the subscriber can obtain information about the subscriber's Lifeline service from the eligible telecommunications carrier. The notice shall also inform the subscriber of the availability, pursuant to Section 364.105, F.S., of discounted residential basic local telecommunications service.

(2) If a subscriber's Lifeline service is terminated and the subscriber subsequently presents proof of Lifeline eligibility, the eligible telecommunications carrier shall reinstate the subscriber's Lifeline service as soon as practicable, but no later than 60 days following receipt of proof of eligibility. Irrespective of the date on which the eligible telecommunications carrier reinstates the subscriber's Lifeline service, the subscriber's bill shall be credited for Lifeline service as of the date the eligible telecommunications carrier received the proof of continued Lifeline eligibility.

Specific Authority 350.127(2), 364.10(3)(j) FS. Law Implemented 364.01(4)(a), 364.10, 364.105 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Curtis Williams
 NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 3, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 32, No. 14, April 7, 2006

PUBLIC SERVICE COMMISSION

DOCKET NO. 060555-EI

RULE NO.: 25-17.0832 RULE TITLE: Firm Capacity and Energy Contracts

PURPOSE AND EFFECT: To expand alternatives for standard offer contracts for renewable generators.

SUMMARY: The proposed amendments implement Section 366.91, F.S., to encourage the development of renewable generators in Florida. The proposed amendments will expand standardized contracts available to renewable generators as well as extending the minimum term of a contract from 5 to 10 years and allowing a renewable generator to select from a portfolio of standardized contracts with varying terms, conditions, operating characteristics and pricing.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The SERC estimates that this rule will impact the state's investor-owned electric utilities with a range of approximately \$500 to \$10,000 per year. There should be no impact on state or local government entities, and a positive impact on small businesses, cities and counties.

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: 350.127, 366.05(1), 366.91(3) FS.
 LAW IMPLEMENTED: 366.051, 366.81, 366.91 FS.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Thursday, November 9, 2006, 9:30 a.m.
 PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry Harris, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850)413-6076

THE FULL TEXT OF THE PROPOSED RULE IS:

25-17.0832 Firm Capacity and Energy Contracts.

(1) No change.

(2) Negotiated Contracts. Utilities and qualifying facilities are encouraged to negotiate contracts for the purchase of firm capacity and energy to avoid or defer the construction of all planned utility generating units which are not subject to the requirements of Rule 25-22.082, F.A.C. If a utility is required to issue a Request for Proposals (RFP) pursuant to Rule 25-22.082, F.A.C., negotiations with qualifying facilities shall

be governed by the utility's RFP process. Negotiated contracts will be considered prudent for cost recovery purposes if it is demonstrated by the utility that the purchase of firm capacity and energy from the qualifying facility pursuant to the rates, terms, and other conditions of the contract can reasonably be expected to contribute towards the deferral or avoidance of additional capacity construction or other capacity-related costs by the purchasing utility at a cost to the utility's ratepayers which does not exceed full avoided costs, giving consideration to the characteristics of the capacity and energy to be delivered by the qualifying facility under the contract. Negotiated contracts with small qualifying facilities and renewable generators, as defined by Section 366.91, F.S., shall not be counted towards the subscription limit of the avoided unit in a standard offer contract, thus preserving the standard offer for small qualifying facilities as described in subsection (4).

(3) No change.

(4) Standard Offer Contracts.

(a) Upon petition by a utility or pursuant to a Commission action, each public utility shall submit for Commission approval a tariff or tariffs and a standard offer contract or contracts for the purchase of firm capacity and energy from small qualifying facilities and renewable generators, as defined by Section 366.91, F.S. In lieu of a separately negotiated contract, standard offer contracts are available to the following types of qualifying facilities:

1. ~~A small power producer or other qualifying facility using renewable or non fossil fuel where the primary energy source in British Thermal Units (BTUs) is at least 75 percent biomass, waste, solar or other renewable resource;~~ renewable generating facility as defined by Section 366.91, F.S.; or

2. A qualifying facility, as defined by subsection 25-17.080(3), F.A.C., with a design capacity of 100 kW or less; ~~or.~~

3. ~~A municipal solid waste facility as defined by Rule 25-17.091, F.A.C.~~

(b) By April 1 of each year, concurrent with filing a Ten-Year Site Plan, each public utility shall submit standard offer contract(s) based on the next avoidable fossil fueled generating unit of each technology type identified in its Ten-Year Site Plan. Each public utility with no identified planned generating units shall submit a standard offer contract based on a planned purchase.

(c) Individual standard offer contracts shall remain open until either:

1. A request for proposals pursuant to Rule 25-17.082, F.A.C., is issued for the generating unit;

2. The utility files a petition for need determination or commences construction for generating units not subject to Rule 25-17.082, F.A.C.; or

3. The contract's subscription limit, equal to the capacity of the avoided unit, is reached. Before a contract is closed, the utility shall file a petition for approval of a new contract based

on the next unit of the same generating technology in its Ten-Year Site Plan, if any. If no generating unit of the same technology is in its Ten-Year Site Plan, the utility shall notify the Director of the Division of Economic Regulation when a standard offer contract is closed.

(b) through (c) renumbered (d) through (e) No change.

~~(f)(d)~~ A standard offer contract which has been accepted by a utility qualifying facility shall apply towards the subscription limit of the unit designated in the contract effective the date the utility receives the accepted contract. If the contract is not accepted by the utility, its effect shall be removed from the subscription limit effective the date of the Commission order granting the utility's petition.

~~(g)(e)~~ No change.

1. through 2. No change.

3. The payment options available to the qualifying facility including all financial and economic assumptions necessary to calculate the firm capacity payments available under each payment option and an illustrative calculation of firm capacity payments for a minimum ten five year term contract commencing with the in-service date of the avoided unit for each payment option;

4. No change.

~~5. A reasonable open solicitation period during which time the utility will accept proposals for standard offer contracts. Prior to the issuance of timely notice of a Request for Proposals (RFP) pursuant to subsection 25-22.082(3), F.A.C., the utility shall end the open solicitation period;~~

~~5.6.~~ No change.

~~6.7.~~ The period of time over which firm capacity and energy shall be delivered from the qualifying facility to the utility. Firm capacity and energy shall be delivered, at a minimum, for a period of ten five years, and, at a maximum the life of the avoided unit, commencing with the anticipated in-service date of the avoided unit specified in the contract. ~~At a maximum, firm capacity and energy shall be delivered for a period of time equal to the anticipated plant life of the avoided unit, commencing with the anticipated in-service date of the avoided unit;~~

8. through 10. renumbered 7. through 9. No change.

(f) through (g) renumbered (h) through (i) No change.

1. No change.

2. Early capacity payments. Each standard offer contract shall specify the earliest date prior to the anticipated in-service date of the avoided unit when early capacity payments may commence. The early capacity payment date shall be an approximation of the lead time required to site and construct the avoided unit. Early capacity payments shall consist of monthly payments escalating annually of the avoided capital and fixed operation and maintenance expense associated with the avoided unit, calculated in conformance with paragraph (6)(b) of the rule. At the option of the qualifying facility, early capacity payments may commence at any time after the

specified early capacity payment date and before the anticipated in-service date of the avoided unit provided that the qualifying facility is delivering firm capacity and energy to the utility. Where early capacity payments are elected, the cumulative present value of the capacity payments made to the qualifying facility over the term of the contract shall not exceed the cumulative present value of the capacity payments which would have been made to the qualifying facility had such payments been made pursuant to subparagraph (4)(i)(g)1. of this rule.

3. Levelized capacity payments. Levelized capacity payments shall commence on the anticipated in-service date of the avoided unit. The capital portion of capacity payments under this option shall consist of equal monthly payments over the term of the contract, calculated in conformance with paragraph (6)(c) of this rule. The fixed operation and maintenance portion of capacity payments shall be equal to the value of the year-by-year deferral of fixed operation and maintenance expense associated with the avoided unit calculated in conformance with paragraph (6)(a) of this rule. Where levelized capacity payments are elected, the cumulative present value of the levelized capacity payments made to the qualifying facility over the term of the contract shall not exceed the cumulative present value of capacity payments which would have been made to the qualifying facility had such payments been made pursuant to subparagraph (4)(i)(g)1. of this rule, value of deferral capacity payments.

4. Early levelized capacity payments. Each standard offer contract shall specify the earliest date prior to the anticipated in-service date of the avoided unit when early levelized capacity payments may commence. The early capacity payment date shall be an approximation of the lead time required to site and construct the avoided unit. The capital portion of capacity payments under this option shall consist of equal monthly payments over the term of the contract, calculated in conformance with paragraph (6)(c) of this rule. The fixed operation and maintenance expense shall be calculated in conformance with paragraph (6)(b) of this rule. At the option of the qualifying facility, early levelized capacity payments shall commence at any time after the specified early capacity date and before the anticipated in-service date of the avoided unit provided that the qualifying facility is delivering firm capacity and energy to the utility. Where early levelized capacity payments are elected, the cumulative present value of the capacity payments made to the qualifying facility over the term of the contract shall not exceed the cumulative present value of the capacity payments which would have been made to the qualifying facility had such payments been made pursuant to subparagraph (4)(i)(g)1. of this rule.

(5) through (8)(c) No change.

Specific Authority 350.127, 366.05(1), 366.91(3) FS. Law Implemented 366.051, 366.81, 366.91 FS. History—New 10-25-90, Amended 1-7-97, 5-18-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Judy Harlow

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 3, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 32, No. 31, August 4, 2006

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (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, which can be reached at: 1(800)955-8771 (TDD).

DEPARTMENT OF MANAGEMENT SERVICES

Enterprise Information Technology Services

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
60EE-1	Accessible and Electronic Information Technology
RULE NOS.:	RULE TITLES:
60EE-1.001	Purpose; Definitions
60EE-1.002	Standards applicable to Electronic and Information Technology
60EE-1.003	Electronic and Information Technology Procurements
60EE-1.004	Electronic and Information Technology Development
60EE-1.005	Compliance

PURPOSE AND EFFECT: To promulgate rules for the development, procurement, maintenance and use of electronic information technology implementing Sections 282.601-.606, Florida Statutes.

SUMMARY: The Rule Chapter establishes rules for the development, procurement, maintenance and use of electronic information technology. The Rule Chapter provides, technical standards for six categories of technology; functional performance criteria for technology that may not fit in one of the six categories and requirements that address product support documentation in alternative formats. The Rule Chapter also emphasizes these standards apply to all agency information technology procurements and developments.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was 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.

SPECIFIC AUTHORITY: 282.604 FS.

LAW IMPLEMENTED: 282.601-.606 FS.

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

DATE AND TIME: November 15, 2006, 1:00 p.m. – 3:00 p.m.

PLACE: Orlando Sheraton Studio City Hotel, 5905 International Drive, Orlando, Florida 32819

Pursuant to the Americans with Disabilities Act, persons needing special accommodations to participate in these meetings should advise the Department at least 2 business days before the workshop, by contacting Marta McPherson at (850)488-2706. Please be aware that American Sign Language Interpreters, Certified Real Time Captioning, Audio/Visual Accommodations and alternative formats will be available on site.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Kenneth Granger, Deputy Secretary, Enterprise Information Technology Services, Department of Management Services, 4050 Esplanade Way, Suite 235A, Tallahassee, Florida 32399; (850)488-0018; Kenneth.Granger@MyFlorida.Com

THE FULL TEXT OF THE PROPOSED RULES IS:

60EE-1.001 Purpose; Definitions.

(1) Purpose.

(a) Rules 60EE-1.001-.005, F.A.C., shall be known as the Florida Accessible Electronic and Information Technology Rules.

(b) The purpose of the Florida Accessible Electronic and Information Technology Rules is to promulgate rules for the development, procurement, maintenance and use of electronic information technology implementing Sections 282.601-.606, Florida Statutes.

(2) Definitions.

(a) The following terms are defined:

1. "Alternate formats" means formats usable by people with disabilities. Alternate formats include Braille, ASCII text, large print, recorded audio, and electronic formats that comply with this part.

2. "Assistive technology" means any item, piece of equipment, or system, whether acquired commercially, modified, or customized, that is commonly used to increase, maintain, or improve functional capabilities of individuals with disabilities.

3. "Compliance" means compliance with the standards set forth in Rule 60EE-1.002, F.A.C., ensuring that individuals with disabilities have access to and use of information and data that is comparable to the access and use by members of the

public who are not individuals with disabilities, unless an undue burden would be imposed on the agency. "Compliance" also means compliance with the standards set forth in Rule 60EE-1.002, F.A.C., ensuring that state employees with disabilities have access to and are provided with information and data comparable to the access and use by state employees who are not individuals with disabilities, unless an undue burden would be imposed on the agency.

4. "Operable controls" means a component of a product that requires physical dexterity for normal operation. Operable controls include mechanically operated controls, input and output trays, card slots, keyboards, or keypads.

5. "Product" means electronic and information technology.

6. "Self Contained, Closed Products" means products that generally have embedded software and are commonly designed in such a fashion that a user cannot easily attach or install assistive technology. These products include information kiosks and information transaction machines, copiers, printers, calculators, facsimile machines, and other similar types of products.

7. "Telecommunications" means the transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received.

8. "TTY" means an abbreviation for teletypewriter. TTYS are machinery or equipment that employs interactive text based communications through the transmission of coded signals across a telephone network. TTYS may include devices known as TDDs (telecommunication display devices or telecommunication devices for deaf persons), computers with special modems or text telephones.

(b) Other terms shall have their commonly understood meaning.

Specific Authority 282.604 FS. Law Implemented 282.601-.606 FS. History—New _____.

60EE-1.002 Standards Applicable to Electronic and Information Technology.

(1) The following standards shall be applicable to the development, procurement, maintenance and use of electronic and information technology:

(a) Technical Standards.

1. Software applications and operating systems.

a. When software is designed to run on a system that has a keyboard, product functions shall be executable from a keyboard where the function itself or the result of performing a function can be discerned textually.

b. Applications shall not disrupt or disable activated features of other products that are identified as accessibility features, where those features are developed and documented according to industry standards. Applications also shall not disrupt or disable activated features of any operating system that are identified as accessibility features where the

application programming interface for those accessibility features has been documented by the manufacturer of the operating system and is available to the product developer.

c. A well-defined on-screen indication of the current focus shall be provided that moves among interactive interface elements as the input focus changes. The focus shall be programmatically exposed so that assistive technology can track focus and focus changes.

d. Sufficient information about a user interface element including the identity, operation and state of the element shall be available to assistive technology. When an image represents a program element, the information conveyed by the image must also be available in text.

e. When bitmap images are used to identify controls, status indicators, or other programmatic elements, the meaning assigned to those images shall be consistent throughout an application's performance.

f. Textual information shall be provided through operating system functions for displaying text. The minimum information that shall be made available is text content, text input caret location, and text attributes.

g. Application shall not override user selected contrast and color selections and other individual display attributes.

h. When animation is displayed, the information shall be displayable in at least one non-animated presentation mode at the option of the user.

i. Color coding shall not be used as the only means of conveying information, indicating an action, prompting a response, or distinguishing a visual element.

j. When a product permits a user to adjust color and contrast settings, a variety of color selections capable of producing a range of contrast levels shall be provided.

k. Software shall not use flashing or blinking text, objects, or other elements having a flash or blink frequency greater than 2 Hz and lower than 55 Hz.

1. When electronic forms are used, the form shall allow people using assistive technology to access the information, field elements, and functionality required for completion and submission of the form, including all directions and cues.

2. Web-based intranet and internet information and applications.

a. A text equivalent for every non-text element shall be provided (e.g., via "alt", "longdesc", or in element content).

b. Equivalent alternatives for any multimedia presentation shall be synchronized with the presentation.

c. Web pages shall be designed so that all information conveyed with color is also available without color, for example from context or markup.

d. Documents shall be organized so they are readable without requiring an associated style sheet.

e. Redundant text links shall be provided for each active region of a server-side image map.

f. Client-side image maps shall be provided instead of server-side image maps except where the regions cannot be defined with an available geometric shape.

g. Row and column headers shall be identified for data tables.

h. Markup shall be used to associate data cells and header cells for data tables that have two or more logical levels of row or column headers.

i. Frames shall be titled with text that facilitates frame identification and navigation.

j. Pages shall be designed to avoid causing the screen to flicker with a frequency greater than 2 Hz and lower than 55 Hz.

k. A text-only page, with equivalent information or functionality, shall be provided to make a web site comply with the provisions of this part, when compliance cannot be accomplished in any other way. The content of the text-only page shall be updated whenever the primary page changes.

l. When pages utilize scripting languages to display content, or to create interface elements, the information provided by the script shall be identified with functional text that can be read by assistive technology.

m. When a web page requires that an applet, plug-in or other application be present on the client system to interpret page content, the page must provide a link to a plug-in or applet that complies with rule sub-subparagraphs 60EE-1.002(1)(a)2.a.-l., F.A.C.

n. When electronic forms are designed to be completed on-line, the form shall allow people using assistive technology to access the information, field elements, and functionality required for completion and submission of the form, including all directions and cues.

o. A method shall be provided that permits users to skip repetitive navigation links.

p. When a timed response is required, the user shall be alerted and given sufficient time to indicate more time is required.

3. Telecommunications products.

a. Telecommunications products or systems which provide a function allowing voice communication and which do not themselves provide a TTY functionality shall provide a standard non-acoustic connection point for TTY's. Microphones shall be capable of being turned on and off to allow the user to intermix speech with TTY use.

b. Telecommunications products which include voice communication functionality shall support all commonly used cross-manufacturer non-proprietary standard TTY signal protocols.

c. Voice mail, auto-attendant, and interactive voice response telecommunications systems shall be usable by TTY users with their TTYs.

d. Voice mail, messaging, auto-attendant, and interactive voice response telecommunications systems that require a response from a user within a time interval, shall give an alert when the time interval is about to run out, and shall provide sufficient time for the user to indicate more time is required.

e. Where provided, caller identification and similar telecommunications functions shall also be available for users of TTYs, and for users who cannot see displays.

f. For transmitted voice signals, telecommunications products shall provide a gain adjustable up to a minimum of 20 dB. For incremental volume control, at least one intermediate step of 12dB of gain shall be provided.

g. If the telecommunications product allows a user to adjust the receive volume, a function shall be provided to automatically reset the volume to the default level after every use.

h. Where a telecommunications product delivers output by an audio transducer which is normally held up to the ear, a means for effective magnetic wireless coupling to hearing technologies shall be provided.

i. Interference to hearing technologies (including hearing aids, cochlear implants, and assistive listening devices) shall be reduced to the lowest possible level that allows a user of hearing technologies to utilize the telecommunications product.

j. Products that transmit or conduct information or communication, shall pass through cross-manufacturer, non-proprietary, industry-standard codes, translation protocols, formats or other information necessary to provide the information or communication in a usable format. Technologies which use encoding, signal compression, format transformation, or similar techniques shall not remove information needed for access or shall restore it upon delivery.

k. Products which have mechanically operated controls or keys, shall comply with the following:

(1) Controls and keys shall be tactilely discernible without activating the controls or keys.

(2) Controls and keys shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The force required to activate controls and keys shall be 5 lbs. (22.2 N) maximum.

(3) If key repeat is supported, the delay before repeat shall be adjustable to at least 2 seconds. Key repeat rate shall be adjustable to 2 seconds per character.

(4) The status of all locking or toggle controls or keys shall be visually discernible, and discernible either through touch or sound.

4. Video and multimedia products.

a. All analog television displays 13 inches and larger, and computer equipment that includes analog television receiver or display circuitry, shall be equipped with caption decoder circuitry which appropriately receives, decodes, and displays closed captions from broadcast, cable, videotape, and DVD

signals. Widescreen digital television (DTV) displays measuring at least 7.8 inches vertically, DTV sets with conventional displays measuring at least 13 inches vertically, and stand-alone DTV tuners, whether or not they are marketed with display screens, and computer equipment that includes DTV receiver or display circuitry, shall be equipped with caption decoder circuitry which appropriately receives, decodes, and displays closed captions from broadcast, cable, videotape, and DVD signals.

b. Television tuners, including tuner cards for use in computers, shall be equipped with secondary audio program playback circuitry.

c. All training and informational video and multimedia productions which support the agency's mission, regardless of format, that contain speech or other audio information necessary for the comprehension of the content, shall be open or closed captioned.

d. All training and informational video and multimedia productions which support the agency's mission, regardless of format, that contain visual information necessary for the comprehension of the content, shall be audio described.

e. Display or presentation of alternate text presentation or audio descriptions shall be user-selectable unless permanent.

5. Self contained, closed products.

a. Self contained products shall be usable by people with disabilities without requiring an end-user to attach assistive technology to the product. Personal headsets for private listening are not assistive technology.

b. When a timed response is required, the user shall be alerted and given sufficient time to indicate more time is required.

c. Where a product utilizes touchscreens or contact-sensitive controls, an input method shall be provided that complies with sub-subparagraph 60EE-1.002(1)(a)3.k. (1)-(4), F.A.C.

d. When biometric forms of user identification or control are used, an alternative form of identification or activation, which does not require the user to possess particular biological characteristics, shall also be provided.

e. When products provide auditory output, the audio signal shall be provided at a standard signal level through an industry standard connector that will allow for private listening. The product must provide the ability to interrupt, pause, and restart the audio at anytime.

f. When products deliver voice output in a public area, incremental volume control shall be provided with output amplification up to a level of at least 65 dB. Where the ambient noise level of the environment is above 45 dB, a volume gain of at least 20 dB above the ambient level shall be user selectable. A function shall be provided to automatically reset the volume to the default level after every use.

g. Color coding shall not be used as the only means of conveying information, indicating an action, prompting a response, or distinguishing a visual element.

h. When a product permits a user to adjust color and contrast settings, a range of color selections capable of producing a variety of contrast levels shall be provided.

i. Products shall be designed to avoid causing the screen to flicker with a frequency greater than 2 Hz and lower than 55 Hz.

j. Products which are freestanding, non-portable, and intended to be used in one location and which have operable controls shall comply with the following:

(1) The position of any operable control shall be determined with respect to a vertical plane, which is 48 inches in length, centered on the operable control, and at the maximum protrusion of the product within the 48 inch length.

(2) Where any operable control is 10 inches or less behind the reference plane, the height shall be 54 inches maximum and 15 inches minimum above the floor.

(3) Where any operable control is more than 10 inches and not more than 24 inches behind the reference plane, the height shall be 46 inches maximum and 15 inches minimum above the floor.

(4) Operable controls shall not be more than 24 inches behind the reference plane.

6. Desktop and portable computers.

a. All mechanically operated controls and keys shall comply with sub-subparagraph 60EE-1.002(1)(a)1.-4., F.A.C.

b. If a product utilizes touch screens or touch-operated controls, an input method shall be provided that complies with sub-subparagraph 60EE-1.002(1)(a)1.-4., F.A.C.

c. When biometric forms of user identification or control are used, an alternative form of identification or activation, which does not require the user to possess particular biological characteristics, shall also be provided.

d. Where provided, at least one of each type of expansion slots, ports and connectors shall comply with publicly available industry standards.

(2) Function Performance Criteria.

(a) At least one mode of operation and information retrieval that does not require user vision shall be provided, or support for assistive technology used by people who are blind or visually impaired shall be provided.

(b) At least one mode of operation and information retrieval that does not require visual acuity greater than 20/70 shall be provided in audio and enlarged print output working together or independently, or support for assistive technology used by people who are visually impaired shall be provided.

(c) At least one mode of operation and information retrieval that does not require user hearing shall be provided, or support for assistive technology used by people who are deaf or hard of hearing shall be provided.

(d) Where audio information is important for the use of a product, at least one mode of operation and information retrieval shall be provided in an enhanced auditory fashion, or support for assistive hearing devices shall be provided.

(e) At least one mode of operation and information retrieval that does not require user speech shall be provided, or support for assistive technology used by people with disabilities shall be provided.

(f) At least one mode of operation and information retrieval that does not require fine motor control or simultaneous actions and that is operable with limited reach and strength shall be provided.

(3) Information, Documentation, and Support.

(a) Product support documentation provided to end-users shall be made available in alternate formats upon request, at no additional charge.

(b) End-users shall have access to a description of the accessibility and compatibility features of products in alternate formats or alternate methods upon request, at no additional charge.

(c) Support services for products shall accommodate the communication needs of end-users with disabilities.

(4) Nothing in this Rule Chapter shall be construed to require a fundamental alteration in the nature of a product or its components.

(5) Products located in spaces frequented only by service personnel for maintenance, repair, or occasional monitoring of equipment are not required to comply with this Rule Chapter.

Specific Authority 282.604 FS. Law Implemented 282.601-606 FS. History—New

60EE-1.003 Electronic and Information Technology Procurements.

(1) When procuring electronic and information technology resources, state agencies shall procure those products which comply with the accessibility standards provided in Rule 60EE-1.002, F.A.C., when such products are available in the commercial marketplace or when such products are developed in response to a solicitation. If products are commercially available that meet some, but not all, of the accessibility standards, the state agency shall procure the product that best meets the accessibility standards.

(2) State agencies procuring electronic and information technology shall include the following language in their solicitations and contracts requiring vendors to provide those products which comply with the accessibility standards provided in Rule 60EE-1.002, F.A.C., as electronic and information technology resources: Accessible Electronic Information Technology. Vendors submitting responses for to this solicitation must provide electronic and information technology resources in complete compliance with the accessibility standards provided in Rule 60EE-1.002, F.A.C. These standards establish a minimum level of accessibility.

(3) When procuring a product, if a state agency determines that compliance with any provision of Sections 282.601-.606 or this rule chapter imposes an undue burden, the documentation by the state agency supporting the procurement shall explain specifically why, and to what extent, compliance with each such provision creates an undue burden.

Specific Authority 282.604 FS. Law Implemented 282.601-.606 FS. History--New _____.

60EE-1.004 Electronic and Information Technology Development.

(1) When designing, developing and maintaining electronic and information technology resources, state agencies shall develop those processes or products which comply with the accessibility standards provided in Rule 60EE-1.002, F.A.C. Documentation of such developments shall include a detailed and comprehensive analysis of accessibility requirements, specifying any requirements necessary to meet the accessibility standards and achieve compliance. If a process or product can be developed that meets some, but not all, of the accessibility standards, the state agency shall develop the process or product that best meets the accessibility standards.

(2) When designing, developing and, subsequently, maintaining electronic and information technology resources, if a state agency determines that compliance with any provision of Sections 282.601-.606, F.S., or this rule chapter imposes an undue burden, the documentation by the state agency supporting the agency determination shall explain specifically why, and to what extent, compliance with each such provision creates an undue burden.

Specific Authority 282.604 FS. Law Implemented 282.601-.606 FS. History--New _____.

60EE-1.005 Compliance.

State agencies shall respond to and address any complaint regarding compliance, including any complaint regarding accessibility of products or processes developed or procured by the agency.

Specific Authority 282.604 FS. Law Implemented 282.601-.606 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kenneth Granger, Deputy Secretary, Enterprise Information Technology Services, Department of Management Services
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tom Lewis, Jr., Secretary, Department of Management Services
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 27, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 28, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE NO.: 61G14-17.004
RULE TITLE: Guidelines for the Disposition of Disciplinary Cases

PURPOSE AND EFFECT: The proposed rule amendment adds a sanction for a licensee retaining a license to practice a profession by bribery, fraudulent misrepresentation, or through a departmental or board error.

SUMMARY: The proposed rule amendment adds a sanction to a licensee retaining a license for use in illegal activities.

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

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

SPECIFIC AUTHORITY: 310.101, 310.185, 455.2273 FS.

LAW IMPLEMENTED: 310.101, 455.227, 455.2273 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: Robyn Barineau, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G14-17.004 Guidelines for the Disposition of Disciplinary Cases.

(1) through (2)(e)1. No change.

2. Attempting to obtain, obtaining, or ~~retaining~~ ~~renewing~~ a license or certificate to practice a profession by bribery, by fraudulent misrepresentation, or through an error of the department or the board. the sanction shall be class 1.

(3) through (4) No change.

Specific Authority 310.101, 310.185, 455.2273 FS. Law Implemented 310.101, 455.227, 455.2273 FS. History--New 2-11-87, Formerly 21SS-7.005, 21SS-17.004, Amended 9-27-94, 5-1-02, 7-3-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pilot Commissioners

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Pilot Commissioners

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 4, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 4, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

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

PURPOSE AND EFFECT: The proposed rule amendment is intended to decrease the gross pilotage assessment.

SUMMARY: The proposed rule amendment decreases the gross pilotage assessment from .7% to .35%.

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

Any person who wishes to provide information regarding the statement of estimated 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: 310.131, 310.185 FS.

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

THE FULL TEXT OF THE PROPOSED RULE 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 ~~thirty-five hundredths seven tenths~~ of one percent (~~.7%~~ **.35%**) 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 JANUARY 1, 2007.

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, 10-02-05, 2-1-06, 5-1-06, 7-1-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pilot Commissioners

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Pilot Commissioners

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 29, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 21, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE NO.: 61G17-2.005
 RULE TITLE: Statement Regarding Lack of Insurance

PURPOSE AND EFFECT: The purpose and effect of this amendment is to change the minimum height of the letters in the printed statement called for in this rule in order to conform with the requirements of paragraph 61G17-6.003(3)(f), F.A.C.

SUMMARY: The minimum height of the letters in the printed statement called for in this rule are changed from 1/8" to 1/4" to conform with the requirements of paragraph 61G17-6.003(3)(f), F.A.C.

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

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

SPECIFIC AUTHORITY: 472.015 FS.

LAW IMPLEMENTED: 472.015 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: Rick Morrison, Executive Director, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, Florida 32399-0767

THE FULL TEXT OF THE PROPOSED RULE IS:

61G17-2.005 Statement Regarding Lack of Insurance.

In addition to the office sign required by Section 472.015, F.S., if neither the business entity nor the individual licensee has professional liability insurance, the map and the report, if there

is a report, must contain the following printed statement in letters at least 1/4" 4/8 high: The survey depicted here is not covered by professional liability insurance.

Specific Authority 472.015 FS. Law Implemented 472.015 FS. History--New 2-20-96, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Professional Surveyors and Mappers
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Surveyors and Mappers
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 13, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 15, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE NO.: 61G18-17.001 RULE TITLE: Exemptions and Exceptions
PURPOSE AND EFFECT: The purpose and effect of the rule is to repeal language that is deemed to be no longer necessary.
SUMMARY: The Board proposes to repeal this rule.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.
Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.
SPECIFIC AUTHORITY: 474.203, 474.206 FS.
LAW IMPLEMENTED: 474.202(9), 474.203(5) 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: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G18-17.001 Exemptions and Exceptions.

Specific Authority 474.203, 474.206 FS. Law Implemented 474.202(9), 474.203(5) FS. History--New 7-9-80, Formerly 21X-17.01, 21X-17.001, Amended 7-4-95, 1-5-98, 3-6-06, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Veterinary Medicine
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Veterinary Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 14, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-5.002 RULE TITLE: Disciplinary Guidelines
PURPOSE AND EFFECT: The proposed rule amendment clarifies and makes the rule consistent with statutory references.
SUMMARY: The proposed rule amendment clarifies and makes the rule consistent with statutory references by including plans examination with the concepts of building code administration and inspection.

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

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

SPECIFIC AUTHORITY: 455.227, 455.2273, 468.606 FS.
LAW IMPLEMENTED: 455.227, 455.2273, 468.607, 468.621, 468.629 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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-5.002 Disciplinary Guidelines
(1) through (2)(m) No change.

VIOLATION RECOMMENDED RANGE OR PENALTY

(2)(n) Practicing as a building code administrator, <u>plans examiner</u> , or inspector without a valid active certificate. (468.607, 468.621(1)(a), F.S.)	(n)1. In the case of an applicant, the usual action of the board shall be licensure with an administrative fine and probation or denial. In the case of a licensee, the usual action by the board shall be to impose a penalty from reprimand to probation and a fine of up to \$1,500
	(n)2. After the first offense, in the case of an applicant, the usual action of the board shall be denial. For a licensee, the penalty shall be revocation and a fine of up to \$5,000

(o) through (5) No change.

Specific Authority 455.227, 455.2273, 468.606 FS. Law Implemented 455.227, 455.2273, 468.607, 468.621, 468.629 FS. History--New 5-23-94, Amended 8-14-96, 8-3-97, 11-2-00, 4-10-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Building Code Administrators and Inspectors Board
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 4, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 1, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-5.007 RULE TITLE: Notice of Noncompliance
PURPOSE AND EFFECT: The proposed rule amendment clarifies and makes the rule consistent with statutory references.

SUMMARY: The proposed rule amendment clarifies and makes the rule consistent with statutory references by including plans examination with the concepts of building code administration and inspection.

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

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

SPECIFIC AUTHORITY: 455.225, 468.606 FS.

LAW IMPLEMENTED: 455.225, 468.607, 468.621 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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-5.007 Notice of Noncompliance.

In lieu of the disciplinary procedures contained in Sections 455.225 and 468.621, F.S., as an alternative to investigation and prosecuting when a complaint is received. The Department shall provide a licensee with a notice of noncompliance on a first offense for the following minor violations.

(1)(a) Engaging in building code administration, plans examination, or inspection with a certificate on inactive or delinquent status; and,

(b) through (2) No change.

Specific Authority 455.225, 468.606 FS. Law Implemented 455.225, 468.607, 468.621 FS. History--New 5-23-94, Amended 12-6-95, 12-7-97,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Building Code Administrators and Inspectors Board
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 4, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 1, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-6.012 RULE TITLE: Provisional Certificates
PURPOSE AND EFFECT: The proposed rule amendment clarifies when a potential provisional certificate holder will be eligible to perform duties in the category for which the application has been submitted.

SUMMARY: The proposed rule amendment clarifies when a potential provisional certificate holder will be eligible to perform duties in the category for which the application has been submitted.

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

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

SPECIFIC AUTHORITY: 468.606, 468.609(7) FS.

LAW IMPLEMENTED: 468.609(7) 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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-6.012 Provisional Certificates.

(1) through (5) No change.

(6) Following the submission of an complete application for provisional certification as either an inspector or plans examiner, the applicant shall be eligible to perform duties in the category for which the application has been submitted for

up to a maximum of ninety (90) days from the date the application is submitted, and subject to the following conditions:

(a) through (b) No change.

Specific Authority 486.606, 468.609(7) FS. Law Implemented 468.609(7) FS. History--New 5-23-94, Amended 5-21-95, 8-28-95, 12-6-95, 1-3-96, 2-23-99, 4-30-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Building Code Administrators and Inspectors Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 4, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 1, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: RULE TITLE:
61G19-9.001 Continuing Education for Biennial Renewal

PURPOSE AND EFFECT: The proposed rule amendment clarifies the mandated continuing education requirements by defining the term "Laws and Rules."

SUMMARY: The proposed rule amendment clarifies the mandated continuing education requirements by defining the term "Laws and Rules" and requiring continuing education course completion certificates be maintained for three (3) years.

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

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

SPECIFIC AUTHORITY: 455.2124, 455.213(6), 468.606, 468.627 FS.

LAW IMPLEMENTED: 455.2124, 455.213(6), 468.606, 468.627 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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-9.001 Continuing Education for Biennial Renewal. (1) through (3) No change.

(4) "Laws and Rules" as used in subsection (1) above means the study and examination of the related subject matter as is exemplified and contained within Chapters 112, 320, 468, 553, 471, 481, 489 (as it relates to licensure and scope of practice), and 713 (as it relates to permitting), Florida Statutes and their associated rules in the Florida Administrative Code (FAC) as listed in the Board's Candidate Information Bulletin (CIB) online.

(4) through (6) renumbered (5) through (7) No change.

(8) A certificate holder shall maintain continuing education course completion certificates for a period of three (3) years.

Specific Authority 455.2124, 455.213(6), 468.606, 468.627 FS. Law Implemented 455.2124, 455.213(6), 468.627 FS. History--New 5-23-94, Amended 5-21-95, 11-28-95, 6-9-97, 1-4-00, 4-23-01, 3-19-02, 6-10-02, 6-1-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Building Code Administrators and Inspectors Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 4, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 1, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: RULE TITLE:
61G19-9.004 Approval of Courses

PURPOSE AND EFFECT: The proposed rule amendment updates and provides modifications relating to continuing education hours and the auditing of a Board's approved course or provider.

SUMMARY: The proposed rule amendment updates and provides modifications relating to continuing education hours and the auditing of a Board's approved course or provider.

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

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

SPECIFIC AUTHORITY: 468.606, 468.627 FS.

LAW IMPLEMENTED: 468.627 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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-9.004 Approval of Courses.

(1) through (3) No change.

(4) The Board shall approve continuing education courses which have sufficient educational content to improve the certificate holder's inspection and technical skills, which are taught by qualified instructors, and which otherwise fulfill the requirements of this part. Course approval is valid for two (2) years from the date of approval unless the provider expires or is disciplined. Such approval and upon consent by the chair, grants the ability of a Board member to attend, unannounced for compliance purposes, continuing education programs or courses.

(5) through (12) No change.

(13) Of the required fourteen (14) continuing education hours, up to ~~four (4) seven (7)~~ hours credit may be earned by attending a meeting of the Florida Building Commission within the Department of Community Affairs, or any of the meetings of any technical committees of the Commission. Certificate holders shall be responsible for obtaining and maintaining satisfactory proof of attendance at such meetings ~~as specified in Rule 61G19-9.008, F.A.C.~~ A copy of proof of attendance must be submitted to the Board office or Department upon request of completion to ensure that continuing education credit is awarded.

(14) A Board member may attend a continuing education course for the purpose of auditing a Board approved course or provider.

Specific Authority 468.606, 468.627 FS. Law Implemented 468.627 FS. History--New 5-23-94, Amended 5-21-95, 10-1-97, 8-17-99, 4-23-01, 1-2-02, 12-10-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Building Code Administrators and Inspectors Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 4, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 1, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-10.003
 RULE TITLE: Reinstatement Fee of a Null and Void License

PURPOSE AND EFFECT: The proposed rule amendment established a fee and incorporates applicable forms for the reinstatement of a Null and Void license.

SUMMARY: The proposed rule amendment establishes a fee and incorporates applicable forms for the reinstatement of a Null and Void license.

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

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

SPECIFIC AUTHORITY: 455.271, 486.606, 455.219 FS.

LAW IMPLEMENTED: 455.219, 455.271 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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-10.003 Reinstatement Fee of a Null and Void License.

Each application (DBPR PRO 4951, DBPR PRO 4952, and DBPR PRO 4953) for reinstatement of a null and void license must be accompanied by payment of a fee of \$125.00.

Specific Authority 455.271, 486.606, 455.219 FS. Law Implemented 455.219, 455.271 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Building Code Administrators and Inspectors Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 4, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 1, 2006

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF FINANCIAL SERVICES

Division of Accounting and Auditing

RULE NO.: 69I-42.003
RULE TITLE: Forms

PURPOSE AND EFFECT: The purpose of the proposed amendment is to update the Voucher for Reimbursement of Travel Expenses form to reflect changes to Section 112.06, F.S., by Chapter 2006-41, Laws of Florida.

SUMMARY: Rule 69I-42.003, F.A.C. updates the Voucher for Reimbursement of Travel Expenses Form for public officers and employees. In order to reduce identify theft, the proposed amendment will authorize state agencies to omit an authorized traveler's social security number on the voucher form if the agency ensures that procedures and security measures will be in place to correctly identify the authorized traveler.

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

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

SPECIFIC AUTHORITY: 17.075(1), 17.29, 112.061(9) FS.

LAW IMPLEMENTED: 17.075, 112.061 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: November 8, 2006, 9:00 a.m.

PLACE: Room 430, Fletcher Building, Tallahassee, Florida
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Cheri Greene @ (850)413-5593. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cheri Greene, Room 448, Fletcher Building, Tallahassee, Florida 32399-0355, (850)413-5593

THE FULL TEXT OF THE PROPOSED RULE IS:

69I-42.003 Forms.

(1) The Voucher for Reimbursement of Travel Expenses, Form DFS-AA-15, (revised 07/06 ~~06/97~~), is hereby incorporated by reference. Unless an alternative form is approved pursuant to this Section, Form DFS-AA-15 (07/06 ~~06/97~~) shall be used by travelers when requesting claims for reimbursement of travel expenses and shall be prepared in strict compliance with Section 112.061, Florida Statutes. All copies or electronic transmissions of travel vouchers (Form DFS-AA-15 or other approved form) submitted to the Chief Financial Officer for reimbursement of travel expenses shall contain the signatures of the traveler and the official authorizing the travel. Travel vouchers on file at the agency shall contain the original signatures in written or electronic form. Other evidence of approval of the travel voucher by the supervisor will be accepted if a copy or electronic transmission of the travel voucher is not available and would result in an unreasonable delay in reimbursing the traveler. State agencies are authorized to omit an authorized traveler's social security number on Form DFS-AA-15 or other approved form if procedures, including security measures, are in place to correctly identify the authorized traveler. The authorized traveler's federal tax identification number will be required for entering the transaction into the State's accounting system.

(2) through (4) No change.

Specific Authority 17.075(1), 17.29, 112.061(9) FS. Law Implemented 17.075, 112.061 FS. History--New 3-5-90, Amended 1-8-95, 12-29-96, 1-7-98, 11-15-98, Formerly 3A-42.003, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Cheri Green, Financial Administrator, Bureau of Auditing

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Doug Darling, Director, Division of Accounting and Auditing

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 27, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 18, 2006

DEPARTMENT OF FINANCIAL SERVICES

Divison of Consumer Services

RULE NO.: 69J-7.003
RULE TITLE: Inspections

PURPOSE AND EFFECT: This rule implements Section 215.5586, F.S., by incorporating the pamphlet which contains the procedures for determining the eligibility of homes for free inspection under the Florida Comprehensive Hurricane Damage Mitigation Program.

SUMMARY: The rule incorporates standards for determination of eligibility for a free home inspection pursuant to Section 215.5586, F.S. An online application process is established whereby insured homeowners can apply for a free home inspection through the My Safe Florida Home Program.

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

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

SPECIFIC AUTHORITY: 215.5586(6) FS.

LAW IMPLEMENTED: 215.5586 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Wednesday, November 8, 2006, 12:00 Noon

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Barb Szumowski @ (850)413-3131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Barb Szumowski, Senior Management Analyst II, Division of Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0320, phone (850)413-3131

THE FULL TEXT OF THE PROPOSED RULE IS:

69J-7.003 Inspections.

The standards and procedures for determination of eligibility for a free home inspection pursuant to Section 215.5586 F.S. are set forth in Florida Department of Financial Services Florida Comprehensive Hurricane Damage Mitigation Program My Safe Florida Home Program Homeowner’s Guide to Free Home Inspections (Eff. _____), which is hereby incorporated by reference into this rule.

Specific Authority 215.5586(6) FS. Law Implemented 215.5586 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Barb Szumowski, Senior Management Analyst II, Division of Consumer Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lisa Miller, Deputy Chief Financial Officer

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 29, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 8, 2006

**Section III
Notices of Changes, Corrections and
Withdrawals**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

AGENCY FOR HEALTH CARE ADMINISTRATION

Division of Health Quality Assurance

RULE CHAPTER NO.: RULE CHAPTER TITLE:

59A-31 Disputed Reimbursement Rule

RULE NO.: RULE TITLE:

59A-31.007 Service of Petition on Carrier and Affected Parties

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 29, July 21, 2006, issue of the Florida Administrative Weekly. This change deletes subsection (2) from 59A-31.007 as it appeared in the previous Notice of Change published in Vol. 32, No. 36, September 8, 2006 issue of the Florida Administrative Weekly and makes numbering changes to reflect the deletion.

59A-31.007 Service of Petition on Carrier and Affected Parties.

- (1) No change.
- (3) through (5) renumbered (2) through (4) No change.