

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.:	RULE TITLE:
5E-14.105	Contractual Agreements in Public's Interest – Control and Preventive Treatment for Wood-Destroying Organisms

PURPOSE AND EFFECT: The purpose and effect of the proposed rules are to add amendments to the rule regarding contracts for wood destroying organisms that would require the signature on these contracts, would require a master contract for treatment of multiple properties owned by a single owner, require the use of a Department form for informing consumers when a second contract for the same wood destroying organism control is offered, and require a damage repair warranty when a protection contract is offered but no treatment is performed.

SUBJECT AREA TO BE ADDRESSED: Contractual Agreements in the Public's Interest – Control and Preventive Treatment for Wood Destroying Organisms.

SPECIFIC AUTHORITY: 482.051 FS.

LAW IMPLEMENTED: 482.051(3) FS.

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

DATE AND TIME: September 11, 2007, 1:00 p.m.

PLACE: Alachua Regional Service Center, 14101 Northwest Highway 441, Box 200, Alachua, Florida 32615

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mr. Steve Dwinell, Assistant Director, Division of Agricultural Environmental Services, 3125 Conner Boulevard, Tallahassee, Florida 32399. Telephone (850)488-7447

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NOS.:	RULE TITLES:
5E-14.117	Application for Examination for Pest Control Operator's Certificate and Special Identification Card
5E-14.1421	Identification Card – Training Verification

PURPOSE AND EFFECT: The purpose of the rule amendment is to increase the number of supervised jobs necessary to qualify for the certified operators examination, and clarify the requirements for verification of identification card training. The Department's purpose in applying these guidelines is to achieve compliance with Chapter 482, Florida Statutes (F.S.), and Chapter 5E-14, Florida Administrative Code (F.A.C.).

SUBJECT AREA TO BE ADDRESSED: Training and verification of training for pest control operators and identification card holders.

SPECIFIC AUTHORITY: 482.051, 482.163, 482.165 FS.

LAW IMPLEMENTED: 482.161, 482.163, 482.165 FS.

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

DATE AND TIME: September 11, 2007, 10:00 a.m.

PLACE: Alachua Regional Service Center, 14101 Northwest Highway 441, Box 200, Alachua, Florida 32615

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mr. Steve Dwinell, Assistant Director, Division of Agricultural Environmental Services, 3125 Conner Boulevard, Tallahassee, Florida 32399. Telephone (850)488-7447

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DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE NO.:	RULE TITLE:
6E-2.002	Institutional Licensure

PURPOSE AND EFFECT: The purpose and effect of rule development is to consider expanding licensure by means of accreditation beyond those institutions offering primarily residential programs and to include institutions offering distance learning.

SUBJECT AREA TO BE ADDRESSED: Institutional licensure.

SPECIFIC AUTHORITY: 1005.22(1)(e), 1005.31(2), (3) FS.

LAW IMPLEMENTED: 1005.22(1)(o), (2)(d), 1005.31, 1005.32, 1005.33 FS.

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

DATE AND TIME: August 28, 2007, Beginning at 11:00 a.m. and ending when business has been completed, but no later than 3:00 p.m.

PLACE: Grosvenor Resort, 1850 Hotel Plaza Boulevard, Lake Buena Vista, Florida 32830-2202, (407)828-4444

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Samuel L. Ferguson,

Executive Director, Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6E-2.002 Institutional Licensure.

(1) Provisional license.

(a) through (b) No change.

(c) Substantive change. An institution which undergoes a substantive change, as defined in subsection 6E-1.003(55)(52), F.A.C., while holding an Annual License or a License by Means of Accreditation, shall be granted a Provisional License for a period of time determined by the Commission, except as provided in paragraph 6E-2.002(3)(g), F.A.C. An institution may submit a written request for a return to its previous status or for a new status when conditions set by the Commission have been met. Any limitations on the operation of the institution during the period of provisional licensure will be determined by the Commission when granting the Provisional License. An institution holding a Provisional License shall not request approval of or implement a substantive change until it holds an Annual License or License by Means of Accreditation. The Commission may delegate to the Executive Director, the authority to return institutions to their previous status between Commission meetings, if the Executive Director determines that changes have no negative impact on the institution or the students attending the institution. Such action shall be reported to the Commission at the next meeting for further action.

(d) through (g) No change.

(2) No change.

(3) License by Means of Accreditation.

(a) The chair of the Commission shall appoint a committee to provide recommendations to the Commission regarding the recognition of accrediting agencies. This committee shall be composed of persons who represent a cross-section of institutions holding an Annual License or extension thereof, or a License by Means of Accreditation. The chair of the Commission shall appoint the chair of the committee. The committee shall meet at the request of the Commission chair. Any member of the accreditation review committee whose institution is accredited by, or who is personally affiliated with, an accrediting agency being reviewed shall not vote on recommendation of that accrediting agency.

1. The committee shall evaluate applications of accrediting agencies recognized by the U.S. Department of Education to provide institutional accreditation for institutions licensed in Florida offering primarily residential programs.

2. No change.

(b) through (h) No change.

Specific Authority 1005.22(1)(e), 1005.31(2), (3) FS. Law Implemented 1005.22(1)(o), (2)(d), 1005.31, 1005.32, 1005.33 FS. History—Repromulgated 12-5-74, Formerly 6E-4.01(1)(f)-(i), Readopted 11-11-75, Amended 2-6-78, 5-7-79, 10-13-83, Formerly 6E-2.02, Amended 11-27-88, 11-29-89, 10-19-93, 4-2-96, 4-11-00, 1-7-03, 12-23-03, 7-10-06,_____.

DEPARTMENT OF TRANSPORTATION

RULE NO.:

14-15.002

RULE TITLE:

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

PURPOSE AND EFFECT: The Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways, commonly referred to as the “Greenbook,” is being amended. In addition, other incorporated documents also are updated.

SUBJECT AREA TO BE ADDRESSED: This is an amendment to the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways, commonly referred to as the “Greenbook,” and other incorporated documents.

SPECIFIC AUTHORITY: 334.048(3), 336.045(1) FS.

LAW IMPLEMENTED: 336.045 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

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

(1) The *Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways*, May ~~2007~~ 2005, edition, is hereby incorporated by this rule and made a part of the rules of the Department of Transportation. A copy of the manual can be downloaded from the following website: <http://www.dot.state.fl.us/rddesign/FloridaGreenbookFGB.htm>. ~~<http://www.dot.state.fl.us/rddesign/Florida%20Greenbook/FGB.htm>~~ A certified copy has been filed with the Department of State.

(2) The following documents also are hereby incorporated by reference and made a part of this rule:

(a) ~~AASHTO Standard Specifications for Highway Bridges, 17th Edition (2002). A copy of the manual may be ordered from the AASHTO Bookstore website: <https://bookstore.transportation.org/>.~~

(a)(b) Sections 3.3.2, 3.14.1, 11 and 13 and Table 3.4.1-1 of AASHTO Load and Resistance Factor Design (LRFD) Bridge Design Specifications, 4th Edition (2004), with 2005 and 2006 Interims. A copy of the manual may be ordered from the AASHTO Bookstore website <https://bookstore.transportation.org/>.

(b) Department of Transportation Structures Manual, Volume 8 – FDOT Modifications to Manual for Conditions Evaluation and Load Resistance Factor Rating (LRFR) of Highway Bridges. A copy of the manual can be downloaded from the following website: <http://www.dot.state.fl.us/structures/StructuresManual/CurrentRelease/StructuresManual.htm>.

(c) Sections 2.11 and 2.12 of Department of Transportation Structures Manual, Volume I – Structures Design Guidelines ~~Design Guidelines~~. A copy of the manual can be downloaded from the following website: <http://www.dot.state.fl.us/structures/StructuresManual/CurrentRelease/StructuresManual.htm>.

(d) AASHTO Guide Specifications for Structural Design of Sound Barriers (1989) with the 2002 Interim to Guide Specifications for Structural Design of Sound Barriers. A copy of the manual may be ordered from the AASHTO Bookstore website: <https://bookstore.transportation.org/>.

(e) AASHTO Standard Specifications for Structural Supports for Highway Signs, Luminaires and Traffic Signals (2001), with 2002 and 2003 Interims ~~except as noted in Chapter 17, Section H.2 of The Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways~~. A copy of the manual may be ordered from the AASHTO Bookstore website: <https://bookstore.transportation.org/>.

(f) Chapter 4 of Department of Transportation Drainage Manual. A copy of the manual can be downloaded from the following website: <http://www.dot.state.fl.us/rddesign/dr/Manuals%20and%20handbooks.htm> <http://www.dot.state.fl.us/rddesign/dr/Manualsandhandbooks.htm>.

(g) Department of Transportation Structures Manual, Volume 9 – FDOT Modifications to Standard Specification for Structural Supports for Highway Signs, Luminaires and Traffic Signals (LTS-4) Bridges. A copy of the manual can be downloaded from the following website: <http://www.dot.state.fl.us/structures/StructuresManual/CurrentRelease/StructuresManual.htm>.

(h) Department of Transportation Bridge Load Rating, Permitting and Posting Manual (2006). A copy of the manual can be downloaded from the following website: <http://www2.dot.state.fl.us/proceduraldocuments/procedures/bin/85001005.pdf>.

Specific Authority ~~334.048(3) 334.044(2), 336.045(1) FS. Law Implemented 336.045 FS. History–New 1-22-76, Amended 7-13-81, 6-24-84, Formerly 14-15.02, Amended 8-25-86, 11-29-89, 11-1-94, 5-15-01, 7-9-02, 11-24-05,_____.~~

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.”

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NO.: 61A-1.01016
 RULE TITLE: Shelf Plans and Schematics of Shelf Plans

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to reformat the original Approved Advertising and Promotional Gifts rule and to set out what conditions must be met in order for shelf plans and schematics of shelf plans to be given to a vendor but not considered an unlawful gift, loan of money or property, or a rebate.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the implementation of statutory provisions relating to approved advertising and promotional gifts as they pertain to the sales of alcoholic beverages.

SPECIFIC AUTHORITY: 561.11 FS.

LAW IMPLEMENTED: 561.08, 561.42 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lisa Livezey Comingore, Assistant General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Office of the General Counsel, 1940 North Monroe Street, Suite 40, Tallahassee, Florida 32399, (850)487-9677

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NO.: 61A-1.01017
 RULE TITLE: Educational Seminars

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to reformat the original Approved Advertising and Promotional Gifts rule and to set out what conditions must be met in order for educational seminars to be provided to a vendor but not considered an unlawful gift, loan of money or property, or a rebate.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the implementation of statutory provisions relating to approved advertising and promotional gifts as they pertain to the sales of alcoholic beverages.

SPECIFIC AUTHORITY: 561.11 FS.

LAW IMPLEMENTED: 561.08, 561.42 FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NO.: 61A-1.01018 RULE TITLE: Trade Shows and Conventions

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to reformat the original Approved Advertising and Promotional Gifts rule and to set out what conditions must be met in order for manufacturers and distributors to participate in vendor trade shows and conventions without violating Florida law related to unlawful gifts, loans of money or property, or rebates.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the implementation of statutory provisions relating to approved advertising and promotional gifts as they pertain to the sales of alcoholic beverages.

SPECIFIC AUTHORITY: 561.11 FS.

LAW IMPLEMENTED: 561.08, 561.42 FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NO.: 61A-1.01019 RULE TITLE: Proof of Insurance Coverage

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to reformat the original Approved Advertising and Promotional Gifts rule and to set out what conditions must be met in order for manufacturers and distributors to provide proof of insurance coverage to vendors without violating Florida law related to unlawful gifts, loans of money or property, or rebates.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the implementation of statutory provisions relating to approved advertising and promotional gifts as they pertain to the sales of alcoholic beverages.

SPECIFIC AUTHORITY: 561.11 FS.

LAW IMPLEMENTED: 561.08, 561.42 FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NO.: 61A-1.01020 RULE TITLE: Draft Cleaning

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to reformat the original Approved Advertising and Promotional Gifts rule and to set out what conditions must be met in order for manufacturers and distributors to provide draft cleaning to vendors without violating Florida law related to unlawful gifts, loans of money or property, or rebates.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the implementation of statutory provisions relating to approved advertising and promotional gifts as they pertain to the sales of alcoholic beverages.

SPECIFIC AUTHORITY: 561.11 FS.

LAW IMPLEMENTED: 561.08, 561.42 FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NO.: 61A-1.01021 **RULE TITLE:** Returns of Damaged Products

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to reformat the original Approved Advertising and Promotional Gifts rule and to set out what conditions must be met in order for manufacturers and distributors to accept returns of damaged products from vendors without violating Florida law related to unlawful gifts, loans of money or property, or rebates.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the implementation of statutory provisions relating to approved advertising and promotional gifts as they pertain to the sales of alcoholic beverages.

SPECIFIC AUTHORITY: 561.11 FS.

LAW IMPLEMENTED: 561.08, 561.42 FS.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NO.: 61A-1.01022 **RULE TITLE:** Returns of Undamaged Products

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to reformat the original Approved Advertising and Promotional Gifts rule and to set out what conditions must be met in order for manufacturers and distributors to accept returns of undamaged products from vendors without violating Florida law related to unlawful gifts, loans of money or property, or rebates.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the implementation of statutory provisions relating to approved advertising and promotional gifts as they pertain to the sales of alcoholic beverages.

SPECIFIC AUTHORITY: 561.11 FS.

LAW IMPLEMENTED: 561.08, 561.42 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lisa Livezey Comingore, Assistant General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Office of the General Counsel, 1940 North Monroe Street, Suite 40, Tallahassee, Florida 32399, (850)487-9677

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NO.: 61A-1.01023 **RULE TITLE:** Warehousing

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to reformat the original Approved Advertising and Promotional Gifts rule and to set out what conditions must be met in order for manufacturers and distributors to provide warehousing to vendors without violating Florida law related to unlawful gifts, loans of money or property, or rebates.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the implementation of statutory provisions relating to approved advertising and promotional gifts as they pertain to the sales of alcoholic beverages.

SPECIFIC AUTHORITY: 561.11 FS.

LAW IMPLEMENTED: 561.08, 561.42 FS.

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NO.: RULE TITLE:
61A-1.01024 Split Cases

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to reformat the original Approved Advertising and Promotional Gifts rule and to set out what conditions must be met in order for manufacturers and distributors to offer split cases to vendors without violating Florida law related to unlawful gifts, loans of money or property, or rebates.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the implementation of statutory provisions relating to approved advertising and promotional gifts as they pertain to the sales of alcoholic beverages.

SPECIFIC AUTHORITY: 561.11 FS.

LAW IMPLEMENTED: 561.08, 561.42 FS.

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

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NO.: RULE TITLE:
61A-1.01025 Rebates

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to reformat the original Approved Advertising and Promotional Gifts rule and to clarify that manufacturers and importers are restricted from giving rebates to distributors as well as vendors.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the implementation of statutory provisions relating to approved advertising and promotional gifts as they pertain to the sales of alcoholic beverages.

SPECIFIC AUTHORITY: 561.11 FS.

LAW IMPLEMENTED: 561.08, 561.42 FS.

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:
61C-1.004 General Sanitation and Safety Requirements

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to update and correct Florida Administrative Code citations and material incorporated by reference.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments address Division of State Fire Marshal and Department of Agriculture and Consumer Services Florida Administrative Code citations and material incorporated by reference.

SPECIFIC AUTHORITY: 509.032(2)(d), 509.032(3), 509.032(6) FS.

LAW IMPLEMENTED: 509.032(2)(d), 509.032(3)(a)(b)(c), 509.215, 509.221 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michelle Comingore, Operations Review Specialist, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1012; Telephone: (850)488-1133

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.:	RULE TITLE:
61C-4.0161	Mobile Food Dispensing Vehicles and Theme Park Food Carts

PURPOSE AND EFFECT: The purpose and effect of this rule amendment is to correct Division of State Fire Marshal Florida Administrative Code and update National Fire Protection Association standards incorporated by reference.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments address Florida Administrative Code and National Fire Protection Association standards incorporated by reference.

SPECIFIC AUTHORITY: 509.032(2)(d), 509.032(6) FS.

LAW IMPLEMENTED: 509.032(2)(d), 509.032(3)(a), 509.211, 509.215, 509.221 FS.

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.:	RULE TITLE:
61H1-29.003	Experience for Licensure by Endorsement

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

SUBJECT AREA TO BE ADDRESSED: Experience for Licensure by Endorsement.

SPECIFIC AUTHORITY: 473.304, 473.306, 473.308 FS.

LAW IMPLEMENTED: 455.217(7), 473.308 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.:	RULE TITLE:
61H1-33.001	Certified Public Accountants Required to Comply with this Chapter

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

SUBJECT AREA TO BE ADDRESSED: Certified Public Accountants Required to Comply with this Chapter.

SPECIFIC AUTHORITY: 473.304, 473.312, 473.313 FS.

LAW IMPLEMENTED: 473.311, 473.312, 473.313 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

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

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 HEALTH

Division of Medical Quality Assurance

RULE NO.: 64B-9.001 RULE TITLE: Biennial Licensing

PURPOSE AND EFFECT: To update the existing text for administrative convenience.

SUBJECT AREA TO BE ADDRESSED: Biennial Licensing.

SPECIFIC AUTHORITY: 456.004(1) FS.

LAW IMPLEMENTED: 456.004(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Michael Murphy, OMC Manager, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C-10, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B-9.001 Biennial Licensing.

(1) through (3) No change.

(4) The schedule for biennial license renewal for each respective profession shall be as follows:

EVEN YEARS	ODD YEARS
Acupuncturists	February 28
Athletic Trainers	September 30
Certified Master Social Workers	March 31
Certified Nursing Assistants (Group I)	December 31
Certified Nursing Assistants (Group II)	December 31
Chiropractic Physicians & Assistants	March 31

Clinical Laboratory Personnel	August 31
Clinical Social Workers	March 31
Consultant Pharmacists	December 31
Dental Hygienists	February 28
Dental Laboratories	February 28
Dentists	February 28
Dietitians/Nutritionists	May 31
Dispensing Opticians	December 31
Electrologists	May 31
Electrolysis Facilities	May 31
Hearing Aid Specialists	February 28
Marriage & Family Therapists	March 31
Massage Therapists	August 31
Massage Establishments	August 31
Medical Doctors (Group I)	January 31
Medical Doctors (Group II)	January 31
Medical Doctors – Public Psychiatry/Health Certificate	January 31
Medical Doctors – Limited License	January 31
Medical Doctors – Area of Critical Need	January 31
Medical Physicists	January 31
Mental Health Counselors	March 31
Midwives	December 31
Naturopathic Physicians	September 30
Nuclear Pharmacists	February 28
Nurses	
Group I: Registered & Advanced Registered Nurse Practitioners	April 30
Group II: Registered & Advanced Registered Nurse Practitioners	July 31
Group III: Registered & Advanced Registered Nurse Practitioners	April 30
Licensed Practical Nurses	July 31
Nursing Home Administrators	September 30
Occupational Therapists & Assistants	February 28
Optometrists	February 28
Optometrist Branch Offices	February 28
Orthotists & Prosthetists	November 30
Osteopathic Physicians	March 31
Pharmacies	February 28
Pharmacists	September 30
Physical Therapists & Assistants	November 30
Physician Assistants	January 31
Podiatric Physicians	March 31
Psychologists	May 31
Respiratory Care Practitioners	May 31
Respiratory Therapists	May 31
School Psychologists	November 30

Speech Language Pathologists/
Audiologists & Assistants December 31
EXTENSION OF BIENNIAL LICENSURE PERIODS –
When a current biennial licensure period for a profession is extended for a period longer than two years to conform to the above schedule of biennial periods, the biennial licensure fee for the profession shall be increased pro-rata to cover the additional extended period. The increased licensure fee shall be based on the biennial licensure fee established by the board. The amended licensure period and the pro-rated renewal fee shall be implemented for the purpose of restructuring the Department’s renewal schedule.

(5) No change.

Specific Authority 456.004(1) FS. Law Implemented 456.004(1) FS. History–New 11-5-00, Amended 11-24-05,_____.

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE NO.: RULE TITLE:
64B24-2.001 Licensure to Practice Midwifery
PURPOSE AND EFFECT: To update the rule.
SUBJECT AREA TO BE ADDRESSED: Licensure to Practice Midwifery.
SPECIFIC AUTHORITY: 456.004(5), 467.005 FS.
LAW IMPLEMENTED: 381.0034, 456.013, 467.011, 467.0125 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela King, Executive Director, 4052 Bald Cypress Way, Bin #C-06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE NO.: RULE TITLE:
64B24-3.002 Application Fees
PURPOSE AND EFFECT: To update the rule.
SUBJECT AREA TO BE ADDRESSED: Application Fees.
SPECIFIC AUTHORITY: 467.005, 467.0135 FS.
LAW IMPLEMENTED: 456.036(4), 467.0135(4) FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pamela King, Executive Director, 4052 Bald Cypress Way, Bin #A-06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B24-3.002 Application Fees.

(1) The application fee shall be \$200.

(2) The 4-month precicensure course application fee shall be \$100.

Specific Authority 467.005, 467.0135 FS. Law Implemented 456.036(4), 467.0135(4) FS. History–New 1-26-94, Formerly 61E8-3.002, Amended 8-15-95, Formerly 59DD-3.002, Amended 12-23-97, 11-9-05, 5-4-06,_____.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-3.001	Fees
64E-3.002	Definitions
64E-3.003	Qualifications for Examination
64E-3.0031	Radiation Therapy Assistance by General Radiographers
64E-3.0032	Radiologist Assistant Duties and Supervision
64E-3.004	Practice of Radiologic Technology by Applicants for Certification by Examination
64E-3.005	Written Examinations
64E-3.006	Certification by Endorsement
64E-3.007	Bone Densitometry
64E-3.008	Continuing Education Requirements
64E-3.009	Standards for Continuing Education Courses
64E-3.010	Reactivation of Inactive Certificates
64E-3.011	Disciplinary Guidelines

PURPOSE AND EFFECT: Review this Chapter and amend and/or adopt new rule language as necessary to ensure that all rules conform with statutory requirements and the current practices and procedures for radiological personnel.

SUBJECT AREA TO BE ADDRESSED: Fees, definitions; forms; application procedures and requirements; educational programs; examinations; endorsement; continuing education and providers; scope of practice and prohibited practices; training; remedial education; supervision; HIV/AIDS; certificate issuance, display, renewal, reactivation, resignation, and relinquishment; investigations; discipline guidelines; national organizations; speciality boards; advisory council's recommendations.

SPECIFIC AUTHORITY: 381.0034(4), 468.302(3)(a), (3)(d), (3)(h), 468.303, 468.304(1), (2), (3)(e), 468.305, 468.306, 468.3065, 468.307(1), 468.309(1)(a), (2), (3), (5), (6), (7), 468.3095(1), (2)(a), 468.3101(4), (6) FS.

LAW IMPLEMENTED: 381.0034, 468.3003, 468.301, 468.302, 468.303, 468.304, 468.305, 468.306, 468.3065, 468.307, 468.309, 468.3095, 468.3101, 468.314 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: James A. Futch, Bureau of Radiation Control, Bin C21, 4052 Bald Cypress Way, Tallahassee, FL 32399-1741; (850)245-4266. 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: James A. Futch, Bureau of Radiation Control, Bin C21, 4052 Bald Cypress Way, Tallahassee, FL 32399-1741; (850)245-4266

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

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-6.001	General
64E-6.002	Definitions
64E-6.003	Permits
64E-6.004	Application for System Construction Permit
64E-6.005	Location and Installation
64E-6.006	Site Evaluation Criteria
64E-6.008	System Size Determinations
64E-6.009	Alternative Systems
64E-6.010	Septage and Food Establishment Sludge
64E-6.0101	Portable Restrooms and Holding Tanks
64E-6.011	Abandonment of Systems
64E-6.012	Standards for the Construction, Operation, and Maintenance of Aerobic Treatment Units

64E-6.013	Construction Materials and Standards for Treatment Receptacles
64E-6.014	Construction Standards for Drainfield Systems
64E-6.015	Permitting and Construction of Repairs
64E-6.0151	Additive Use
64E-6.016	U.S. Department of Agriculture Soil Textural Classification System
64E-6.017	Definitions
64E-6.018	System Location, Design and Maintenance Criteria
64E-6.0181	Cesspit and Undocumented System Replacement and Interim System Use
64E-6.0182	Coordinated Permitting
64E-6.019	Requirements for Registration
64E-6.020	Master Septic Tank Contractors
64E-6.021	Issuance of Registration Certificates and Renewal
64E-6.022	Standards of Practice and Disciplinary Guidelines
64E-6.023	Certification of Partnerships and Corporations
64E-6.025	Definitions
64E-6.026	Applications for Innovative System Permits and System Construction Permits
64E-6.027	Permits
64E-6.028	Location and Installation
64E-6.029	Monitoring
64E-6.0295	Innovative System Reclassification
64E-6.030	Fees

PURPOSE AND EFFECT: Develop rules to incorporate necessary technical changes and incorporate modifications proposed through the Technical Review and Advisory Panel.

SUBJECT AREA TO BE ADDRESSED: Areas to be discussed include but are not limited to: Onsite sewage treatment and disposal system design, permitting, construction, modification, repair and maintenance; Septic Tank Contractor registration and training standards; Septage treatment and disposal; and Performance-based treatment standards. All aspects of the rule are open for discussion by the Technical Review and Advisory Panel.

SPECIFIC AUTHORITY: 381.0011(4), (13), 381.0065(3)(a), 489.553 (3), 489.557(1) FS.

LAW IMPLEMENTED: 381.0065, 381.0066, 381.0067, 381.0069, 386.041, 489.552, 489.553, 489.557 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Shirley Kugler, Bureau of Onsite Sewage Programs, 4042 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713. 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: Gerald Briggs, Department of Health, Bureau of Onsite Sewage Programs, 4042 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713

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

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:
64E-11.013 Certificates and Fees

PURPOSE AND EFFECT: The purpose is to increase food hygiene program fees within the statutory limits. The effect will be to reduce the program’s operating deficit.

SUBJECT AREA TO BE ADDRESSED: Food hygiene program fees.

SPECIFIC AUTHORITY: 381.0072 FS.

LAW IMPLEMENTED: 381.0072 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Leslie L. Harris, Environmental Administrator, Bureau of Community Environmental Health, Department of Health, 4052 Bald Cypress Way, BIN A08, Tallahassee, Florida 32399-1712, (850)245-4277

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:
68A-13.002 Migratory Birds; Adoption of
Federal Statutes and Regulations

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to remove Rule 68A-13.002 from Chapter 68A-13 and add it to new Chapter 68A-16 as Rule 68A-16.001, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rule include adoption of Federal statutes and regulations related to migratory birds.

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

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

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

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

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:
68A-16.001 Migratory Birds; Adoption of
Federal Statutes and Regulations

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to create new Chapter 68A-16, F.A.C., entitled “Rules Relating to Birds” and to move existing Rule 68A-13.002 to new Rule 68A-16.001, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rule include rules related to birds.

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

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

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

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

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-16.002 RULE TITLE: Bald Eagle

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish rules necessary for the conservation and management of the bald eagle in Florida.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rule include prohibitions and permits pertaining to bald eagles.

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

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

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

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

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-27.004 RULE TITLE: Designation of Threatened Species; Prohibitions; Permits

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions associated with threatened species, specifically to remove the bald eagle from the list of threatened species upon approval of the Commission.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rule include designations, prohibitions, and permits pertaining to threatened species.

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: James V.

Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

DEPARTMENT OF FINANCIAL SERVICES

Securities

RULE NO.: 69W-600.002 RULE TITLE: Application for Registration as Associated Person

PURPOSE AND EFFECT: Chapter 2007-63, Laws of Florida, relates to the regulation of securities transactions. This law amends Section 517.12, Florida Statutes, to increase fees applicable to the registration of associated persons. Statutory fees are increased from \$30 to \$50. The rule is amended to conform to the new statutory requirements.

SUBJECT AREA TO BE ADDRESSED: Securities Regulation/Registration of Associated Persons.

SPECIFIC AUTHORITY: 517.03(1), 517.12(6) FS.

LAW IMPLEMENTED: 517.12, 517.1205 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pam Epting, Bureau Chief, Office of Financial Regulation, The Fletcher Building, 200 East Gaines Street, Tallahassee, Florida 32399, (850)410-9805

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69W-600.002 Application for Registration as Associated Person.

(1)(a) Applications for initial, reaffiliation, and renewal registrations of a principal or associated person shall be filed on Form U-4, which is incorporated by reference in subsection 69W-301.002(7), F.A.C., and shall include all information required by such form, any other information the Office of Financial Regulation may require, and payment of the statutory fees required by Section 517.12(10), F.S. Except as otherwise provided in Rule 69W-600.0091, 69W-600.0092, or 69W-600.0093, F.A.C., the Office of Financial Regulation shall deem an application to be received at such time as it and the appropriate fee have been date-stamped by the cashier's office of the Department of Financial Services. For dealers that are member of the National Association of Securities Dealers ("NASD"), such application shall be filed with the Office of Financial Regulation through the Central Registration Depository ("CRD") of the NASD in accordance with Rule 69W-600.0091, F.A.C. For federal covered advisers, such

application shall be filed with the Office of Financial Regulation through the Central Registration Depository (“CRD”) of the NASD in accordance with Rule 69W-600.0092, F.A.C. For investment adviser applicants and registrants who file via the IARD, such application shall be filed with the Office of Financial Regulation through the CRD of the NASD in accordance with Rule 69W-600.0093, F.A.C.

(b) A complete initial application must include the following exhibits or forms that are appropriate for the type of registration requested:

- 1. No change.
 - 2. Statutory fee ~~in the amount of \$30~~, for each registration sought, in the amount as required by Section 517.12(10), F.S.
 - 3. through 5. No change.
- (c) No change.
(2) No change.

Specific Authority 517.03(1), 517.12(6) FS. Law Implemented 517.12(6), (7), (10), 517.1205 FS. History–New 9-20-82, Formerly 3E-301.02, Amended 10-15-86, 10-4-88, 6-24-90, 7-29-90, 10-14-90, 8-1-91, 6-16-92, 6-28-93, 11-14-93, 3-13-94, 4-30-96, 12-29-96, 6-22-98, 5-10-00, 9-19-00, 7-31-02, 12-11-03, Formerly 3E-600.002, Amended 3-16-06, 5-15-07,_____.

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.:	RULE TITLE:
5E-1.023	Procedures for Landowners and Leaseholders to Submit a Notice of Intent to Implement Nitrogen Best Management Practices (BMPs)

PURPOSE AND EFFECT: This amendment is proposed to provide for the adoption of an interim best management practice for fertilization for urban landscape maintenance.

SUMMARY: Addresses a request to adopt interim measure for nitrogen management per paragraph 5E-1.023(3)(a), F.A.C., by representatives of the landscape maintenance industry.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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: 576.045(3)(b) FS.

LAW IMPLEMENTED: 576.045(3)(b) FS.

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

DATE AND TIME: September 11, 2007, 9:00 a.m.

PLACE: Alachua Regional Service Center, 14101 Northwest Highway 441, Box 200, Alachua, Florida 32615; (386)418-5500

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Steve Dwinell, Assistant Director, Division of Agricultural Environmental Services, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650; (850)488-7447

THE FULL TEXT OF THE PROPOSED RULE IS:

5E-1.023 Procedures for Landowners and Leaseholders to Submit a Notice of Intent to Implement Nitrogen Best Management Practices (BMPs).

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

(d) Urban turf or lawns – The document titled “Best Management Practices for Protection of Water Resources in Florida, June 2002, Florida Green Industries” published by the Florida Department of Environmental Protection is hereby adopted and incorporated by reference.

Specific Authority 403.067(7)(c)2., 576.045(6) FS. Law Implemented 403.067, 576.045 FS. History–New 10-16-96, Amended 5-1-01, 10-17-02, 2-4-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Steve Dwinell

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Anderson H “Andy” Rackley
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 16, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 23, 2007

DEPARTMENT OF TRANSPORTATION

RULE NO.:	RULE TITLE:
14-1.0081	Special Service Charge for Public Records Request

PURPOSE AND EFFECT: Rule 14-1.0081, F.A.C., is being repealed. Repeal of this rule is part of the Department’s overall goal to review existing rules and to repeal any rules that are considered to be obsolete or unnecessary. Repeal of this rule will remove the only rule in Part I as a recent repeal of Rule 14-1.013, F.A.C., removed one of the then three parts, the net result will be the elimination of the Part I and Part II subdivision of the rule chapter.

SUMMARY: Rule 14-1.0081, F.A.C., is being repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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: 334.044(2) FS.

LAW IMPLEMENTED: 119.07, 334.044(29) FS.