

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:                   RULE TITLE:  
 6A-1.0014                   Comprehensive Management  
   Information System

**PURPOSE AND EFFECT:** The purpose of the rule development is to revise the schedule for district submission of amendments to student membership survey data via the statewide comprehensive management information system in order to allow data values to be finalized in a more timely manner. The effect will be the establishment of firm calendared deadlines for amendments and to provide for final reporting of Florida Education Finance Program Student Membership Survey data in a shorter time period.

**SUBJECT AREA TO BE ADDRESSED:** Timelines for school districts to finalize data reported via the DOE Student Information Data Base for use in the Florida Education Finance Program calculations.

**SPECIFIC AUTHORITY:** 1001.02(1) FS.

**LAW IMPLEMENTED:** 1011.61, 1011.62(1), 1011.68 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:** Lavan Dukes, Education Information Services, Department of Education, 325 West Gaines Street, Room 852, Tallahassee, Florida 32399-0400; (850)245-0400

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:                   RULE TITLE:  
 6A-1.0014                   Comprehensive Management  
   Information System

**PURPOSE AND EFFECT:** The purpose of the rule development is to revise existing requirements of the statewide comprehensive management information system which are necessary in order to implement changes recommended by school districts and to make changes in state reporting and local recordkeeping procedures for state and/or federal programs. The effect is to maintain compatibility among state and local information systems component.

**SUBJECT AREA TO BE ADDRESSED:** Statewide Comprehensive Management Information System.

**SPECIFIC AUTHORITY:** 1001.02(1), 1008.385(3) FS.

**LAW IMPLEMENTED:** 1001.11, 1002.22(3)(d)3., 1008.385(2), 1001.23 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:** Lavan Dukes, Education Information Services, Department of Education, 325 West Gaines Street, Room 852, Tallahassee, Florida 32399-0400; (850)245-0400

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:                   RULE TITLE:  
 6A-1.0451                   Florida Education Finance Program  
   Student Membership Surveys

**PURPOSE AND EFFECT:** The purpose of the rule development is to revise the schedule for district submission of amendments to student membership survey data via the statewide comprehensive management information system in order to allow data values to be finalized in a more timely manner. The effect is to establish firm calendared deadlines for amendments, and allow for final reporting of Florida Education Finance Program Student Membership Survey data in a shorter time period. Additionally, the rule will be reviewed to ensure consistency with governing Florida Statutes.

**SUBJECT AREA TO BE ADDRESSED:** Timelines for school districts to finalize data reported via the DOE Student Information Data Base for use in the Florida Education Finance Program calculations.

**SPECIFIC AUTHORITY:** 1001.02(1) FS.

**LAW IMPLEMENTED:** 1011.61, 1011.62(1), 1011.68 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:** Lavan Dukes, Education Information Services, Department of Education, 325 West Gaines Street, Room 852, Tallahassee, Florida 32399-0400; (850)245-0400

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

**DEPARTMENT OF TRANSPORTATION**

RULE NO.: 14-46.001  
 RULE TITLE: Utilities Installation or Adjustment  
 PURPOSE AND EFFECT: The proposed amendment to Rule 14-46.001, F.A.C., is to incorporate by reference a revised Utility Accommodation Manual and revised Utility Permit form. Other documents, which are incorporated by reference, are listed within the text of the rule as opposed to being included as secondary references within the manual.  
 SUBJECT AREA TO BE ADDRESSED: The Utility Accommodation Manual is being amended.  
 SPECIFIC AUTHORITY: 334.044(2) FS.

LAW IMPLEMENTED: 316.006, 334.044, 335.02, 337.401, 337.402, 337.403, 337.405, 339.05 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:

14-46.001 Utilities Installation or Adjustment.

(1) Purpose. This rule is established to regulate the location and manner for installation and adjustment of utility facilities on any FDOT right of way, in the interest of safety and the protection, utilization, and future development of such rights of way, with due consideration given to public service afforded by adequate and economical utility installations, and to provide procedures for the issuance of permits.

(2) Permits.

(a) The FDOT will issue permits for the construction, alteration, operation, relocation, and maintenance of utilities upon the right of way in conformity with the FDOT *Utility Accommodation Manual*, February 2007, ~~August 2004~~ edition, FDOT Document No. 710-020-001-~~fe~~, which is hereby incorporated by reference and made part of this rule, and which supersedes all previous editions. Copies of this document are available from the FDOT Maps and Publications Office ~~via the Office of Roadway Design, Utility Section~~ at 605 Suwannee Street, MS ~~12 32~~, Tallahassee, Florida 32399-0450, or the FDOT Department Utility Web Site: <http://www.dot.state.fl.us/rddesign/utilities/files/utilities.htm>.

(b) The Utility Permit, FDOT Form 710-010-85, Rev. 08/04, is incorporated herein by reference. Copies of FDOT Form 710-010-85, Rev. 08/04, are available from the Department Utility Web Site listed above.

(c) The FDOT *Utility Accommodation Manual*, February 2007, edition includes and modifies the following references:

1. *Policy on Accommodation of Utilities Within Freeway R/W*, prepared by the American Association of State Highway and Transportation Officials (AASHTO) Standing Committee on Highways, February 1989. Copies of this document are available from the AASHTO Bookstore website: <http://bookstore.transportation.org/>.

2. US Department of Transportation Federal Highway Administration Program Guide, *Utility Adjustments and Accommodation on Federal-Aid Highway Projects*, Third Edition, July 1995, prepared by the Federal-Aid and Design Division, Office of Engineering, Federal Highway Administration (FHWA), Publication No. FHWA-PD-95-029. Copies of this document are available from the FDOT Utility Website listed above.

3. *Roadside Design Guide*, published by AASHTO, 2002. Copies of this document are available from the AASHTO Bookstore website: <http://bookstore.transportation.org/>

4. The *Manual on Uniform Traffic Control Devices*, which is incorporated by reference under Rule 14-15.010, F.A.C.

5. AASHTO Design Specification, *Standard Specifications for Structural Supports for Highway Signs, Luminaries and Traffic Signals*, 4th Edition, with 2002, 2003, and 2006 Interims. Copies of this document are available from AASHTO Bookstore website: <https://bookstore.transportation.org/>.

6. American Petroleum Institute Standard 1104. Copies of this document are available from the American Petroleum Institute website: <http://www.api.org>.

7. AASHTO Publication, *A Policy on Geometric Design of Highways and Streets*, 2004, edition. Copies of this document are available from the AASHTO Bookstore website: <https://bookstore.transportation.org/>.

8. FHWA Technical Advisory entitled, *Motor Vehicle Accident Costs*, dated October 31, 1994. Copies of this document are available from the FDOT Utility website listed above.

9. FDOT *Standard Specifications for Road and Bridge Construction*, 2007, effective January 1, 2007. Copies of this document are available from the FDOT Maps and Publications Office at 605 Suwannee Street, MS 12, Tallahassee, Florida 32399-0450.

10. FDOT Design Standards for Design, Construction, Maintenance and Utility Operations on the State Highway System, January 2006. Copies of this document are available from the FDOT Roadway Design Utility website: <http://www.dot.state.fl.us/rddesign/DesignStandards/Standards.htm>.

Specific Authority 334.044(2) FS. Law Implemented 316.006, 334.044, 335.02, 337.401, 337.402, 337.403, 337.405, 339.05 FS. History—New 5-13-70, Amended 8-10-78, 7-22-82, Formerly 14-46.01, Amended 7-5-90, 6-8-93, 10-15-96, 8-30-99, 11-10-05,\_\_\_\_\_.

### 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."

### PUBLIC SERVICE COMMISSION

RULE NO.: 25-6.0423  
 RULE TITLE: Nuclear or Integrated Gasification Combined Cycle Power Plant Cost Recovery

**PURPOSE AND EFFECT:** The purpose of the rule amendment is to implement Section 366.92, F.S., to promote electric utility investment in Integrated Gasification Combined Cycle (IGCC) power plants by establishing cost recovery mechanisms for IGCC plants paralleling those for nuclear plants. Undocketed.

**SUBJECT AREA TO BE ADDRESSED:** Recovery of cost associated with the siting, design, licensing, and construction of an IGCC power plant.

**SPECIFIC AUTHORITY:** 350.127(2), 366.05(1) FS.

**LAW IMPLEMENTED:** 366.93 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:** Kathy Lewis, Division of Economic Regulation, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6594. E-mail address is [klewis@psc.state.fl.us](mailto:klewis@psc.state.fl.us)

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

25-6.0423 Nuclear or Integrated Gasification Combined Cycle Power Plant Cost Recovery.

(1) Purpose. The purpose of this rule is to establish alternative cost recovery mechanisms for the recovery of costs incurred in the siting, design, licensing, and construction of nuclear or integrated gasification combined cycle power plants in order to promote electric utility investment in nuclear or integrated gasification combined cycle power plants and allow for the recovery in rates of all such prudently incurred costs.

(2) Definitions. As used in this rule, the following definitions shall apply:

(a) "Nuclear power plant" ~~or "plant"~~ is an electrical power plant that utilizes nuclear materials as fuel, as defined in Sections 403.503(13) and 366.93(1)(c), F.S.

(b) "Integrated gasification combined cycle power plant" is an electrical power plant that uses synthesis gas produced by integrated gasification technology, as defined in Sections 403.503(13) and 366.93(1)(c), F.S.

(c) "Power plant" or "plant" means a nuclear power plant or an integrated gasification combined cycle power plant.

~~(d)(b)~~ "Cost" includes, but is not limited to, all capital investments including rate of return, any applicable taxes and all expenses, including operation and maintenance expenses, related to or resulting from the siting, licensing, design, construction, or operation of the nuclear or integrated gasification combined cycle power plant as defined in Section 366.93(1)(a), F.S.

~~(e)(e)~~ "Site selection." A site will be deemed to be selected upon the filing of a petition for a determination of need for a nuclear or integrated gasification combined cycle power plant pursuant to Section 403.519, F.S.

~~(f)(d)~~ "Site selection costs" are costs that are expended prior to the selection of a site.

~~(g)(e)~~ "Pre-construction costs" are costs that are expended after a site has been selected in preparation for the construction of a nuclear or integrated gasification combined cycle power plant, incurred up to and including the date the utility completes site clearing work.

~~(h)(f)~~ Site selection costs and pre-construction costs include, but are not limited to: any and all costs associated with preparing, reviewing and defending a Combined Operating License (COL) application for a nuclear power plant; costs associated with site and technology selection; costs of engineering, designing, and permitting the nuclear or integrated gasification combined cycle power plant; costs of clearing, grading, and excavation; and costs of on-site construction facilities (i.e., construction offices, warehouses, etc.).

~~(i)(g)~~ "Construction costs" are costs that are expended to construct the nuclear or integrated gasification combined cycle power plant including, but not limited to, the costs of constructing ~~nuclear~~ power plant buildings and all associated permanent structures, equipment and systems.

(3) No change.

(4) Site Selection Costs. After the Commission has issued a final order granting a determination of need for a ~~nuclear~~ power plant pursuant to Section 403.519, F.S., a utility may file a petition for a separate proceeding, to recover prudently incurred site selection costs. This separate proceeding will be limited to only those issues necessary for the determination of prudence and alternative method for recovery of site selection costs of a ~~nuclear~~ power plant.

(5) Pre-Construction Costs and Carrying Costs on Construction Cost Balance. After the Commission has issued a final order granting a determination of need for a ~~nuclear~~ power plant pursuant to Section 403.519, F.S., a utility may petition the Commission for recovery of pre-construction costs and carrying costs of construction cost balance as follows:

(a) through 2. No change.

(b) Carrying Costs on Construction Cost Balance. A utility is entitled to recover, through the utility's Capacity Cost Recovery Clause, the carrying costs on the utility's annual projected construction cost balance associated with the ~~nuclear~~ power plant. The actual carrying costs recovered through the Capacity Cost Recovery Clause shall reduce the allowance for funds used during construction (AFUDC) that would otherwise have been recorded as a cost of construction eligible for future recovery as plant in service.

1. For ~~nuclear~~ power plant need petitions submitted on or before December 31, 2010, the associated carrying costs shall be computed based on the pretax AFUDC rate in effect on June 12, 2007 ~~19, 2006~~;

2. For ~~nuclear~~ power plant need petitions submitted after December 31, 2010, the utility's pretax AFUDC rate in effect at the time the petition for determination of need is filed is presumed to be appropriate unless the Commission determines otherwise in its need determination order;

3. No change.

(c) Capacity Cost Recovery Clause for Nuclear or Integrated Gasification Combined Cycle Power Plant Costs.

1. through 2. No change.

3. The Commission shall include those costs it determines, pursuant to this subsection, to be reasonable or prudent in setting the Capacity Cost Recovery Clause factor in the annual Fuel and Purchased Power Cost Recovery proceedings. Such prior year actual costs associated with ~~nuclear~~ power plant construction subject to the annual proceeding shall not be subject to disallowance or further prudence review.

4. The final true-up for the previous year, actual/estimated true-up for the current year, and subsequent year's projected ~~nuclear~~ power plant costs as approved by the Commission pursuant to subparagraph (5)(c)2. will be included for cost recovery purposes as a component of the following year's capacity cost recovery factor in the Fuel and Purchased Power Cost Recovery. The utility must file all necessary revisions to the fuel and purchased power cost recovery filings no later than October 15 of the current year.

5. By May 1 of each year, along with the filings required by this paragraph, a utility shall submit for Commission review and approval a detailed analysis of the long-term feasibility of completing the power ~~nuclear~~ plant.

(6) Failure to Enter Commercial Service. Following the Commission's issuance of a final order granting a determination of need for the ~~nuclear~~ power plant, in the event the utility elects not to complete or is precluded from

completing construction of the ~~nuclear~~ power plant, the utility shall be allowed to recover all prudent site selection costs, pre-construction costs, and construction costs.

(a) through (b) No change.

(7) Commercial Service. As operating units or systems associated with the ~~nuclear~~ power plant and the ~~nuclear~~ power plant itself are placed in commercial service:

(a) No change.

(b) The utility shall calculate the increase in base rates resulting from the jurisdictional annual base revenue requirements for the ~~nuclear~~ power plant in conjunction with the Capacity Cost Recovery Clause projection filing for the year the ~~nuclear~~ power plant is projected to achieve commercial operation. The increase in base rates will be based on the annualized base revenue requirements for the ~~nuclear~~ power plant for the first 12 months of operations consistent with the cost projections filed in conjunction with the Capacity Cost Recovery Clause projection filing.

(c) At such time as the ~~nuclear~~ power plant is included in base rates, recovery through the Capacity Cost Recovery Clause will cease, except for the difference between actual and projected construction costs as provided in subparagraph (5)(c)4. above.

(d) No change.

(e) The jurisdictional net book value of any existing generating plant that is retired as a result of operation of the ~~nuclear~~ power plant shall be recovered through an increase in base rate charges over a period not to exceed 5 years. At the end of the recovery period, base rates shall be reduced by an amount equal to the increase associated with the recovery of the retired generating plant.

(8) through (e) No change.

(f) Annual Reports Required by Rule 25-6.135, F.A.C. On an annual basis following issuance of the final order granting a determination of need and until commercial operation of the ~~nuclear~~ power plant, a utility shall include the budgeted and actual costs as compared to the estimated in-service costs of the ~~nuclear~~ power plant as provided in the petition for need determination in its annual report filed pursuant to Rule 25-6.135, F.A.C. The estimates provided in the petition for need determination are non-binding estimates. Some costs may be higher than estimated and other costs may be lower. A utility shall provide such revised estimated in-service costs as may be necessary in its annual report.

Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 366.93 FS. History--New 4-8-07, Amended.

**PUBLIC SERVICE COMMISSION**

RULE NO.: RULE TITLE:

25-22.081 Contents of Petition

PURPOSE AND EFFECT: The purpose of the rule is to implement 2007 changes to Section 403.519, F.S., which require the PSC to consider whether renewable energy sources

and technologies, as well as conservation measures, are utilized to the extent reasonably available when making its determination of need for a proposed electric power plant including an Integrated Gasification Combined Cycle (IGCC) plant. Undocketed.

SUBJECT AREA TO BE ADDRESSED: PSC filing requirements for a petition for determination of need under the Florida Electrical Power Plant Siting Act.

SPECIFIC AUTHORITY: 350.217(2), 366.05(1) FS.

LAW IMPLEMENTED: 403.519 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: Kathy Lewis, Division of Economic Regulation, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6594. E-mail address is klewis@psc.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-22.081 Contents of Petition.

(1) Petition for Fossil, Integrated Gasification Combined Cycle, or Nuclear Fuel Electric Plants. Petitions submitted to commence a proceeding to determine the need for a proposed fossil, integrated gasification combined cycle, or nuclear fuel electrical power plant or responses to the Commission's order commencing such a proceeding shall comply with the other requirements of Chapter 25-22, F.A.C., as to form and style except that a utility may, at its option, submit its petition in the same format and style as its application for site certification pursuant to Sections 403.501 through 403.517, F.S., so long as the informational requirements of this rule and Chapter 25-22, F.A.C., are satisfied. ~~The petition, to allow the Commission to take into account the need for electric system reliability and integrity, the need for adequate reasonable cost electricity, the need for fuel diversity and supply reliability, and the need to determine whether the proposed plant is the most cost effective alternative available, and the need to determine whether renewable energy sources and technologies, as well as conservation measures, are utilized to the extent reasonably available, the petition~~ shall contain the following information:

(a) through (b) No change.

(c) A statement of the specific conditions, contingencies or other factors which indicate a need for the proposed electrical power plant including the general time within which the generating units will be needed. Documentation shall include historical and forecasted summer and winter peaks, number of customers, net energy for load, and load factors with a discussion of the more critical operating conditions. Load

forecasts shall identify the model or models on which they were based and shall include sufficient detail to permit analysis of the model or models. If a determination is sought on some basis in addition to or in lieu of capacity needs, such as fuel diversity, then detailed analysis and supporting documentation of the projected costs and benefits is required. Where a determination is sought for a nuclear or integrated gasification combined cycle power plant, the nonbinding estimate provided for in paragraph (2)(b) below shall be considered to be sufficient for purposes of this paragraph.

(d) A summary discussion of the major available generating alternatives which were examined and evaluated in arriving at the decision to pursue the proposed generating unit. The discussion shall include a general description of the generating unit alternatives, including purchases where appropriate; and an evaluation of each alternative in terms of economics, reliability, long-term flexibility and usefulness and any other relevant factors such as fuel diversity and fuel supply reliability. These major generating technologies generally available and potentially appropriate for the timing of the proposed plant and other conditions specific to it shall be discussed. In addition, each investor-owned utility shall include a detailed description of the selection process used and a detailed description of the generating unit alternatives proposed by each finalist, if any, selected to participate in subsequent contract negotiations pursuant to Rule 25-22.082, F.A.C. No provision of Rule 25-22.082, F.A.C., shall be applicable to a nuclear or integrated gasification combined cycle power plant sited after June 19, 2006.

(e) through (g) No change.

(2) In addition to complying with paragraphs (1)(a) through (g) above, a nuclear or integrated gasification combined cycle power plant petition shall contain the following information:

(a) The description required by Section 403.519(4)(a)2., F.S., including a discussion about how the proposed nuclear or integrated gasification combined cycle power plant will enhance the electric supply reliability by reducing the exposure to fossil fuel supply disruptions;

(b) A description of and a nonbinding estimate of the cost of the proposed nuclear or integrated gasification combined cycle power plant, including associated transmission facilities;

(c) The annualized base revenue requirement for the first 12 months of operation of the proposed nuclear or integrated gasification combined cycle power plant, based on the nonbinding estimate of the cost provided pursuant to paragraph (2)(b) above; and

(d) No change.

Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 403.519 FS. History—New 12-22-81, Formerly 25-2.133, 25-22.81, Amended 1-10-94, 2-20-07, \_\_\_\_\_.

**LAND AND WATER ADJUDICATORY COMMISSION**

**Capital Region Community Development District**

RULE NO.: RULE TITLE:

42CC-1.002 Boundary

PURPOSE AND EFFECT: The petition, as revised, was filed by the Capital Region Community Development District (the "District") with its registered office located at 123 South Calhoun Street, Tallahassee, Florida 32301. The petition proposes to modify the land area presently serviced by the District by amending its boundary to remove approximately 1,081.55 acres from the District located within the City of Tallahassee and unincorporated Leon County, Florida. The District currently covers approximately 3,286.94 acres of land and after amendment the District will encompass approximately 2,205.39 acres. There are 2 parcels of land located within the proposed contracted boundaries of the District that are to be excluded from the District. The parcels are owned by the Board of Trustees Internal Improvement Trust Fund, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399. Petitioner has obtained written consent to amend the boundaries of the District from the owners of 100% of the real property located within the contraction parcel.

SUBJECT AREA TO BE ADDRESSED: Amend the boundary of the Capital Region Community Development District

SPECIFIC AUTHORITY: 190.005, 190.046 FS.

LAW IMPLEMENTED: 190.004, 190.005, 190.046 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: Tuesday, September 18, 2007, 1:00 p.m.

PLACE: The Capitol, Conference Room 2107, 21st Floor, Tallahassee, Florida 32399

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 two days before the workshop/meeting by contacting: Barbara Leighty, Office of Policy and Budget, Office of the Governor, Room 1801, The Capitol, Tallahassee, Florida 32399-0001, telephone (850)487-1884. 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: Barbara Leighty, Office of Policy and Budget, Office of the Governor, Room 1801, The Capitol, Tallahassee, Florida 32399-0001, telephone (850)487-1884

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

**DEPARTMENT OF ELDER AFFAIRS**

**Statewide Public Guardianship Office**

RULE NOS.: RULE TITLES:

58M-2.001 Professional Guardian Registration  
 58M-2.003 Professional Guardian Coursework and Competency Examination  
 58M-2.007 Electronic Fingerprint Criminal History Record Check

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to revise terminology; delete obsolete language; add a new rule for electronic fingerprint criminal history record check; update the registration form and add a new form for renewal registration.

SUBJECT AREA TO BE ADDRESSED: Professional Guardian Registration, including updating the registration form and introducing a new form for renewal registrations; Professional Guardian coursework and competency examination; and electronic fingerprint criminal history record checks.

SPECIFIC AUTHORITY: 744.1083(6), 744.102(16), 744.1085, 744.3135 FS.

LAW IMPLEMENTED: 744.102(16), 744.1083, 744.1085, 744.3135 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: September 26, 2007, 9:00 a.m. – 12:00 Noon

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

IF NOT REQUESTED IN WRITING, THE WORKSHOP WILL NOT BE HELD.

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 72 hours before the workshop/meeting by contacting: Abbie Messer, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; Telephone Number: (850)414-2000, SunCom 994-2000; Email address: messera@elderaffairs.org. 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: Abbie Messer, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; Telephone Number: (850)414-2000, SunCom 994-2000; Email address: messera@elderaffairs.org

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

## 58M-2.001 Professional Guardian Registration.

(1) A person serving as a guardian in the State of Florida must be registered as a professional guardian prior to submitting an application for appointment as guardian to a Florida court for the guardian's third case involving monetary compensation for services rendered to a ward.

(2) Persons who are An applicant required to register with Department of Elder Affairs' Statewide Public Guardianship Office (SPGO) as a professional guardian must complete the Professional Guardian Registration Form, DOEA/SPGO Form 001, with all requested information. The Professional Guardian Registration Form, DOEA/SPGO Form 001, effective \_\_\_\_\_, 2007 July 2005, which is incorporated herein by reference and may ~~can~~ be obtained from the Statewide Public Guardianship Office, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000 or at <http://elderaffairs.state.fl.us/english/public.html>. The Professional Guardian Employee Registration Form, DOEA/SPGO Form 002, July \_\_\_\_\_, 2007 which is incorporated herein by reference and may be obtained from SPGO or at <http://elderaffairs.state.fl.us/english/public.html> must also be completed and submitted for all Professional Guardian Employees.

(3) The Professional Guardian Registration Form shall be signed by the registrant applicant (or corporate officer if the registrant applicant is a corporation).

(4) The completed registration form shall be filed with the Statewide Public Guardianship Office, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, by hand-delivery or mail. No Facsimile submissions will not be accepted.

(5) The following items must either accompany the registration form or must be on file with SPGO, for the registration application to be deemed complete:

(a) Credit history report for guardians as specified in Section 744.3135, F.S.;

(b) Criminal history record for guardians as specified in Section 744.3135, F.S.;

(c) Documentation of bonding as required under specified in Section 744.1085, F.S.;

(6) For the initial registration, the applicant must submit proof of completion of the required training, as well as, proof of competency by evidence of satisfactory completion of a Department of Elder Affairs approved examination a copy of the certificate of attendance for the required professional guardian instruction and training. Thereafter, copies of certificates of attendance for continuing education unit requirements; For annual renewals, proof of receipt of the minimum continuing education requirements must be submitted, if not on file.

(7) A registration fee of ~~thirty-five~~ ~~twenty-five~~ dollars (\$325) for each professional guardian in the form of a personal check, money order, or cashier's check made payable to the Statewide Public Guardianship Office must be submitted with the registration form.

(8) An applicant required to register with SPGO as a professional guardian must submit the Professional Guardian Registration Form to SPGO with the registration fee annually.

(9)(a) The registration period begins the day the registration application is approved by SPGO and ends on the registrant's bond anniversary date. For multi year bonds, the annual registration expiration date will be determined by the day and month that the bond expires.

(b) SPGO may prorate the registration fee up to by 50% registration fees for initial registrants whose bond registrations that will expire in less than 6 months.

(10) Annual Renewals: A completed DOEA/SPGO Form 001 for annual renewal of a registration An applicant shall be submitted annual registration materials to SPGO at least no later than 30 days prior to the expiration date of the current registration applicant's bond anniversary date to ensure that a lapse in continued registration does not occur. If the renewal form is not received 30 days prior to expiration, registrants may request expedited processing for an additional fee. All fees must be received with the completed registration form prior to the registration being processed by SPGO.

(11) SPGO will issue the annual registration license to the applicant upon approval.

(12) If a professional guardian hires an employee with assigned fiduciary responsibilities during the professional guardian's registration period, then the professional guardian shall submit an amended DOEA/SPGO Form 001 that includes the new employee information to SPGO for approval prior to the employee assuming any fiduciary responsibilities.

Specific Authority 744.1083(6) FS. Law Implemented 744.102(16), 744.1083, 744.1085, 744.3135 FS. History--New 5-4-03, Amended 12-12-05,\_\_\_\_\_.

## 58M-2.003 Professional Guardian Coursework and Competency Examination.

(1) Information about the professional guardian coursework and competency examination may be obtained from the Statewide Public Guardianship Office, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000 or online at <http://elderaffairs.state.fl.us>.

(2) Completion of the required professional guardian instruction and training course is a mandatory requirement in order for the registrant applicant to be eligible to take the competency examination.

(3) Registrants must score a minimum of 75% correct response on both sections of the Professional Guardian Competency Examination or must receive a waiver from

~~SPGO prior to the registration. The applicant must achieve a score of 75% or better on the Professional Guardian Competency Examination.~~

(4) If the registrant applicant fails to successfully complete either portion of the Professional Guardian Competency Examination in three (3) attempts, ~~then the registrant shall be applicant~~ is required to re-take the professional guardian instruction and training course prior to being eligible to ~~before sitting again~~ for the competency examination again.

Specific Authority 744.1083(6), 744.1085(6)(b) FS. Law Implemented 744.102(16), 744.1083, 744.1085, 744.3135 FS. History-New 12-12-05, Amended \_\_\_\_\_.

58M-2.007 Electronic Fingerprint Criminal History Record Check.

Per Section 744.3135(3), F.S., a professional guardian and their fiduciary employees may use electronic fingerprinting methods. Registrants must use an approved SPGO provider. A list of approved providers of electronic fingerprinting will be maintained by SPGO. This list will include the fee charged by each provider and if the provider requires an appointment or prepayment. This list may be obtained from the Statewide Public Guardianship Office or at <http://elderaffairs.state.fl.us/english/public.html>.

Specific Authority 744.3135 FS. Law Implemented 744.3135 FS. History-New \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE NO.: 61-5.005                      RULE TITLE: License Renewal Fee Waivers

PURPOSE AND EFFECT: The purpose of the rule amendment is to omit prior renewal fee waivers and implement a renewal fee waiver for the following professions: Athlete Agents, Employee Leasing, Real Estate Appraisers, Architecture and Interior Design, Professional Engineers, and Barbering.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment will update the rule language to omit prior renewal fee waivers and implement a new renewal fee waiver for the following professions: Athlete Agents, Employee Leasing, Real Estate Appraisers, Architecture and Interior Design, Professional Engineers, and Barbering.

SPECIFIC AUTHORITY: 455.219 FS.

LAW IMPLEMENTED: 455.219 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: September 17, 2007, 10:00 a.m. – 11:00 a.m.

PLACE: Professions Board Room, DBPR, 1940 North Monroe 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: April Dawn M. Skilling, (850)488-0063. 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: April Dawn M. Skilling, Office of the General Counsel, 1940 North Monroe Street, Suite 42, Tallahassee, FL 32399

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**

RULE NO.: 61-6.001                      RULE TITLE: Biennial Licensing

PURPOSE AND EFFECT: The purpose of the rule amendment is to update the rule language to add Professional Engineers and Barber Assistants to the schedule for biennial licensure renewal and delete unnecessary or outdated language.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment adds Professional Engineers and Barber Assistants to the schedule for biennial licensure renewal and deletes unnecessary or outdated language set forth in subsections (4), (5), and (6).

SPECIFIC AUTHORITY: 455.203(5) FS.

LAW IMPLEMENTED: 455.203(1) 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: September 17, 2007, 10:00 a.m. – 11:00 a.m.

PLACE: Professions Board Room, DBPR, 1940 North Monroe 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: April Dawn M. Skilling, (850)488-0063. 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: April Dawn M. Skilling, Office of the General Counsel, 1940 North Monroe Street, Suite 42, Tallahassee, FL 32399



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**

**Electrical Contractors’ Licensing Board**

RULE NO.:                   RULE TITLE:  
61G6-10.008               Mediation

PURPOSE AND EFFECT: The Board proposes the rule amendment to include an additional reason for permitting mediation.

SUBJECT AREA TO BE ADDRESSED: Mediation.

SPECIFIC AUTHORITY: 455.0235(1), 489.507(3) FS.

LAW IMPLEMENTED: 455.2235 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: Anthony Spivey, Executive Director, Electrical Contractors’ Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G6-10.008 Mediation.

Pursuant to Section 455.2235, F.S., the Board designated the following areas as appropriate for mediation;

(1) Section 489.533(1)(q), F.S.; License number not in ad, or wherever else required.

(2) Section 489.533(1)(r), F.S.: Any complaint that is based on non-completion of contract for not having a final inspection done; this would only be considered if the appropriate permit has been obtained in accordance with normal procedure.

Specific Authority 455.0235(1), 489.507(3) FS. Law Implemented 455.2235 FS. History–New 3-21-95, Amended 12-24-96,\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Landscape Architecture**

RULE NOS.:                   RULE TITLES:  
61G10-13.003               Continuing Education Requirements  
61G10-13.007               Reactivation of Inactive License

PURPOSE AND EFFECT: The Board proposes to amend the rule for clarification of reactivation of license requirements.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Requirements; Reactivation of Inactive License.

SPECIFIC AUTHORITY: 455.271(4), (9), (11), 481.306, 481.315 FS.

LAW IMPLEMENTED: 455.271(4), (9), (11), 481.315 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: Juanita Chastain, Executive Director, Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Landscape Architecture**

RULE NO.:                   RULE TITLE:  
61G10-15.005               Responsible Supervision Control  
  Over Landscape Architectural  
  Practices in the Landscape  
  Architect’s Office

PURPOSE AND EFFECT: The Board proposes to amend the rule to clarify instances of where one Landscape Architect qualifies multiple business entities.

SUBJECT AREA TO BE ADDRESSED: Responsible Supervision Control Over Landscape Architectural Practices in the Landscape Architect’s Office.

SPECIFIC AUTHORITY: 481.306 FS.

LAW IMPLEMENTED: 481.321(3), (5) 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: Juanita Chastain, Executive Director, Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE NO.: 61J1-2.001  
RULE TITLE: Fees

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to update the process for the request for a change of examination date and to delete the electronic fingerprinting processing fee.

SUBJECT AREA TO BE ADDRESSED: Fees.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 215.34, 215.405, 455.217, 455.2281, 455.271(6)(b), 475.6147, 475.615, 475.618 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: Thomas O'Bryant, Deputy Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61J1-2.001 Fees.

(1) through (11) No change.

(12) The fee for request for a change in examination

date which must be in writing, shall be:

(a) through (b) No change.

~~(13) Electronic Fingerprinting Processing \$61.00 Fee~~

~~(13)(14)~~ through ~~(15)(16)~~ No change.

Specific Authority 475.614 FS. Law Implemented 215.34, 215.405, 455.217, 455.2281, 455.271(6)(b), 475.6147, 475.615, 475.618 FS. History--New 10-15-91, Amended 6-7-92, 5-6-93, Formerly 21VV-2.001, Amended 9-22-93, 7-5-94, 5-22-95, 8-20-96, 11-11-97, 10-1-98, 10-29-98, 1-7-99, 11-15-99, 11-10-03, 2-21-06, 9-21-06, 12-4-06, 3-13-07,\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE NO.: 61J1-4.010  
RULE TITLE: Supervision and Training of Registered Trainee Appraisers

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to decrease the number of trainee appraisers that the supervising appraiser may supervise. The rule amendment also updates the requirements for the contents of an appraisal.

SUBJECT AREA TO BE ADDRESSED: Supervision and Training of Registered Trainee Appraisers.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.611, 475.6221, 475.6222 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: Thomas O'Bryant, Deputy Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61J1-4.010 Supervision and Training of Registered Trainee Appraisers.

(1) through (3) No change.

(4) Any supervising appraiser, whether acting as primary or secondary supervisor, may not supervise more than 3 4 registered trainee appraisers at one time.

(5) No change.

(6) Appraisal logs shall be maintained by both the registered trainee appraiser and the supervisory appraiser in a format determined by the Department and shall, at a minimum, include the following for each appraisal:

(a) through (c) No change.

(d) Description of work performed; ~~and~~

(e) Number of work hours; ~~and~~

(f) Signature and state license certification number of the supervising appraiser.

(7) through (10) No change.

Specific Authority 475.614 FS. Law Implemented 475.611, 475.6221, 475.6222 FS. History--New 2-16-04, Amended 3-1-06, 12-4-06, 8-12-07,\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE NO.: 61J1-6.001  
RULE TITLE: Experience Requirement

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to remove the requirement for client name and address on the appraisal experience log.

SUBJECT AREA TO BE ADDRESSED: Experience Requirement.

SPECIFIC AUTHORITY: 475.614, 475.615(2) FS.

LAW IMPLEMENTED: 455.213, 475.611(1)(o), 475.615(2), 475.617, 475.628 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: Thomas O'Bryant, Deputy Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61J1-6.001 Experience Requirement.

(1) through (4) No change.

(5) Experience as defined in subsection (2) above shall be accounted for on an appraisal experience log, which shall include the following minimum information: type of property, date of report, ~~client name and address~~, address of appraised property, description of work performed, number of work hours, and signature and license number of supervising appraiser (if applicable). The log and supporting documents shall be retained for a minimum of 5 years after licensure or certification. All work submitted for experience shall comply with the Uniform Standards of Professional Appraisal Practice, as defined in Section 475.611(1)(o), Florida Statutes. Types of acceptable experience are, as follows:

(a) through (e) No change.

(6) No change.

Specific Authority 475.614, 475.615(2) FS. Law Implemented 455.213, 475.611(1)(o), 475.615(2), 475.617, 475.628 FS. History—New 10-15-91, Formerly 21VV-6.001, Amended 9-22-93, 9-6-94, 2-19-98, 9-6-98, 12-12-99, 10-1-00, 6-1-04, 3-1-06, 12-4-06, 4-18-07, \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE NO.: RULE TITLE:

61J1-8.001 Citation Authority

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to include a fee for the violation of failing to register the firm or business name and location as required by Section 475.623, F.S.

SUBJECT AREA TO BE ADDRESSED: Citation Authority.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 455.224, 455.275, 475.622(1), 475.6221(1), 475.624(14), (18) 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: Thomas O'Bryant, Deputy Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61J1-8.001 Citation Authority.

(1) No change.

(2) The following violations with accompanying fine may be disposed of by citation:

(a) Section 475.624(4), F.S. – has violated any of the provisions of Chapter 455 or 475, Part II, F.S., by –

1. through 4. No change.

5.a. Failing to register the name of the trainee as required by Section 475.6221(1), F.S. \$500.00

b. No change.

6. Failing to notify the department of the termination of the relationship with the supervising appraiser as required by Section 475.6221(1), F.S. \$300.00

7. through 8. No change.

9. Failing to register the firm or business name and location as required by Section 475.623, F.S. \$500.00

(3) through (5) No change.

Specific Authority 475.614 FS. Law Implemented 455.224, 455.275, 475.622(1), 475.6221(1), 475.624(14), (18) FS. History—New 12-4-91, Amended 4-21-92, Formerly 21VV-8.001, Amended 8-8-93, 5-14-95, 3-26-96, 7-23-96, 7-10-97, 11-11-97, 11-20-05, 12-4-06, \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE NO.: RULE TITLE:

61J1-8.002 Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to include a penalty for the violation of failing to provide direct supervision or training of trainee appraiser and to change the penalty for a supervisory appraiser employed by a trainee appraiser.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

SPECIFIC AUTHORITY: 455.2273, 475.614 FS.

LAW IMPLEMENTED: 455.227, 475.622, 475.6221(3), 475.624, 475.626 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: Thomas O'Bryant, Deputy

VIOLATIONS

- (a) through (aa) No change.
- (bb) Section 475.6221(3), F.S. Supervisory appraiser employed by a trainee appraiser.

(cc) Section 475.6222, F.S., failure to provide direct supervision or training of trainee appraiser.

- (4) No change.

Specific Authority 455.2273, 475.614 FS. Law Implemented 455.227, 475.622, 475.6221(3), 475.624, 475.626 FS. History–New 1-7-92, Formerly 21VV-8.002, Amended 1-9-94, 8-17-97, 6-8-03, 12-4-06, \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE NO.: 61J2-14.008 RULE TITLE: Definitions

PURPOSE AND EFFECT: The rule amendment describes the licensees' obligations when a deposit is placed with an attorney or title company.

SUBJECT AREA TO BE ADDRESSED: Definitions.

SPECIFIC AUTHORITY: 475.05, 475.25(1)(k) FS.

LAW IMPLEMENTED: 475.25(1)(k) 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, Suite N801, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 61J2-14.008 Definitions.
- (1)(a) through (2)(a) No change.

Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61J1-8.002 Disciplinary Guidelines.

- (1) through (2) No change.

(3) The penalties are as listed unless aggravating or mitigating circumstances apply pursuant to subsection (4):

RECOMMENDED RANGE OF PENALTY

The usual action of the Board shall be to impose a penalty of ~~up to a 5-year suspension~~ to revocation and an administrative fine of ~~\$45,000.00~~

The usual action of the Board shall be to impose a penalty of up to revocation and an administrative fine up to \$5,000.00.

(b) When a deposit is placed or to be placed with a title company or an attorney, the licensee who prepared or presented the sales contract ("Licensee"), shall indicate on that contract the name, address, and telephone number of such title company or attorney. Within three (3) business days after each deposit is due under the sales contract, the Licensee's broker shall make written request to the title company or attorney to provide written verification of receipt of the deposit. Within ten (10) business days of the date of the Licensee's broker made the written request for verification of the deposit, the Licensee's broker shall provide Seller's broker with either a copy of the written verification, or, if no verification is received by Licensee's broker, written notice that Licensee's broker did not receive verification of the deposit. If Seller is not represented by a broker, then Licensee's broker shall notify the Seller directly in the same manner indicated herein. ~~When escrow funds are placed with a title company or an attorney, the licensee shall indicate on the sales contract the name and address of said entity. The licensee shall obtain and retain written verification of said deposit upon delivery of the funds to the title company or attorney.~~

- (3) No change.

Specific Authority 475.05, 475.25(1)(k) FS. Law Implemented 475.25(1)(k) FS. History–New 1-1-80, Formerly 21V-14.08, Amended 10-13-88, 12-29-91, 7-20-93, Formerly 21V-14.008, Amended 7-5-95, 7-4-06, \_\_\_\_\_.

**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 ENVIRONMENTAL PROTECTION**

RULE NO.: 62-210.300  
 RULE TITLE: Permits Required  
 PURPOSE AND EFFECT: On April 20, 2007, the department published notices of rule development for amendments to Chapter 62-210, F.A.C., related to implementation of permitting requirements for Title V sources subject to the U.S. Environmental Protection Agency’s Clean Air Interstate Rule, Clean Air Mercury Rule, and Acid Rain program. The notice for Chapter 62-210, F.A.C., failed to include Rule 62-210.300, F.A.C., but conforming amendments to rule citations in this section will be needed as part of the overall rulemaking project. This notice expresses the department’s intent to develop the necessary conforming amendments to Rule 62-210.300, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments address Title V air operation permitting requirements.

SPECIFIC AUTHORITY: 403.061, 403.087, 403.0872 FS.  
 LAW IMPLEMENTED: 403.031, 403.061, 403.087, 403.0872 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: Ms. Cindy Phillips at (850)921-9534 or cindy.phillips@dep.state.fl.us.

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-31.012  
 RULE TITLE: Fees Regarding Anesthesiologist Assistants

PURPOSE AND EFFECT: The proposed amendment to Rule 64B8-31.012, F.A.C., is intended to implement a fee for changing status other than during the biennial renewal period.

SUBJECT AREA TO BE ADDRESSED: A fee of \$100 for change of licensure status other than at the time of licensure renewal.

SPECIFIC AUTHORITY: 456.036(5), (7), 458.309, 458.3475 FS.

LAW IMPLEMENTED: 456.036(4), (5), (7), 458.3475 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-31.012 Fees Regarding Anesthesiologist Assistants.  
 The following fees are prescribed by the Board:

- (1) through (8) No change.
- (9) The fee for processing any changes in the licensure status other than the biennial renewal period shall be \$100.

Specific Authority 456.036(5), (7), 458.309, 458.3475 FS. Law Implemented 456.036(4), (5), (7), 458.3475 FS. History–New 8-2-05, Amended 6-7-07,\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-36.003  
 RULE TITLE: Medicinal Drugs Which May Be Ordered by Pharmacists

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address drugs which may be appropriately ordered by pharmacists.

SUBJECT AREA TO BE ADDRESSED: Medicinal drugs which may be ordered by pharmacists.

SPECIFIC AUTHORITY: 465.186(2) FS.  
 LAW IMPLEMENTED: 465.186 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.: 64B15-7.012  
 RULE TITLE: Fees Regarding Anesthesiologist Assistants

PURPOSE AND EFFECT: The proposed amendment to Rule 64B15-7.012, F.A.C., is intended to implement a fee for changing status other than during the biennial renewal period.

SUBJECT AREA TO BE ADDRESSED: A fee of \$100 for change of licensure status other than at the time of licensure renewal.

SPECIFIC AUTHORITY: 456.036(5), (7), 459.005, 459.023 FS.

LAW IMPLEMENTED: 456.036(4), (5), (7), 459.023 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B15-7.012 Fees Regarding Anesthesiologist Assistants.

The following fees are prescribed by the Board:

(1) through (8) No change.

(9) The fee for processing any changes in the licensure status other than the biennial renewal period shall be \$100.

Specific Authority 456.036(5), (7), ~~458.309, 458.3475~~, 459.005, 459.023 FS. Law Implemented 456.036(4), (5), (7), ~~458.3475~~, 459.023 FS. History—New 8-2-05, Amended 6-7-07, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.:                   RULE TITLE:  
64B15-12.0075           Requirements for Reactivation of Retired Status License

PURPOSE AND EFFECT: The purpose and effect of this new rule is to establish requirements for the activation of retired status license.

SUBJECT AREA TO BE ADDRESSED: Requirements for Reactivation of Retired Status License.

SPECIFIC AUTHORITY: 456.036 FS.

LAW IMPLEMENTED: 456.036 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B15-12.0075 Requirements for Reactivation of Retired Status License.

A retired status license shall be reactivated upon demonstration that the licensee has paid the reactivation fee set forth in Rule 64B15-10.0033, F.A.C., and has complied with the following requirements:

(1) As a condition to the reactivation of a retired status license, a physician must:

(a) Submit documentation of successful completion of twenty (20) hours per year of continuing medical education courses which comply with the requirements of Rule 64B15-13.001, F.A.C., for each year of retired status;

(b) Document compliance with the financial responsibility requirements of Section 459.0085, F.S., and Rule Chapter 64B15-20, F.A.C.; and

(c) Document compliance with Section 456.033, F.S.

(2) Any osteopathic physician whose license has been on retired status for more than five (5) years or a licensee from another state who has not been in the active practice of osteopathic medicine within the past five (5) years shall be required to appear before the Board and establish the ability to practice with the care and skill sufficient to protect the health, safety, and welfare of the public. At the time of such appearance, the physician must:

(a) Demonstrate compliance with subsection (1) above;

(b) Demonstrate successful completion of the COMVEX examination within the year immediately proceeding the appearance before the Board; and

(c) Account for any activities related to the practice of osteopathic medicine during the period that the licensee was on retired status or not practicing in another jurisdiction and establish an absence of malpractice or disciplinary actions pending in any jurisdiction.

(3) The Department shall refuse to reactivate the license of a retired status osteopathic physician who is under investigation or prosecution in any jurisdiction for an action that would constitute a violation of this chapter or the professional practice acts administered by the department and the boards, until 15 days after the Department receives the final results of the investigation or prosecution.

Specific Authority 456.036 FS. Law Implemented 456.036 FS. History—New \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.: 64B19-18.004      RULE TITLE: Use of Test Instruments  
 PURPOSE AND EFFECT: The Board proposes the rule amendment to enlarge the conditions under which a licensed psychologist may sign an evaluation or assessment based on the use of test instruments.  
 SUBJECT AREA TO BE ADDRESSED: Signatures required for evaluations or assessments.  
 SPECIFIC AUTHORITY: 490.004(4) FS.  
 LAW IMPLEMENTED: 490.003(4), 490.009(1)(r), (s), (v), (w) 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: Susan Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3253

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

- 64B19-18.004 Use of Test Instruments.
  - (1) through (4) No change.
  - (5) It shall be a violation of this rule for a psychologist to sign any evaluation or assessment unless the psychologist has had an active role in the evaluation or assessment of the subject as required by subsection (4) of this rule. A psychologist may not sign any evaluation or assessment that is signed by any other person unless the psychologist is signing as a supervisor, in conjunction with an evaluation or assessment performed by an psychological intern, psychological trainee or psychological resident, or as a member of a multidisciplinary diagnostic team.
  - (6) No change.

Specific Authority 490.004(4) FS. Law Implemented 490.003(4), 490.009(1)(r), (s), (v), (w) FS. History–New 6-14-94, Formerly 61F13-20.004, Amended 5-19-97, Formerly 54AA-18.004, Amended 3-25-02,\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Speech-Language Pathology and Audiology**

RULE NO.: 64B20-2.003      RULE TITLE: Provisional License; Requirements  
 PURPOSE AND EFFECT: In this amendment, the Board proposes to clarify when a provisional license expires.  
 SUBJECT AREA TO BE ADDRESSED: Provisional License; Requirements.

SPECIFIC AUTHORITY: 468.1135(4) FS.  
 LAW IMPLEMENTED: 468.1145(2), 468.1155 FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pamela King, Executive Director, Board of Speech Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #06, Tallahassee, Florida 32399-3253

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

- 64B20-2.003 Provisional License; Requirements.
  - (1) through (4) No change.
  - (5) A provisional license shall be valid for a period of 18 months from the date of issuance or until a license to practice Speech-Language Pathology or Audiology pursuant to Section 468.1185, F.S., is issued.

Specific Authority 468.1135(4) FS. Law Implemented 468.1145(2), 468.1155 FS. History–New 3-14-91, Amended 12-4-91, Formerly 21LL-2.003, Amended 11-30-93, Formerly 61F14-2.003, Amended 9-26-95, Formerly 59BB-2.003, Amended \_\_\_\_\_.

**Section II  
Proposed Rules**

**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.”

**LAND AND WATER ADJUDICATORY COMMISSION  
Julington Creek Plantation Community Development District**

RULE NO.: 42T-1.002      RULE TITLE: Boundary  
 PURPOSE AND EFFECT: The Petition was filed by the Julington Creek Plantation Community Development District with its registered office located at 123 South Calhoun Street, Tallahassee, Florida 32301. The Petition proposes to modify the land area presently serviced by the District by amending its boundary to add 26.86 acres to the District located solely within St. Johns County, Florida. The District currently covers approximately 4,119 acres of land and after amendment the District will encompass approximately 4,145.86 acres.