

67-48.0205	Sale, Transfer or Refinancing of a HOME Development
67-48.022	HOME Disbursements Procedures and Loan Servicing
67-48.023	Housing Credits General Program Procedures and Requirements
67-48.027	Tax-Exempt Bond-Financed Developments
67-48.028	Carryover Allocation Provisions
67-48.029	Extended Use Agreement
67-48.030	Sale or Transfer of a Housing Credit Development
67-48.031	Termination of Extended Use Agreement and Disposition of Housing Credit Developments

**PURPOSE AND EFFECT:** The purpose of this Rule is to establish the procedures by which the Corporation shall: (1) administer the Application process, determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the State Apartment Incentive Loan (SAIL) Program authorized by Section 420.5087, Florida Statutes (F.S.), and the HOME Investment Partnerships (HOME) Program authorized by Section 420.5089, Florida Statutes; and (2) administer the Application process, determine Housing Credit (HC) amounts and implement the provisions of the Housing Credit Program authorized by Section 42 of the Code and Section 420.5099, Florida Statutes.

**SUBJECT AREA TO BE ADDRESSED:** The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to (1) the development of the 2008 application and program requirements for the SAIL, HOME, HC Programs, as specified in Rule Chapter 67-48, Florida Administrative Code (F.A.C.) and (2) amendments to the Florida Housing Finance Corporation's 2007 Qualified Allocation Plan (QAP).

**SPECIFIC AUTHORITY:** 420.507 F.S.

**LAW IMPLEMENTED:** 420.5087, 420.5089, 420.5099 F.S.

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

**DATE AND TIME:** December 7, 2007, following the Board Meeting at a time to be announced at the conclusion of the Board Meeting

**PLACE:** Hyatt Regency Orlando Airport, 9300 Airport Boulevard, Orlando, Florida 32827

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Deborah Dozier Blinderman, Deputy Development Officer

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

## Section II Proposed Rules

### DEPARTMENT OF LEGAL AFFAIRS

#### Division of Victim Services and Criminal Justice Programs

**RULE NO.:** 2A-2.002

**RULE TITLE:** Claims

**PURPOSE AND EFFECT:** The proposed rule amendment is intended to set forth a revised form utilized for victim compensation.

**SUMMARY:** The proposed rule amendment incorporates a revised form with regard to victim compensation assistance.

**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:** 960.045(1) FS.

**LAW IMPLEMENTED:** 960.065, 960.07, 960.12, 960.13, 960.15, 960.16, 960.17, 960.18, 960.195 960.198 FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Gwen Roache, Chief, Bureau of Victim Compensation, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

**THE FULL TEXT OF THE PROPOSED RULE IS:**

2A-2.002 Claims.

Application and benefit payment criteria, limitations and procedures for victim assistance are provided in the publication entitled "Victim Compensation Assistance," BVC-P001 (Rev. 9/07) (~~January 2000~~), effective \_\_\_\_\_ ~~2-3-00~~, which is incorporated into these rules by reference. In addition, the following documents are incorporated into this rule by reference:

(1) through (12) No change.

Specific Authority 960.045(1) FS. Law Implemented 960.065, 960.07, 960.12, 960.13, 960.15, 960.16, 960.17, 960.18, 960.195 960.198 FS. History--New 1-1-92, Amended 11-1-92, 9-13-94, 1-8-96, 6-25-96, 10-1-96, 9-24-97, 8-17-99, 2-3-00, 10-23-01, 5-13-03, \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Gwen Roache, Chief, Bureau of Victim Compensation

**NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE:** Rodney Doss, Division Director, Victim Services and Criminal Justice Programs

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** October 26, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 26, 2007

**DEPARTMENT OF LEGAL AFFAIRS**

**Division of Victim Services and Criminal Justice Programs**

RULE NO.: 2A-3.002  
 RULE TITLE: Application and Payment Procedures

PURPOSE AND EFFECT: The proposed rule amendment is intended to set forth the revised Sexual Battery Claim form.

SUMMARY: The proposed rule amendment incorporates the form with regard to sexual battery claims.

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: 960.045(1) FS.

LAW IMPLEMENTED: 960.28 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gwen Roache, Chief, Bureau of Victim Compensation, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

THE FULL TEXT OF THE PROPOSED RULE IS:

2A-3.002 Application and Payment Procedures.

Application and payment procedures for sexual assault examinations are provided on the form entitled "Sexual Battery Claim Form," DVS-201, (Rev. 07/07) (~~Rev. 8/02~~), effective ~~3-17-03~~, which is incorporated in this rule by reference.

Specific Authority 960.045(1) FS. Law Implemented 960.28 FS. History—New 11-1-92, Amended 9-13-94, 9-26-95, 6-19-96, 9-24-97, 2-3-00, 3-17-03,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gwen Roache, Chief, Bureau of Victim Compensation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rodney Doss, Division Director, Victim Services and Criminal Justice Programs

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 26, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 26, 2007

**DEPARTMENT OF EDUCATION**

**Florida School for the Deaf and the Blind**

RULE NO.: 6D-12.002  
 RULE TITLE: Campus Police Department

PURPOSE AND EFFECT: The purpose of this Rule is to indicate that the Policies and Procedures Manual of the Campus Police Department of the Florida School for the Deaf and the Blind has been revised and language no longer required by statute has been removed.

SUMMARY: This Rule establishes guidelines and directives for the Florida School for the Deaf and the Blind Campus Police Department.

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: 1002.36(4)(c) FS.

LAW IMPLEMENTED: 1002.36(4)(d) FS.

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

DATE AND TIME: December 15, 2007, 9:00 a.m.

PLACE: Center for Leadership and Development, Moore Hall, FSDB Campus, St. Augustine, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elaine F. Ocuto

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-12.002 Campus ~~Security~~/Police Department.

(1) The Board of Trustees shall provide for a safe and secure campus through the Campus ~~Security~~/Police Department.

(2) The Campus ~~Security~~/Police Department shall consist of security officers and campus police officers, the latter shall have the same rights, protections and immunities afforded other law enforcement officers of the State of Florida.

(3) FSDB Campus Police officers shall meet the minimum standards established by the Criminal Justice Standards and Training Commission of the Florida Department of Law Enforcement (FDLE) and Chapter 943, F.S. for law enforcement officers.

(4) FSSDB Campus Police Officers shall have the authority to perform duties in accordance with the laws of Florida.

(5) The Board of Trustees shall satisfy all requirements specified in Section 1002.36(8), F.S.

(6) FSDB shall prepare an annual report of crime statistics in the format prescribed by the Board of Trustees. The report shall be submitted to the Board of Trustees, the Commissioner of Education, and shall be made available upon request.

(7) Each campus security/police officer shall be provided with the "Florida School for the Deaf and the Blind Campus Security/Police Manual" rewritten October 2007 revised August 2004, adopted by the Board of Trustees pursuant to the provisions of Section 1002.36(4)(c), F.S., shall be incorporated by this rule and made a part of the rules of the Board of Trustees.

(8) A copy of the Florida School for the Deaf and the Blind Campus Security/Police Manual may be obtained from the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, Florida 32084 at a price to be established by the President but which shall not exceed actual cost of preparation, printing or reproduction and mailing.

Specific Authority 1002.36(4)(c) FS. Law Implemented 1002.36(4)(d) FS. History--New 4-8-92, Amended 10-26-94, 4-28-97, 1-19-04, 3-21-05,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elmer Dillingham

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Trustees of The Florida School for the Deaf and the Blind

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 3, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 21, 2007

**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  
Huntington Hammocks Community Development District**

RULE NOS.:	RULE TITLES:
42LLL-1.001	Establishment
42LLL-1.002	Boundary
42LLL-1.003	Supervisors

PURPOSE AND EFFECT: The petition, filed by Seville LLC, requests the Commission establish a community development district located entirely within unincorporated Hernando County, Florida. The land area proposed to be served by the District comprises approximately 1,036.71 acres. The proposed land area is generally located in Northern Hernando County, with its Northern boundary comprised of the Hernando County/Citrus County Line. The proposed District is further located West of US 98 and East of US 19. There are 83 parcels of real property located within the external boundaries of the proposed District which are to be excluded from the District. The Petitioner has obtained written consent to establish the

District from the landowners of 100% of the real property located within the proposed District. The proposed infrastructure plan consists of roads, paving and street lighting; water and wastewater; stormwater management; and, an irrigation system.

SUMMARY: The petition, filed by Seville LLC, requests the Commission establish a community development district located entirely within unincorporated Hernando County, Florida. The land area proposed to be served by the District comprises approximately 1,036.71 acres. The proposed land area is generally located in Northern Hernando County, with its Northern boundary comprised of the Hernando County/Citrus County Line. The proposed District is further located West of US 98 and East of US 19. There are 83 parcels of real property located within the external boundaries of the proposed District which are to be excluded from the District. The Petitioner has obtained written consent to establish the District from the landowners of 100% of the real property located within the proposed District. The proposed infrastructure plan consists of roads, paving and street lighting; water and wastewater; stormwater management; and, an irrigation system.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The statement of estimated regulatory costs (SERC) supports the petition to establish the District. The complete text of the SERC is contained as Exhibit 8 to the petition. The requirements for a SERC are found in Section 120.541(2), F.S. A SERC must contain (a) a good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a description of the types of individuals likely to be affected by the rule; (b) a good faith estimate of the costs to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues; (c) a good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the rule; (d) an analysis of the impact on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by Section 120.52, F.S.; (e) any additional information that the agency determines may be useful; and (f) any good faith written proposal submitted under section (a) and either a statement adopting the alternative or a statement rejecting the alternative in favor of the proposed rule. Addressing section (a), the District, Hernando County, and certain state agencies are the principal entities that are likely to be required to comply with the rule. In addition, current and future property owners will be affected by the establishment of the proposed District. Under section (b), FLWAC and the State of Florida will incur administrative costs. Hernando County will incur costs resulting from the initial review and on-going costs resulting from the on-going administration of the District. There is a \$15,000 filing fee paid to Hernando County to offset any costs it may incur. Adoption of the proposed rule to approve the

formation of the District will not have an adverse impact on State and local revenues. Addressing section (c), the District may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. The District may issue notes, bonds, or other indebtedness to fund its improvement program. Prospective future land owners would be required to pay off such indebtedness over time in the form of non-ad valorem special assessments or other rates, fees or charges. The District may also impose an annual levy for the operation and maintenance of the District. Under section (d), approval of the petition to establish the District will have no impact or a positive impact on small businesses. Hernando County has a population of 130,802 according to the Census 2000 conducted by the United States Census Bureau and is therefore not defined as a "small" county according to Section 120.52, Florida Statutes. Under section (e), the analysis provided in the SERC was based on a straightforward application of economic theory. Input was received from the Petitioner's engineer and other professionals associated with the Petitioner.

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: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 FS.

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

DATE AND TIME: Wednesday, December 19, 2007, 10:00 a.m.

PLACE: Room 2103, The Capitol, 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 two days before the workshop/meeting by contacting: Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of the Governor, The Capitol, Room 1801, 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 RULES IS: Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, telephone (850)487-1884

THE FULL TEXT OF THE PROPOSED RULES IS:

HUNTINGTON HAMMOCKS COMMUNITY  
DEVELOPMENT DISTRICT

42LLL-1.001 Establishment.

The Huntington Hammocks Community Development District is hereby established.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History--New \_\_\_\_\_.

42LLL-1.002 Boundary.

The boundaries of the district are as follows:

PARCEL 1

FOR A POINT OF BEGINNING, COMMENCE AT THE NORTHWEST CORNER OF SECTION 5, TOWNSHIP 21 SOUTH, RANGE 18 EAST, HERNANDO COUNTY, FLORIDA; THENCE ALONG THE NORTH BOUNDARY OF THE NORTHWEST 1/4 OF SAID SECTION 5, S 89° 28' 53" E A DISTANCE OF 2670.36 FEET TO THE NORTH 1/4 CORNER OF SAID SECTION 5; THENCE ALONG THE NORTH BOUNDARY OF THE NORTHEAST 1/4 OF SAID SECTION 5, S 89° 28' 59" E

A DISTANCE OF 2670.56 FEET TO THE NORTHEAST CORNER OF SAID SECTION 5, SAID CORNER ALSO BEING THE NORTHWEST CORNER OF SECTION 4, TOWNSHIP 21 SOUTH, RANGE 18 EAST; THENCE ALONG THE NORTH BOUNDARY OF THE NORTHWEST 1/4 OF SAID SECTION 4, N 89° 50' 36" E A DISTANCE OF 2653.73 FEET TO THE NORTH 1/4 CORNER OF SAID SECTION 4, THENCE ALONG THE NORTH BOUNDARY OF THE NORTHEAST 1/4 OF SAID SECTION 4, N 89° 51' 11" E A DISTANCE OF 475.59 FEET TO THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 98 (STATE ROAD 700); THENCE ALONG SAID RIGHT OF WAY, S 48° 03' 06" E A DISTANCE OF 372.01 FEET; THENCE LEAVING SAID RIGHT OF WAY, S 41° 58' 02" W A DISTANCE OF 135.66 FEET; THENCE S 89° 51' 11" W A DISTANCE OF 660.63 FEET; THENCE S 89° 50' 36" W A DISTANCE OF 2215.40 FEET TO THE EAST LINE OF A 100' FLORIDA POWER CORPORATION EASEMENT AS DESCRIBED IN O.R. BOOK 611, PAGE 299 OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA; THENCE ALONG THE EASTERLY BOUNDARY OF SAID EASEMENT, S 00° 04' 37" E A DISTANCE OF 121.56 FEET; THENCE S 00° 04' 41" E A DISTANCE OF 1208.50 FEET; THENCE S 00° 04' 51" E A DISTANCE OF 1468.56 FEET; THENCE S 00° 04' 24" E A DISTANCE OF 1287.99 FEET; THENCE S 00° 04' 22" E A DISTANCE OF 1172.87 FEET; THENCE S 00° 05' 12" E A DISTANCE OF 1447.65 FEET; THENCE S 00° 05' 04" E A DISTANCE OF 896.24 FEET; THENCE LEAVING THE EASTERLY BOUNDARY OF SAID FLORIDA POWER CORPORATION EASEMENT, N 89° 28' 45" W A DISTANCE OF 467.06 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 21 SOUTH, RANGE 18 EAST;

THENCE N 89° 39' 35" W A DISTANCE OF 5283.96 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE ALONG THE WEST BOUNDARY OF THE NORTHWEST 1/4 OF SAID SECTION 8, N 00° 16' 57" W A DISTANCE OF 916.24 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SEVILLE PARKWAY AS SHOWN ON THE PLAT OF SEVILLE PARKWAY PHASE ONE AS RECORDED IN PLAT BOOK 27, PAGES 24 THROUGH 26 OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA, SAID POINT BEING ON A CURVE THAT IS CONCAVE TO THE NORTHWEST, SAID CURVE HAVING A RADIUS OF 1121.35 FEET, A DELTA OF 81° 22' 52", A CHORD DISTANCE OF 1462.18 FEET, AND A CHORD BEARING OF N 35° 29' 09" E; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 1592.73 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE THAT IS CONCAVE TO THE SOUTHEAST, SAID CURVE HAVING A RADIUS OF 25.00 FEET, A DELTA OF 80° 19' 53", A CHORD DISTANCE OF 32.25 FEET, AND A CHORD BEARING OF N 34° 57' 16" E; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 35.05 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE THAT IS CONCAVE TO THE NORTH, SAID CURVE HAVING A RADIUS OF 357.40 FEET, A DELTA OF 14° 57' 05", A CHORD DISTANCE OF 93.00 FEET, AND A CHORD BEARING OF N 67° 38' 17" E; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 93.26 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE THAT IS CONCAVE TO THE NORTHWEST, SAID CURVE HAVING A RADIUS OF 820.29 FEET, A DELTA OF 18° 40' 34", A CHORD DISTANCE OF 266.20 FEET, AND A CHORD BEARING OF N 50° 49' 33" E; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 267.38 FEET TO THE SOUTHWEST CORNER OF TRACT "B" OF SEVILLE GOLF COMMUNITY THE BARCELONA, UNIT 1, AS RECORDED IN PLAT BOOK 27, PAGES 27 AND 28 OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA, SAID POINT BEING ON A CURVE THAT IS CONCAVE TO THE NORTH, SAID CURVE HAVING A RADIUS OF 255.00 FEET, A DELTA OF 30° 17' 41", A CHORD DISTANCE OF 133.26 FEET, AND A CHORD BEARING OF S 76° 14' 31" E; THENCE ALONG THE BOUNDARY OF SEVILLE GOLF COMMUNITY THE BARCELONA, UNIT 1 AND THE ARC OF SAID CURVE, A DISTANCE OF 134.83 FEET TO A POINT OF TANGENCY; THENCE N 89° 39' 00" E A DISTANCE OF 128.39 FEET TO A POINT OF CURVATURE OF A CURVE THAT IS CONCAVE TO THE SOUTH, SAID CURVE HAVING A RADIUS OF 45.00 FEET, A DELTA OF 60° 11' 28", A CHORD DISTANCE OF 45.13 FEET, AND A CHORD BEARING OF S 61° 15' 16" E; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 47.27 FEET TO A POINT OF TANGENCY; THENCE S 31° 09' 32" E A

DISTANCE OF 95.47 FEET; THENCE S 12° 05' 27" W A DISTANCE OF 220.97 FEET; THENCE S 20° 03' 07" W A DISTANCE OF 238.21 FEET; THENCE S 09° 44' 09" W A DISTANCE OF 118.55 FEET; THENCE S 36° 55' 25" W A DISTANCE OF 269.59 FEET; THENCE S 55° 30' 50" W A DISTANCE OF 224.29 FEET; THENCE S 28° 19' 03" W A DISTANCE OF 51.21 FEET; THENCE S 69° 59' 09" W A DISTANCE OF 50.19 FEET; THENCE S 50° 35' 32" W A DISTANCE OF 80.47 FEET; THENCE S 30° 30' 25" W A DISTANCE OF 128.35 FEET; THENCE S 10° 33' 46" E A DISTANCE OF 177.09 FEET; THENCE S 86° 38' 25" E A DISTANCE OF 191.11 FEET; THENCE N 77° 39' 54" E A DISTANCE OF 114.43 FEET; THENCE N 37° 31' 34" E A DISTANCE OF 215.98 FEET; THENCE N 49° 34' 26" E A DISTANCE OF 77.73 FEET TO THE POINT OF CURVATURE OF A CURVE THAT IS CONCAVE TO THE NORTHWEST, SAID CURVE HAVING A RADIUS OF 1001.77 FEET, A DELTA OF 04° 09' 48", A CHORD DISTANCE OF 72.77 FEET, AND A CHORD BEARING OF N 47° 29' 32" E; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 72.79 FEET; THENCE S 19° 26' 03" W A DISTANCE OF 74.29 FEET; THENCE S 04° 52' 55" W A DISTANCE OF 156.26 FEET; THENCE S 25° 04' 23" E A DISTANCE OF 124.08 FEET; THENCE N 71° 20' 57" E A DISTANCE OF 365.82 FEET; THENCE N 54° 02' 05" E A DISTANCE OF 225.98 FEET; THENCE N 60° 37' 56" E A DISTANCE OF 165.64 FEET TO THE POINT OF CURVATURE OF A CURVE THAT IS CONCAVE TO THE WEST, SAID CURVE HAVING A RADIUS OF 500.00 FEET, A DELTA OF 82° 55' 04", A CHORD DISTANCE OF 662.08 FEET, AND A CHORD BEARING OF N 19° 10' 24" E; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 723.59 FEET TO A POINT OF TANGENCY; THENCE N 22° 17' 08" W A DISTANCE OF 88.87 FEET; THENCE N 01° 32' 35" E A DISTANCE OF 103.63 FEET; THENCE N 86° 00' 51" W A DISTANCE OF 81.81 FEET; THENCE N 03° 59' 09" E A DISTANCE OF 221.27 FEET TO THE NORTHEAST CORNER OF LOT 78 OF SAID PLAT OF SEVILLE GOLF COMMUNITY THE BARCELONA, UNIT 1; THENCE CONTINUING ALONG THE BOUNDARY OF SAID PLAT, N 86° 00' 51" W A DISTANCE OF 366.31 FEET; THENCE N 79° 10' 56" W A DISTANCE OF 126.10 FEET; THENCE N 31° 09' 32" W A DISTANCE OF 144.82 FEET TO A POINT OF CURVATURE OF A CURVE THAT IS CONCAVE TO THE SOUTH, SAID CURVE HAVING A RADIUS OF 255.00 FEET, A DELTA OF 60° 11' 28", A CHORD DISTANCE OF 255.74 FEET, AND A CHORD BEARING OF N 61° 15' 16" W; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 267.89 FEET TO A POINT OF TANGENCY; THENCE S 88° 39' 00" W A DISTANCE OF 132.92 FEET TO THE NORTHWEST CORNER OF TRACT "A" OF SAID PLAT OF SEVILLE GOLF COMMUNITY THE BARCELONA, UNIT 1, SAID POINT BEING ON THE EASTERLY RIGHT

OF WAY OF SEVILLE PARKWAY; THENCE ALONG SAID RIGHT OF WAY LINE ALONG A CURVE THAT IS CONCAVE TO THE WEST, SAID CURVE HAVING A RADIUS OF 820.29 FEET, A DELTA OF 09° 38' 01", A CHORD DISTANCE OF 137.76 FEET, AND A CHORD BEARING OF N 21° 37' 42" E; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 137.92 FEET TO A POINT OF TANGENCY; THENCE N 16° 48' 51" E A DISTANCE OF 570.09 FEET TO A POINT OF CURVATURE OF A CURVE THAT IS CONCAVE TO THE SOUTHEAST, SAID CURVE HAVING A RADIUS OF 760.29 FEET, A DELTA OF 86° 05' 11", A CHORD DISTANCE OF 1037.87 FEET, AND A CHORD BEARING OF N 59° 51' 26" E; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 1142.33 FEET TO A POINT OF TANGENCY; THENCE S 77° 05' 59" E A DISTANCE OF 339.76 FEET; THENCE N 12° 54' 01" E A DISTANCE OF 60.00 FEET; THENCE N 77° 05' 59" W A DISTANCE OF 339.76 FEET TO A POINT OF CURVATURE OF A CURVE THAT IS CONCAVE TO THE SOUTHEAST, SAID CURVE HAVING A RADIUS OF 820.29 FEET, A DELTA OF 86° 05' 09", A CHORD DISTANCE OF 1119.77 FEET, AND A CHORD BEARING OF S 59° 51' 26" W; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 1232.47 FEET TO A POINT OF TANGENCY; THENCE S 16° 48' 51" W A DISTANCE OF 570.09 FEET TO A POINT OF CURVATURE OF A CURVE THAT IS CONCAVE TO THE NORTHWEST, SAID CURVE HAVING A RADIUS OF 760.29 FEET, A DELTA OF 43° 20' 53", A CHORD DISTANCE OF 561.59 FEET, AND A CHORD BEARING OF S 38° 29' 18" W; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 575.21 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE THAT IS CONCAVE TO THE NORTH, SAID CURVE HAVING A RADIUS OF 297.40 FEET, A DELTA OF 14° 57' 00", A CHORD DISTANCE OF 77.38 FEET, AND A CHORD BEARING OF S 67° 38' 17" W; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 77.60 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE THAT IS CONCAVE TO THE SOUTHEAST, SAID CURVE HAVING A RADIUS OF 85.00 FEET, A DELTA OF 80° 18' 49", A CHORD DISTANCE OF 109.63 FEET, AND A CHORD BEARING OF S 34° 57' 16" W; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 119.15 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE THAT IS CONCAVE TO THE NORTHWEST, SAID CURVE HAVING A RADIUS OF 1061.35 FEET, A DELTA OF 80° 36' 05", A CHORD DISTANCE OF 1372.96 FEET, AND A CHORD BEARING OF S 35° 05' 40" W; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 1493.06 FEET TO A POINT ON THE WEST BOUNDARY OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 21 SOUTH, RANGE 18 EAST; THENCE ALONG THE WEST BOUNDARY OF THE NORTHWEST 1/4 OF SAID

SECTION 8, N 00° 16' 57" W A DISTANCE OF 1674.34 FEET TO THE NORTHWEST CORNER OF SAID SECTION 8, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SECTION 5, TOWNSHIP 21 SOUTH, RANGE 18 EAST; THENCE ALONG THE WEST BOUNDARY OF SAID SECTION 5, N 00° 17' 09" W A DISTANCE OF 2656.41 FEET TO THE WEST 1/4 CORNER OF SAID SECTION 5; THENCE CONTINUE ALONG THE WEST BOUNDARY OF SAID SECTION 5, N 00° 17' 09" W A DISTANCE OF 2656.15 FEET TO THE NORTHWEST CORNER OF SAID SECTION 5 AND THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING PARCEL: (R04 421 18 0000 0010 0030)

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 4, TOWNSHIP 21 SOUTH, RANGE 18 EAST, HERNANDO COUNTY, FLORIDA; THENCE RUN N 00° 17' 12" E ALONG THE WEST BOUNDARY OF THE SOUTHWEST 1/4 OF SAID SECTION 4, 1389.40 FEET; THENCE RUN S 89° 42' 48" E A DISTANCE OF 185.34 FEET TO THE POINT OF BEGINNING; THENCE RUN N 89° 55' 36" E A DISTANCE OF 180.00 FEET TO A POINT ON THE WEST BOUNDARY OF A 100 FOOT FLORIDA POWER CORPORATION EASEMENT; THENCE RUN S 00° 04' 24" E ALONG SAID WEST BOUNDARY 240.00 FEET; THENCE RUN S 89° 55' 36" W A DISTANCE OF 180.00 FEET; THENCE RUN N 00° 04' 24" W A DISTANCE OF 240.00 FEET TO THE POINT OF BEGINNING.

AND LESS AND EXCEPT THE FOLLOWING PARCEL: (R04 421 18 0000 0010 0020)

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 4, TOWNSHIP 21 SOUTH, RANGE 18 EAST, HERNANDO COUNTY, FLORIDA; THENCE RUN N 00° 17' 12" E ALONG THE WEST BOUNDARY OF THE SOUTHWEST 1/4 OF SAID SECTION 4 A DISTANCE OF 1449.92 FEET; THENCE RUN S 89° 42' 48" E A DISTANCE OF 214.95 FEET TO THE POINT OF BEGINNING; THENCE RUN N 89° 55' 36" E A DISTANCE OF 150.00 FEET TO A POINT ON THE WESTERLY BOUNDARY OF A FLORIDA POWER CORPORATION POWERLINE EASEMENT AS PER OFFICIAL RECORDS BOOK 611, PAGE 299 OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA; THENCE N 00° 04' 24" W ALONG SAID WESTERLY BOUNDARY A DISTANCE OF 465.36 FEET; THENCE S 89° 55' 36" W A DISTANCE OF 60.00 FEET; THENCE S 00° 04' 24" E A DISTANCE OF 315.36 FEET; THENCE S 89° 55' 36" W A DISTANCE OF 90.00 FEET; THENCE S 00° 04' 24" E A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING.

PARCEL 1 DESCRIPTION CONTAINS 1036.71 ACRES, MORE OR LESS.

PARCEL 1 DESCRIPTION INCLUDES THE FOLLOWING PARCEL NUMBERS:

- 1. R04 421 18 0000 0010 0000
- 2. R05 421 18 0000 0010 0000
- 3. R08 421 18 0000 0010 0000
- 4. R08 421 18 0000 0010 0010
- 5. R09 421 18 0000 0010 0000

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History--New\_\_\_\_\_.

42LLL-1.003 Supervisors.

The following five persons are designated as the initial members of the Board of Supervisors: Garrett Bender, Marty Friend, Craig Sternberg, Ryan Rase, and Rick Robinson.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History--New\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Lisa Saliba

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lisa Saliba

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 8, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 19, 2007

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Auctioneers**

RULE NO.: 61G2-2.006                      RULE TITLE: Reinstatement Null & Void Licenses

PURPOSE AND EFFECT: The Board proposes to promulgate and adopt a new rule to clarify the procedures for reinstating a Null & Void license.

SUMMARY: The promulgation and adoption of the new rule will clarify the procedures for reinstating a null & void license.

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: 455.271(6)(b), 468.384, 468.386 FS.

LAW IMPLEMENTED: 455.271(6)(b), 468.393 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399-0762

THE FULL TEXT OF THE PROPOSED RULE IS:

61G2-2.006 Reinstatement Null & Void Licenses.

(1) Void auctioneer or auction business licenses resulting from a failure to timely renew are not reactivated; however, the Board has discretion to reinstate such licenses if it determines that the provisions of Section 455.271(6)(b), Florida Statutes, were met.

(2) In order to request that the Board exercise its discretion, the holder of a void license may file a properly completed Application for Reinstatement of a Null and Void License, DBPR Form Entitled: "Return from Null and Void Status", dated July 2007. A copy of which is available from the Board office at 1940 N. Monroe Street, Tallahassee, Florida 32399 or on the Web at www.myflorida.com/dbpr/pro go to Divisions, choose auctioneers, choose forms and select the form.

(3) The applicant shall provide his or her previous license number, a list of all renewal dates missed, the circumstances surrounding each failure to comply with timely renewal, and the steps taken by the applicant to comply with each renewal deadline. Documentation verifying the applicant's illness or other unusual hardship which prevented timely renewal must be presented. The documentation should indicate the date of onset of the unusual circumstance or illness and the end of it.

(4) The application must be accompanied by a non-refundable Application fee of \$150.00, a renewal fee of \$150.00 for each renewal period when the applicant failed to renew his or her license which fee shall not exceed \$300.00, and an unlicensed activity fee plus a recovery fund fee of \$105.00 for each renewal period missed which fee shall not exceed \$210.00.

(5) The application will be set for a hearing before the Board at its next regularly scheduled Board meeting, if the agenda for that Board meeting has not been sent to the printer. If the agenda has already been sent to the printer, the application will be set for the following regularly scheduled Board meeting. The applicant will be required to attend the hearing in person and present any evidence or witnesses in support of his/her application for reinstatement. Failure to appear may result in a denial of the petition.

(6) One and only one continuance shall be granted upon written request for good cause shown.

(7) Applicants may be represented by counsel when the Board considers the application. Such representation shall be at the applicant's expense and in addition to the applicant's personal appearance. All rights attendant to Chapter 120.542, Florida Statutes, attach.

(8) Determinations on the application shall be by Final Orders, with appellate rights to the appropriate District Court of Appeal.

Specific Authority 455.271(6)(b) FS. Law Implemented 455.271(6)(b) FS. History--New\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Auctioneers  
NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Board of Auctioneers  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: September 19, 2007  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: October 19, 2007

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: 456.077, 458.309 FS.

LAW IMPLEMENTED: 456.072(2)(d), 456.077 FS.

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

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

**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."

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-8.017 Citation Authority.

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

(1) through (2) No change.

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-8.017  
RULE TITLE: Citation Authority

PURPOSE AND EFFECT: The proposed rule amendment is intended to address the appropriate penalty for failure to document CME violations.

SUMMARY: The proposed rule amendment clarifies the appropriate penalty for failure to document CME violations.

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

**VIOLATIONS**

(a) CME violations.  
(Sections 458.321, 458.331(1)(g), (x), 456.072(1)(e), (s), F.S.)

**PENALTY**

Within twelve months of the date the citation is issued, Respondent must submit certified documentation of completion of all CME requirements for the period for which the citation was issued. Respondent's continuing education courses will be audited for the next two biennia to ensure compliance with renewal requirements; AND \$ 500 fine and compliance with the CME audit within 10 days.

(b) Failure to comply with a CME audit.  
(Sections 456.072(1)(e), (s), F.S.)

1. Failure to document required HIV/AIDS and related infections of TB CME.

\$ 250 fine

2. Failure to document required domestic violence CME.

\$ 250 fine

3. Failure to document required medical errors CME.

\$ 250 fine

4. Failure to document required HIV/AIDS and related infections of TB and failure to document domestic violence ~~and medical errors~~ CME.

\$ 500 fine

5. Documentation of some, but not all, 40 hours of required CME for license renewal.

\$ 50 fine for each hour not documented



(c) through (q) No change.

(4) through (5) No change.

Specific Authority 456.077, 458.309 FS. Law Implemented 456.072(2)(d), 456.077 FS. History—New 12-30-91, Formerly 21M-20.017, Amended 11-4-93, Formerly 61F6-20.017, Amended 8-23-95, Formerly 59R-8.017, Amended 4-7-99, 1-27-00, 1-31-02, 1-12-03, 7-27-04, 2-7-05, 1-4-06, 7-3-06,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Rules Committee, Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 6, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 26, 2007

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-13.005  
RULE TITLE: Continuing Education for Biennial Renewal

PURPOSE AND EFFECT: The proposed rule amendment is intended to address the current five most mis-diagnosed medical conditions.

SUMMARY: The proposed rule amendment sets forth the five most mis-diagnosed medical conditions for the purpose of obtaining medical errors continuing medical education.

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: 456.013(6), (7), 456.031(4), 458.309, 458.319 FS.

LAW IMPLEMENTED: 456.013(6), (7), 456.031(1)(a), (3), 456.033, 458.319(4) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-13.005 Continuing Education for Biennial Renewal.

(1) Every physician licensed pursuant to Chapter 458, F.S., shall be required to complete 40 hours of continuing medical education courses approved by the Board in the 24 months preceding each biennial renewal period as established by the Department.

(a) through (b) No change.

(c) Completion of two hours of continuing medical education relating to prevention of medical errors which includes a study of root cause analysis, error reduction and prevention, and patient safety, and which is approved by any state or federal government agency, or nationally affiliated professional association, or any provider of Category I or II American Medical Association Continuing Medical Education. One hour of a two hour course which is provided by a facility licensed pursuant to Chapter 395, F.S., for its employees may be used to partially meet this requirement. The course must include information relating to the five most mis-diagnosed conditions during the previous biennium, as determined by the Board. While wrong site/wrong procedure surgery continues to be the most common basis for quality of care violations, the following areas have been determined as the five most mis-diagnosed conditions: ~~wrong site/patient surgery~~; cancer; cardiac; acute abdomen; timely diagnosis of surgical complications; and stroke and related cranial conditions ~~failing to diagnose pre-existing conditions prior to prescribing contraindicated medications.~~

(2) through (11) No change.

Specific Authority 456.013(6), (7), 456.031(4), 458.309, 458.319 FS. Law Implemented 456.013(6), (7), 456.031(1)(a), (3), 456.033, 458.319(4) FS. History—New 9-7-86, Amended 11-17-87, 11-15-88, 1-31-90, 9-15-92, Formerly 21M-28.002, Amended 12-5-93, Formerly 61F6-28.002, Amended 3-1-95, 1-3-96, 1-26-97, Formerly 59R-13.005, Amended 5-18-99, 2-7-01, 6-4-02, 10-8-03, 5-4-04, 5-20-04, 4-5-05, 4-25-06, 12-26-06,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Rules Committee, Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 6, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 26, 2007

**DEPARTMENT OF HEALTH**

**School Psychology**

RULE NO.: 64B21-501.012  
RULE TITLE: Fee to Enforce Prohibition Against Unlicensed Activity

PURPOSE AND EFFECT: The Department determined to repeal the rule.

SUMMARY: A formal rules review identified this rule as a rule that needs to be 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: 456.004 FS.  
LAW IMPLEMENTED: 456.065 FS.  
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.  
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Love, Executive Director, Office of School Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:  
  
64B21-501.012 Fee to Enforce Prohibition Against Unlicensed Activity.

Specific Authority 456.004 FS. Law Implemented 456.065 FS. History--New 9-9-01, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Susan Love  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lucy Gee  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 5, 2007

**DEPARTMENT OF HEALTH**

**Council of Medical Physicists**

RULE NO.: 64B23-5.003 RULE TITLE: Delinquent License  
PURPOSE AND EFFECT: The Department determined to repeal the rule.  
SUMMARY: A formal rules review identified this rule as a rule that needs to be 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: 456.036(6) FS.  
LAW IMPLEMENTED: 456.036(6) FS.  
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.  
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Executive Director, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B23-5.003 Delinquent License.  
Specific Authority 456.036(6) FS. Law Implemented 456.036(6) FS. History--New 6-10-99, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Joe Baker  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lucy Gee  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 5, 2007

**DEPARTMENT OF HEALTH**

**Council of Licensed Midwifery**

RULE NO.: 64B24-1.002 RULE TITLE: General Description of Agency Organization and Operations  
PURPOSE AND EFFECT: The Department determined to repeal the rule.  
SUMMARY: A formal rules review identified this rule as a rule that needs to be 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: 456.004(5) FS.  
LAW IMPLEMENTED: 467.003(3), (4), 467.004 FS.  
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.  
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:  
  
64B24-1.002 General Description of Agency Organization and Operations.

Specific Authority 456.004(5) FS. Law Implemented 467.003(3), (4), 467.004 FS. History--New 1-26-94, Formerly 61E8-1.002, 59DD-1.002, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Pamela King  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lucy Gee  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 5, 2007

**DEPARTMENT OF HEALTH**

**Council of Licensed Midwifery**

RULE NO.: 64B24-3.001                      RULE TITLE: Collection and Payment of Fees

PURPOSE AND EFFECT: The Department determined to repeal the rule.

SUMMARY: A formal rules review identified this rule as a rule that needs to be 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: 467.005 FS.

LAW IMPLEMENTED: 467.0135(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B24-3.001 Collection and Payment of Fees.

Specific Authority 467.005 FS. Law Implemented 467.0135(1) FS. History--New 1-26-94, Formerly 61E8-3.001, Amended 8-15-95, Formerly 59DD-3.001, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Pamela King

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lucy Gee

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 5, 2007

**DEPARTMENT OF HEALTH**

**Council of Licensed Midwifery**

RULE NO.: 64B24-3.012                      RULE TITLE: Certification of Public Record Fee

PURPOSE AND EFFECT: The Department determined to repeal the rule.

SUMMARY: A formal rules review identified this rule as a rule that needs to be 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: 456.004(5) FS.

LAW IMPLEMENTED: 456.025(8) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B24-3.012 Certification of Public Record Fee.

Specific Authority 456.004(5) FS. Law Implemented 456.025(8) FS. History--New 1-26-94, Formerly 61E8-3.012, Amended 8-15-95, Formerly 59DD-3.012, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Pamela King

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lucy Gee

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 5, 2007

**DEPARTMENT OF HEALTH**

**Council of Licensed Midwifery**

RULE NO.: 64B24-7.003                      RULE TITLE: Acceptance of Patients

PURPOSE AND EFFECT: The Department determined to repeal the rule.

SUMMARY: A formal rules review identified this rule as a rule that needs to be 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: 456.004(5), 467.005 FS.

LAW IMPLEMENTED: 467.015 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B24-7.003 Acceptance of Patients.

Specific Authority 456.004(5), 467.005 FS. Law Implemented 467.015 FS. History--New 7-14-94, Formerly 61E8-7.003, 59DD-7.003, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Pamela King

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lucy Gee

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 5, 2007

**DEPARTMENT OF HEALTH**

**Council of Licensed Midwifery**

RULE NO.:                      RULE TITLE:

64B24-7.016                      Sexual Misconduct

PURPOSE AND EFFECT: The Department determined to repeal the rule.

SUMMARY: A formal rules review identified this rule as a rule that needs to be 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: 467.005, 467.203(1)(f) FS.

LAW IMPLEMENTED: 467.203(1)(f) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B24-7.016 Sexual Misconduct.

Specific Authority 467.005, 467.203(1)(f) FS. Law Implemented 467.203(1)(f) FS. History--New 3-20-96, Formerly 59DD-7.016, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Pamela King

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lucy Gee

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 5, 2007

**DEPARTMENT OF HEALTH**

**Council of Licensed Midwifery**

RULE NO.:                      RULE TITLE:

64B24-8.001                      Investigation of Complaints

PURPOSE AND EFFECT: The Department determined to repeal the rule.

SUMMARY: A formal rules review identified this rule as a rule that needs to be 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: 456.004(5) FS.

LAW IMPLEMENTED: 467.203 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B24-8.001 Investigation of Complaints.

Specific Authority 456.004(5) FS. Law Implemented 467.203 FS. History--New 7-14-94, Formerly 61E8-8.001, 59DD-8.001, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Pamela King

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lucy Gee

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 5, 2007

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of State Fire Marshal**

RULE NOS.:                      RULE TITLES:

69A-46.010                      Submission of the Application

69A-46.015                      Testing

69A-46.016                      Insurance Requirements

69A-46.0165                      Submission of the Application for a Water-Based Fire Protection Permit

69A-46.017                      Required Continuing Education

69A-46.040                      Installation Requirements for

Automatic Sprinkler Systems

Employing Water as the

Extinguishing Agent

69A-46.041 Inspection Requirements for Fire Protection Systems

PURPOSE AND EFFECT: The purpose of these rule amendments is to update Rule Chapter 69A-46, F.A.C., to provide for submission of an updated application for water-based systems, and inspection tags using a new system of red and green tags to indicate compliance and non-compliance. The effect of these rules will be to provide a uniform method of filing an application for water-based fire suppression systems and for tagging fire suppression equipment.

SUMMARY: The amendments address application procedures for Fire Protection System Contractors and Systems, including applications for Water-Based Fire Protection Permits, installation requirements for automatic sprinkler systems employing water as an extinguishing agent, and testing, tagging and maintenance requirements for fire protection systems.

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: 633.01, 633.517(1), 633.521(4) FS.

LAW IMPLEMENTED: 471.025, 553.79(6), 633.065, 633.521, 633.521(4), 633.524, 633.534, 633.537, 633.547(2)(e) FS.

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

DATE AND TIME: Friday, December 14, 2007, 9:30 a.m.

PLACE: Third Floor Conference Room, The Atrium Building, 325 John Knox Road, Tallahassee, Florida 32308

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: Casia Sinco, (850)413-3171. 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 RULES IS: Casia Sinco, Safety Program Manager, 200 E. Gaines Street, Tallahassee, Florida 32399-0342; telephone: (850)413-3171; fax: (850)414-6119

THE FULL TEXT OF THE PROPOSED RULES IS:

- 69A-46.010 Submission of the Application.
- (1) through (2) No change.

(3)(a) As a prerequisite to challenging the examination as a Contractor I, II, or III, the applicant shall provide evidence of four (4) years proven experience in the employment of a Contractor I, II, or III, or a combination of experience and education equivalent thereto.

1. "Experience in the employment of a contractor", as required by Section 633.521(3), Florida Statutes, must be gained from full-time employment by a contractor licensed as provided in Section 633.521, Florida Statutes, such employment relating to technical areas. For purposes of this rule chapter, "technical areas" means those activities engaged in by a contractor and participated in by the applicant which provide experience in laying out, fabricating, installing, inspecting, altering, repairing, or servicing fire protection systems. For purposes of this rule chapter, four (4) years proven experience as a certified plumber plumbing contractor, licensed pursuant to the provisions of Chapter 489, Florida Statutes, may be offered toward the experience requirements for a Contractor I or II and shall be considered equivalent to two (2) years proven experience in the employment of a contractor. A certified plumbing contractor shall offer no more than 4 years as a certified plumbing contractor toward the 4 years experience requirement in Section 633.521, Florida Statutes. The applicant's experience must be verified by the contractor employing the applicant utilizing Form DFS-K3-1795 (Effective: \_\_\_\_\_) Employment Verification Form, incorporated herein by reference, or the The required verification shall be in the form of a letter from the employing contractor employer, on company stationery, attesting to describing the applicant's duties, the kinds of jobs he worked on; his dates of employment; and any other information reasonably calculated to provide the division with an informed understanding of the applicant's work experience. A copy of Form DFS-73-1795 (Effective: \_\_\_\_\_) can be obtained from the Bureau of Fire Prevention, Division of State Fire Marshal, Department of Financial Services, 325 John Knox Road, The Atrium, Third Floor, Tallahassee, Florida 32303. An applicant offering self-employment experience shall provide verification in the form of letters from customers, and others familiar with his work. It is the applicant's responsibility to furnish the required verification. The experience will be evaluated to determine an applicant's qualifications for the class of certificate requested; or,

2. through 4. No change.

(b) No change.

(c) As a prerequisite to challenging the examination as a Contractor V, the applicant shall provide evidence of:

1. No change.

2. Four years experience in the employment of Employment by an individual licensed as a certified underground utility contractor or plumbing contractor pursuant to the provisions of Chapter 489, Florida Statutes, ~~that the applicant has four (4) years experience in the employment of a~~

~~certified underground utility contractor~~, which shall be submitted utilizing Form DFS-K3-1795 (Effective: \_\_\_\_\_) Employment Verification Form; in the form of a letter, on company stationery, signed by the certified underground utility contractor or plumbing contractor, ~~attesting to, describing~~ the applicant's duties; the kinds of jobs he worked on; his dates of employment; and any other information reasonably calculated to provide the division with an informed understanding of the applicant's work experience; or

3. A combination of education and experience equivalent to four (4) years proven experience in the employment of a certified underground utility contractor or plumbing contractor. For purposes of combining education and experience, education in the areas described in subparagraph (a)3., above, including at least 3 credit hours from a 4-year college or university or junior or community college in courses which teach the material in the National Fire Protection Association standards on which the applicant will be tested; or other equivalent coursework; and experience in the areas described in subparagraph (a)1., or subparagraph (c)1. or 2., above, shall be provided.

(d) No change.

(4) No change.

Specific Authority 633.01, 633.517(1) FS. Law Implemented 633.521, 633.524, 633.534 FS. History--New 10-14-86, Amended 12-21-88, 10-20-93, Formerly 4A-46.010, Amended \_\_\_\_\_.

69A-46.015 Testing.

(1) An applicant who has been qualified to challenge an examination will be notified in writing of available examination dates and examination locations. Upon receipt of a written request for a specific examination date, the applicant will be sent a notice of the exam date, time and location at least seven days prior to the scheduled exam. The applicant will be expected to challenge the exam on that day unless he or she submits a written waiver of his or her right to challenge the exam on that day and requests a later date. ~~The Regulatory Licensing Section will schedule an applicant for a later day upon receipt of a written request. The applicant will also be permitted to challenge the examination at the Regulatory Licensing Section's office in Tallahassee if the applicant makes a request for such testing in writing and receives written notification when the next available scheduled examination will be held in Tallahassee.~~

(2) through (9) No change.

Specific Authority 633.01, 633.517(1) FS. Law Implemented 633.521 FS. History--New 10-14-86, Amended 12-21-88, 8-1-90, 10-20-93, 10-2-96, 6-8-98, 11-21-01, Formerly 4A-46.015, Amended \_\_\_\_\_.

69A-46.016 Insurance Requirements.

(1) The Fire Protection System Contractor I, II, III, IV, or V licensed pursuant to Section 633.521, Florida Statutes, shall provide evidence of current and subsisting insurance coverage

meeting the requirements of Section 633.521, Florida Statutes, to the Regulatory Licensing Section on Form DFS-K3-25, Certificate of Insurance Fire Protection System Contractor, revised and dated Effective: \_\_\_\_\_, as adopted and incorporated herein by reference. This form is available from the Regulatory Licensing Section, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342.

(2) The licensed Fire Protection System Contractor I, II, III, IV, or V shall be responsible to ensure that current and subsisting insurance coverage meets the requirements of Section 633.521, Florida Statutes, and that an original signed Form DFS-K3-25, Certificate of Insurance is on file with the Regulatory Licensing Section.

(3) Failure to provide evidence of insurance coverage within 30 days of the expiration date of the policy or within 30 days of a notice to provide evidence of coverage shall result in administrative proceedings pursuant to Section 624.4211, Florida Statutes, as provided in subsection (4) of Section 633.521, Florida Statutes and pursuant to Section 633.547, Florida Statutes.

Specific Authority 633.01, 633.517(1), 633.521(4) FS. Law Implemented 633.521(4) FS. History--New 10-20-93, Amended 11-21-01, Formerly 4A-46.016, Amended \_\_\_\_\_.

69A-46.0165 Submission of the Application for a Water-Based Fire Protection Permit.

(1) An individual employed by a Fire Protection System Contractor I or II who will be inspecting water based fire protection systems must be issued a permit by the State Fire Marshal in accordance with Section 633.521, Florida Statutes, to conduct such work.

(2) The applicant for a Water-Based Fire Protection Permit shall submit an application on Form DFS-K3-1794, "Application for Water-Based Fire Protection Inspector Permit." (Effective: \_\_\_\_\_), incorporated herein by reference, and available from the Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0342.

(3) The application shall be accompanied by a fee as prescribed in Section 633.524(1), Florida Statutes.

(4) The application shall be accompanied by two current full-face color passport size photographs, and a photocopy of the applicant's driver's license or identification card issued by the Florida Department of Highway Safety and Motor Vehicles. Each photograph shall have the name of the applicant printed legibly on the back of the photograph. Effective July 1, 2008, each application shall be accompanied by evidence that the applicant holds a NICET II in a subfield of Inspection and Testing of Water-Based Systems.

(5) Upon submission of a completed application, fee, and photographs, a permit and photo identification card will be issued to the applicant.

(6) Permittees must have a valid and subsisting permit upon their persons at all times while engaging in the inspection, testing and maintenance of fire protection systems. The permit must be produced upon demand. A permittee may perform only those services authorized under the Fire Protection System Contractor I or II employing such permittee.

(7) A permit shall be valid solely for use by the holder thereof in his or her employment by the licensee under whose license the permit was issued. A permittee changing his or her employer or place of employment shall obtain a new permit under the license of the holder at the new place of employment. The licensee shall notify the Regulatory Licensing Section, in writing, of the termination of a permittee within fifteen days of the termination. A permit and photo identification card of an individual leaving the employment of a Fire Protection System Contractor I or II becomes void and inoperative on the date of termination, pursuant to Section 633.521, Florida Statutes.

(8) A Water-Based Fire Protection Inspector permittee must qualify and maintain a NICET II certification in a subfield of Inspection and Testing of Water-Based Systems as a condition to renewal effective July 1, 2008.

Specific Authority 633.01, 633.517(1), 633.521(4) FS. Law Implemented 633.521(4) FS. History—New \_\_\_\_\_.

69A-46.017 Required Continuing Education.

(1) Fire Protection System Contractors Certificateholders shall complete a continuing education course or combination of courses in compliance with Section 633.537, Florida Statutes, within each biennial license period, except that a contractor who completes the competency examination and receives a license issued for 1 year or less shall be required to complete a continuing education course or combination of courses prorated at 50 percent of the required hours for a biennial license.

(2) The continuing education course or combination of courses shall be in a fire protection discipline related to the Certificate of Competency held by the Fire Protection System Contractor. All licensed Fire Protection System Contractors are required to complete an approved course or courses providing at least one hour of workplace safety class, one hour of business practices class, and one hour of a workers' compensation class as part of the required continuing education for each biennial renewal period.

(3) through (5) No change.

(6) The number of contact hours assigned to any course shall be determined by the Regulatory Licensing Section based on the course content and length of the course.

(a) through (b) No change.

(c) Each Fire Protection System Contractor certificateholder shall be notified by the Regulatory Licensing Section, in writing, if the coursework does not satisfy the continuing education requirement in Section 633.537, Florida Statutes. No notification will be given over the telephone.

(d) through (j) No change.

(7) Each Fire Protection System Contractor certificateholder is responsible for attending the appropriate course or courses and for maintaining proof of completion of the course or courses. Such proof shall be in the form of copies of certificates of completion awarded. The Regulatory Licensing Section will not accept any proof of completion except that submitted in accordance with subsection (8) below.

(8) Prior to the annual expiration of the Certificate of Competency, the Fire Protection System Contractor shall submit proof of completion of the required course or courses to the Regulatory Licensing Section. Submissions shall be submitted on a "Fire Protection System Contractor Continuing Education Coursework" Form, DFS-K3-441240 (Rev: \_\_\_\_\_) (~~03/00~~) as adopted and incorporated herein by reference. Forms are available from and submissions shall be sent to: Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0342. Each Fire Protection System Contractors Certificateholders will be notified by the Regulatory Licensing Section, in writing, if the coursework does not satisfy the continuing education requirement in Section 633.537, Florida Statutes. No notification will be given over the telephone.

(9) Any Fire Protection System Contractor who does not complete the continuing education requirement shall not have his or her certificate renewed. If the Fire Protection System Contractor certificateholder is not renewed, the contractor certificateholder shall perform no work for which a license is required. A contractor certificateholder wishing to become licensed again shall meet the requirements of Section 633.521, Florida Statutes.

(10) Effective July 1, 2005 a Water-Based Fire Protection Inspector shall complete 8 hours of approved continuing education in compliance with Section 633.537, Florida Statutes, which are preparatory curriculum for NICET II certification and shall support the general and special work elements for NICET II certification. An additional 16 hours of continuing education must be completed between July 1, 2006 and June 30, 2008.

(11) A Water-Based Fire Protection Inspector shall complete 16 hours of approved continuing education coursework in compliance with Section 633.537, Florida Statutes, within each biennial license period.

Specific Authority 633.01, 633.517(1) FS. Law Implemented 633.521, 633.537 FS. History—New 10-2-96, Amended 6-18-97, 6-8-98, 11-21-01, Formerly 4A-46.017, Amended \_\_\_\_\_.

69A-46.040 Installation Requirements for Automatic Sprinkler Systems Employing Water as the Extinguishing Agent.

(1) Fire protection system contractors installing an automatic sprinkler system employing water as the extinguishing agent shall supervise and be responsible for the complete system in accordance with the provisions of Section 633.539, Florida Statutes, except that a contractor installing the

~~underground pipe shall supervise and be responsible only for the portion he or she installs and the contractor installing the remaining portion of the system shall be responsible only for his or her portion of the work. the contractor shall be responsible for installing the complete system in compliance with the National Fire Protection Association standards adopted pursuant to Rule Chapter 69A-3, F.A.C., except that if a contractor installs the underground portion of the system from the point of service to the aboveground connection flange in compliance with Section 633.539(3), Florida Statutes, pipe he or she shall be responsible to ensure for that portion of the system, and the contractor installing the remaining portion shall be responsible for the system from the point of connection to the underground throughout the remainder of the system.~~

(2) through (8) No change.

Specific Authority 633.01 FS. Law Implemented 553.79(6), 633.065, 633.547(2)(e) FS. History—New 12-21-88, Amended 8-1-90, 10-20-93, 11-21-01, Formerly 4A-46.040, Amended \_\_\_\_\_.

69A-46.041 Inspection Requirements for Fire Protection Systems, Testing and Maintenance.

~~The contractor I or II shall submit in writing to the Regulatory Licensing Section the names, addresses, and evidence of NFPA 25 training of all individuals in his or her employ that are performing inspections of fire protection systems. In addition, the licensed contractor I or II shall submit a full face current color passport photograph of each inspector along with a copy of the inspector's current driver's license or identification card issued by the Florida Department of Highway Safety and Motor Vehicles. The contractor shall not allow any individual to perform inspections under his or her certificate until that individual has been listed with the Regulatory Licensing Section. The Regulatory Licensing Section shall issue a identification card to each inspector. The identification card is not a license. The contractor shall be responsible for each listed individual's inspections until he or she has requested in writing that the Regulatory Licensing Section delete the individual from his or her list of inspectors. The licensed fire protection system contractor shall notify the Regulatory Licensing Section, in writing, of an inspector leaving his or her employ within fifteen days of the termination. An inspector photo identification card of an individual leaving the employ of a contractor becomes void and inoperative on the date of departure.~~

(1) A Fire Protection Contractor, contracting to perform inspecting, testing, and maintenance service on a fire protection system shall comply with the requirements of Chapter 633, Florida Statutes, and the applicable NFPA standards as adopted in Rule Chapter 69A-3, F.A.C.

(2) Each system that has been inspected, tested, or maintained by a fire protection contractor, or his or her permitted Water-Based Fire Protection Inspector designated

~~inspector, shall have a record tag of durable and weather resistant material placed on the riser or control device. The tag at "Figure A" shall include the following:~~

- ~~(a) Name, address and contractor license number of company.~~
- ~~(b) Date of inspection and type of inspection.~~
- ~~(c) Inspected by \_\_\_\_\_.~~
- ~~(d) The tag shall state "For more information see the inspection report."~~
- ~~(e) The tag shall state "Do not remove by order of the State Fire Marshal."~~
- ~~(f) The tag shall be approximately 3 1/2 inches by 5 1/2 inches.~~

~~SEE FLORIDA ADMINISTRATIVE CODE FOR "FIGURE A"~~

(3) Inspection Tags.

(a) After inspection and testing, an inspection tag shall be completed indicating all work that has been done, and then attached to the system riser in such a position as to permit convenient inspection and not hamper activation or operation. A new inspection tag shall be attached to the system riser each time an inspection and test service is performed.

(b) Inspection tags must be a maximum dimension of 133 mm (5 1/4 inches) in height and 89 mm (3 1/2 inches) in width.

(c) Inspection tags shall bear the following information in an easily read format:

1. 'DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL.' This particular information shall be in a minimum of 10pt type and in all capital letters.

2. The licensed Fire Protection System Contractor I or II's name and licensed physical address.

3. The license number of the Fire Protection System Contractor I or II;

4. The permit number of the Water-Based Fire Protection Inspector;

5. The permitted Water-Based Fire Protection Inspector's signature;

6. The day, month and year (to be punched);

7. The facility name and address.

8. Affixing this tag shall not be construed to invalidate the owner's responsibility to maintain the system as provided in Section 633.082, Florida Statutes.

9. The reverse of the non-compliant tag shall include at least four separate boxes for the listing of repair work as follows:

a. Date of Repair: \_\_\_\_\_

b. Repaired by (Signature): \_\_\_\_\_

c. Print Name: \_\_\_\_\_

d. Type of Repair: \_\_\_\_\_

e. Permit Number: \_\_\_\_\_ (if repair is made by a

Water Based Fire Protection Inspector Permit Number must be noted.)



(d) Inspection tags may be printed and established for a five year period of time.

(e) An inspection tag shall only be removed by the Fire Protection System Contractor or his permitted Water-Based Fire Protection Inspector.

(4) Compliance and Noncompliance Tag.

(a) If a fire protection system is found to be in compliance with the applicable NFPA standards, a GREEN Compliance Tag shall be attached to the main control valve of the system.

(b) If a fire protection system is found to have deficiencies and is not in compliance with the applicable NFPA standards, a completed RED Noncompliance Tag shall be attached to the main control valve of the system to indicate that corrective action is necessary. If the system is operational but not in compliance with the applicable NFPA standards, the building owner or authorized representative and occupant shall be notified by copy of the NFPA 25 inspection report within 30 days of the inspection. If the system is not operational, the contractor or inspector shall notify the building owner or authorized representative, the occupant, and the authority having jurisdiction within 24 hours of the time of the inspection.

(5)(3) The contractor shall maintain in his or her file all records of any fire protection system having been inspected, serviced and maintained.

(6)(4) These records shall be made available to the State Fire Marshal upon request.

(7)(5) The contractor or his or her permitted Water-Based Fire Protection Inspector the designated inspector shall complete in detail the inspection reports as required in NFPA 25, as adopted in Rule Chapter 69A-3, F.A.C., that outlines all points of the inspection, test, and maintenance as required by the applicable NFPA standards. A copy of the inspection report which shall be provided to the owner at the completion of each inspection performed.

(8)(6) The inspection report shall include a detailed explanation of every deficiency, and any deficiencies The report shall indicate if the inspection is a weekly, monthly, quarterly or annual inspection. The inspection report shall include the name of the permitted Water-Based Fire Protection Inspector registered inspector, the inspector permit registration number, the inspector's signature, the date and time of the inspection, and the signature of the owner or the owner's representative.

(9) Pursuant to the provisions of Section 633.082, Florida Statutes, it is the owner's responsibility to maintain the fire protection system. Affixing an inspection tag as required herein does not invalidate responsibility nor shall a transfer of risk be construed.

Specific Authority 633.01 FS. Law Implemented 633.071, 633.082 471.025, 553.79(6), 633.065, 633.547(2)(e) FS. History--New 10-20-93, Amended 11-21-01, Formerly 4A-46.041, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Casia Sinco, Safety Program Manager, Bureau of Fire Prevention, Division of State Fire Marshal

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jim Goodloe, Chief, Bureau of Fire Prevention, Division of State Fire Marshal

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 13, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 9, 2007

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.: RULE TITLE:

690-170.0155 Forms

PURPOSE AND EFFECT: To adopt the Personal Injury Protection Health Care Provider Certification of Eligibility Form as required by amendments to Section 627.736, F.S.

SUMMARY: Adopts by rule the certification form to be used by specified Health Care Providers in connection with Personal Injury Protection claims effective January 1, 2008.

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: 624.308(1), 627.736 FS.

LAW IMPLEMENTED: 624.308(1), 627.736 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: December 18, 2007, 9:30 a.m.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michael Milnes, Product Review, Office of Insurance Regulation, E-mail: Michael.milnes@fldfs.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

690-170.0155 Forms.

The following forms are adopted and incorporated by reference

(1)(a) through (m) No change.

(n) OIR-B1-1809 "Health Care Provider Certification of Eligibility" (New 1/2008)

(2) No change.

Specific Authority 624.308(1), 627.711, 627.736 FS. Law Implemented 215.5586, 624.307(1), 624.424, 627.062, 627.0629, 627.0645, 627.711, 627.736 FS. History--New 6-19-03, Formerly 4-170.0155, Amended 2-23-06, 12-26-06, 6-12-07, 7-17-07, 9-5-07,

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Milnes, Deputy Director, Product Review, Office of Insurance Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Richard Koon, Director, Product Review, Office of Insurance Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 19, 2007

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

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

**DEPARTMENT OF ELDER AFFAIRS  
Federal Aging Programs**

RULE NO.: 58A-2.004                      RULE TITLE: Licensure Procedure

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 34, August 24, 2007 issue of the Florida Administrative Weekly has been withdrawn.

**AGENCY FOR HEALTH CARE ADMINISTRATION  
Medicaid**

RULE NO.: 59G-4.085                      RULE TITLE: Early Intervention Services

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 35, August 31, 2007 issue of the Florida Administrative Weekly.

These changes are in response to comments received from the Joint Administrative Procedures Committee.

The rule incorporates by reference the Florida Medicaid Early Intervention Services Coverage and Limitations Handbook, August 2007. The following changes were made to the handbook.

Page 1-4, ITDS Enrollment Criteria. We added clarification that the ITDS coursework required by the Department of Health applies to all providers. The last sentence in the second paragraph now reads, "In addition to the education and work experience requirements, all providers must complete the ITDS coursework and competencies as required by the Department of Health, CMS Early Steps state office."

We provided the full title of the Individualized Family Support Plan prior to the abbreviation IFSP. The third paragraph now reads, "The ITDS provides early intervention services under the support and direction of the Individualized Family Support Plan (IFSP) team, including a licensed physician or other health care professional acting within his scope of practice."

Page 1-5, A Complete Medicaid Enrollment Application Package. We revised the first bullet to read, "Copy of all appropriate Florida professional or paraprofessional licenses or a copy of the Department of Health, CMS Early Steps Infant Toddler Developmental Specialist certificate." We added the following note, "See page 1-3 for the list of professional licenses and page 1-4 for the type of paraprofessional license that qualify an individual to enroll as an early intervention provider."

Page 2-3, Criteria of Eligibility by Testing. We changed the heading to read, "Criteria for Eligibility by Testing." In the first sentence, we changed "standardized tests" to "standardized instruments." We deleted the second sentence that the tests be "thorough, efficient, objectively scored, reliable, valid, culturally fair and have a broad developmental focus."

Page 2-8, Provider Requirements. We revised the note to read, "See Chapter 1 in this handbook for the types of professional licenses that qualify an individual to enroll as a professional early intervention services provider."

Page 2-9, Description of an Initial or Follow-up Interdisciplinary Psychosocial and Developmental Evaluation. In the last paragraph, second sentence, we replaced the abbreviation, EIS, with the full title, "early intervention services."

Page 3-2, Government and Private Non-Profit Agencies. We included the dates of the OMB circulars. The second paragraph now reads, "An agency determines the cost of providing the service in accordance with the Office of Management and Budget Circular A-87 (Revised 5/4/95, As