

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NO.: 9B-3.004
 RULE TITLE: Commission Organization and Operations

PURPOSE AND EFFECT: To provide for alternate Technical Advisory Committee Members to serve in the absence of the primary member.

SUBJECT AREA TO BE ADDRESSED: Procedures for designation of an alternate and limitations and criteria for alternates' service on Committees.

SPECIFIC AUTHORITY: 553.76(1), 553.77(1)(a) FS.

LAW IMPLEMENTED: 553.74, 553.75 FS.

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

DATE AND TIME: February 6, 2007, 8:30 a.m., or as soon thereafter as the matter comes before the Commission in accordance with its agenda

PLACE: 3705 Spectrum Boulevard, Tampa, Florida, United States 33612-9412

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824, at least seven days before the date of the workshop. If you are hearing or speech impaired, please contact the 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: Ila Jones, Community Program Administrator, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NO.: 9B-3.050
 RULE TITLE: Statewide Amendments to the Florida Building Code

PURPOSE AND EFFECT: To identify criteria by which the commission evaluates proposed annual amendments to the Florida Building Code and coordinate the annual amendment process with the glitch process added to Chapter 553, F.S.

SUBJECT AREA TO BE ADDRESSED: Annual amendments to the Code.

SPECIFIC AUTHORITY: 553.73(3), (6) FS.

LAW IMPLEMENTED: 553.73(3), (6) FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ila Jones, Community Program Administrator, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NOS.:	RULE TITLES:
9B-72.070	Product Evaluation and Quality Assurance for State Approval
9B-72.080	Product Validation by Approved Validation Entity for State Approval
9B-72.090	Product Approval by the Commission
9B-72.100	Approval of Product Evaluation Entities, Product Validation Entities, Testing Laboratories, Certification Agencies, Quality Assurance Agencies and Accreditation Bodies
9B-72.130	Forms
9B-72.160	Revocation or Modification of Product Approvals and Entity Certifications

PURPOSE AND EFFECT: To review the rule in light of legislative change, experience with the system, and the efforts of the Product Approval Validation Workgroup.

SUBJECT AREA TO BE ADDRESSED: The process for State approval of construction products.

SPECIFIC AUTHORITY: 553.842(1), (5)-(7), (14) FS.

LAW IMPLEMENTED: 553.842(1), (5)-(7), (8), (14) FS.

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

DATE AND TIME: February 6, 2007, 8:30 a.m., or as soon thereafter as the matter comes before the Commission in accordance with its agenda

PLACE: 3705 Spectrum Boulevard, Tampa, Florida, United States 33612-9412

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824 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: Ila Jones, Community Program Administrator, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824

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

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.: 25-4.0665 **RULE TITLE:** Lifeline Service

PURPOSE AND EFFECT: To amend the rule to codify the Commission's criteria for Lifeline enrollment, to require eligible telecommunications carriers to offer Link-Up as part of their Lifeline Assistance plan, to require the verification of continued eligibility for Lifeline service, to set forth application and reporting requirements, and to implement Lifeline service objectives.

SUBJECT AREA TO BE ADDRESSED: Lifeline service.

SPECIFIC AUTHORITY: 350.127(2), 364.10(3)(j) FS.

LAW IMPLEMENTED: 350.123, 364.10, 364.105, 364.17, 364.18, 364.183(1) FS.

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

DATE AND TIME: Tuesday, February 6, 2007, 9:30 a.m.

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

One or more Commissioners may attend this workshop.

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 48 hours before the workshop/meeting by contacting: The Division of the Commission Clerk and Administrative Services at (850)413-6770. 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: Curtis Williams, Division of Competitive Markets & Enforcement, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862 (850)413-6924

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE NO.: 61G10-18.006 **RULE TITLE:** Approval of Continuing Education Courses

PURPOSE AND EFFECT: The Board proposes to amend the rule for the approval of continuing education courses.

SUBJECT AREA TO BE ADDRESSED: Approval of Continuing Education Courses.

SPECIFIC AUTHORITY: 455.2179, 481.306, 481.325(2) FS.

LAW IMPLEMENTED: 455.2179 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, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE CHAPTER NO.: 62-210
 RULE CHAPTER TITLE: Stationary Sources – General Requirements

RULE NOS.: 62-210.200, 62-210.300, 62-210.310, 62-210.920
 RULE TITLES: Definitions, Permits Required, Air General Permits, Notification Forms for Air General Permits

PURPOSE AND EFFECT: The proposed rule development involves amendments to Chapter 62-210, F.A.C., to clarify and update rules that address requirements for bulk gasoline plants and gasoline dispensing facilities. New definitions are added to coincide with proposed federal regulations. The bulk gasoline plant permitting exemption is removed. The requirements for operation under the bulk gasoline air general permit are amended to include Stage I vapor recovery, as applicable. The Bulk Gasoline Plant Air General Permit Registration Form is amended to incorporate these changes. This rulemaking is being conducted in conjunction with amendments to Chapters 62-252 and 62-296, F.A.C., on the same subject. There is no draft rule language available at this time; however, it is expected the department will post draft rule language at the following web site by January 26, 2007: <http://www.dep.state.fl.us/Air/rules/regulatory.htm>.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments address requirements for bulk gasoline plants and gasoline dispensing facilities.

SPECIFIC AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087, 403.814 FS.

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

DATE AND TIME: Friday, February 2, 2007, 9:00 a.m.
PLACE: Department of Environmental Protection, Carr Building, Room 170, 3800 Commonwealth Blvd., 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 48 hours before the workshop/meeting by contacting: Ms. Lynn Searce at (850)921-9551 or lynn.searce@dep.state.fl.us. 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: Ms. Terri Long at (850)921-9556 or terri.long@dep.state.fl.us. THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE CHAPTER NO.: 62-296
 RULE CHAPTER TITLE: Stationary Sources – Emission Standards

RULE NO.: 62-296.509
 RULE TITLE: Bulk Gasoline Plants

PURPOSE AND EFFECT: The proposed rule development involves amendments to Chapter 62-296, F.A.C., to remove the Reasonably Available Control Technology (RACT) requirements for bulk gasoline plants and to create a new specific emission limiting and performance standard for bulk gasoline plants statewide. This rulemaking is being conducted in conjunction with amendments to Chapters 62-210 and 62-252, F.A.C., on the same subject. There is no draft rule language available at this time; however, it is expected the department will post draft rule language at the following web site by January 26, 2007: <http://www.dep.state.fl.us/Air/rules/regulatory.htm>.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments address requirements for bulk gasoline plants and gasoline dispensing facilities.

SPECIFIC AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087 FS.

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

DATE AND TIME: Friday, February 2, 2007, at 9:00 a.m.
PLACE: Department of Environmental Protection, Carr Building, Room 170, 3800 Commonwealth Blvd., 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 48 hours before the workshop/meeting by contacting: Ms. Lynn Searce at (850)921-9551 or lynn.searce@dep.state.fl.us. 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: Ms. Terri Long at (850)921-9556 or terri.long@dep.state.fl.us. THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE CHAPTER NO.: 64F-20
 RULE NOS.: 64F-20.001
 RULE CHAPTER TITLE: Rape Crisis Program Trust Fund
 RULE TITLES: Distribution of Funds from the Rape Crisis Program Trust Fund Distribution
 64F-20.002 Criteria for Distributing Monies

PURPOSE AND EFFECT: The Department proposes to review the existing language in this chapter to determine if amendments and/or new rules are necessary.

SUBJECT AREA TO BE ADDRESSED: The new rules and/or rule amendments will address all aspects of the Rape Crisis Program Trust Fund, including distribution of funds to the state wide non-profit organization and other recipients of such funds.

SPECIFIC AUTHORITY: 794.056(2), 120.535 FS.

LAW IMPLEMENTED: 794.056(2), 120.535 FS.

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

DATE AND TIME: February 23, 2007, 1:30 p.m. – 3:30 p.m.

PLACE: Doubletree-Tampa Westshore Airport, 4500 West Cypress Street, Tampa, Florida 33607

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Elvira Hanson, Contract Manager, Family Health Services, 4052 Bald Cypress Way, Bin A-13, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64F-20.001 Distribution of Funds from the Rape Crisis Program Trust Fund Distribution.

~~The department shall contract through a competitive process pursuant to Chapter 287, F.S., with statewide nonprofit association(s) as described in Section 794.055, F.S.~~

Rape Crisis Trust Fund monies allocated to the statewide nonprofit association shall be distributed to rape crisis centers (RCCs) located throughout Florida that apply and are approved for funding. Duties of the statewide nonprofit association described in this chapter shall be carried out subject to Department approval.

Specific Authority 794.056(2) FS. Law Implemented 794.056 794.055 FS. History–New 8-31-04, Amended _____.

64F-20.002 Criteria for Distributing Monies.

(1) Certification Criteria.

(a) Certification Criteria – The statewide nonprofit association shall develop criteria for certifying RCCs. The Department shall review and approve or disapprove the criteria. These criteria shall be subject to Department modification.

(b) Evaluation Team – The statewide nonprofit association shall establish an independent review team comprised of a minimum of five members able to sign a conflict of interest form to evaluate and score the applications for certification. The Department shall approve or disapprove the independent review team.

(c) Appeals Process – The statewide nonprofit association shall establish an appeals process. The Department has final resolution authority.

(d) Technical Assistance – The statewide nonprofit association shall provide technical assistance to all RCCs receiving Trust Fund monies to ensure the enhancement and provision of sexual battery recovery services. The Department shall approve the technical assistance plan.

(e) Corrective Action Plan – The statewide nonprofit association shall develop corrective action plans for RCCs denied funding. The statewide nonprofit association shall ensure implementation of the corrective action plan(s) through collaboration with the RCCs. The Department shall approve the corrective action plans.

(2) Funding Criteria.

(a) Funding Criteria – The statewide nonprofit association in collaboration with the Florida Department of Health Sexual Violence Prevention Program shall develop criteria for funding in a funding application. Before the application may be published or posted, the Department must approve the funding application.

(b) Notice – At least 120 days prior to the funding application due date the statewide nonprofit association shall make RCCs and stakeholders in Florida aware that Trust Fund monies are available. This includes but is not limited to: posting the funding application and calendar of events on a website, newsletters or mailings. The Department shall approve the notification process prior to publication or distribution.

(c) Evaluation – The statewide nonprofit association shall establish an independent review team comprised of a minimum of five members able to sign a conflict of interest form to evaluate and score the applications for funding. The Department shall approve or disapprove of the independent review team. Final approval of funding applications and award of funds shall be made by the Department via a contract with the statewide nonprofit association.

(d) Eligibility – Rape crisis centers located within the state of Florida may apply for Rape Crisis Trust Funds. Certification by the statewide nonprofit association does not ensure funding. If certified, there must be written documentation to support that the entity has met all the standards and criteria for certification.

(e) Funding Formula – The statewide nonprofit association shall develop an allocation funding formula. The Department shall review and approve or disapprove the allocation funding formula.

(f) Distribution – The Department shall retain 5 percent of the funds deposited into the Trust Fund. The statewide nonprofit association shall distribute a minimum of 80 percent of their Trust Fund monies to RCCs and each RCC shall use no more than 5 percent of its funding for administrative purposes. The statewide nonprofit association shall use no more than 15 percent of their funds for statewide initiatives and no more than 5 percent for administrative costs.

Specific Authority 794.056(2) FS. Law Implemented 794.056 FS. History–New _____.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NO.: 690-149.002 RULE TITLE: Scope and Applicability

PURPOSE AND EFFECT: The purpose is to define the manner for a company to determine compliance with the incidental standard for accelerated death benefit riders and exemption from certain health filing requirements. The amended language is consistent with the NAIC interstate compact standard for defining incidental for accelerated death benefits.

SUBJECT AREA TO BE ADDRESSED: Waiver of required annual health filings for accelerated death benefit riders.

SPECIFIC AUTHORITY: 624.308(1), 627.410(6)(b) FS.

LAW IMPLEMENTED: 624.307(1), 627.402, 627.410(1), (2), (6), (7), 627.411(1)(e), (2), 627.6515(2)(a), 627.6699 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: February 7, 2007, 9:00 a.m.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tracie Lambright, Life and Health Product Review, Office of Insurance Regulation, E-mail: Tracie.Lambright@fldfs.com.

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 COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NOS.:	RULE TITLES:
9B-70.001	Building Code Core Education
9B-70.002	Commission Approval and Accreditation of Advanced Building Code Training Courses

PURPOSE, EFFECT AND SUMMARY: To review the provisions of these rules in light of the past two years experience and implement changes beneficial to the program.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 553.841(2), 553.841 FS.

LAW IMPLEMENTED: 553.841(2), 553.841 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: February 7, 2007, 8:30 a.m. (or as soon thereafter as the matter is brought before the Commission in accordance with its agenda)

PLACE: Embassy Suites Hotel, 3075 Spectrum Boulevard, Tampa, Florida 33612

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824 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: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824

THE FULL TEXT OF THE PROPOSED RULES IS: