

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

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 CORRECTIONS

RULE NO.: 33-404.102
RULE TITLE: Provision of Mental Health Services
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend the rule to clarify when staff shall refer an inmate to mental health staff and to incorporate Form DC4-529A, Mental Health Staff Request/Referral, which is used to refer inmates for mental health services.
SUBJECT AREA TO BE ADDRESSED: Mental health services.
SPECIFIC AUTHORITY: 944.09, 945.49 FS.
LAW IMPLEMENTED: 944.09, 945.49 FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Dorothy M. Ridgway, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-404.102 Provision of Mental Health Services.

All inmates entering the department shall be entitled to receive mental health services as established by this chapter and as specified in the policies and procedures developed and implemented under the authority of the Assistant Secretary for Health Services. The Assistant Secretary for Health Services is the final authority for all health care related programs, policies, and procedures. The Assistant Secretary shall authorize policies, procedures, and service protocols deemed necessary and sufficient to establish guidelines for the delivery of mental health services. These service guidelines shall be disseminated to staff through health service bulletins, which shall be reviewed at least yearly, and revised as needed under the authority of the Assistant Secretary for Health Services. Health services bulletins shall be reviewed and revised periodically to

ensure that constitutionally adequate mental health services are provided in accordance with applicable community and correctional standards.

(1) through (5) No change.

(6) Inmates who ~~are assigned to administrative confinement, disciplinary confinement, protective management, or close management, and who~~ report or display signs of rapid change in their mental or behavioral functioning, who declare a mental health emergency, who exhibit bizarre behavior, or who exhibit or report thoughts or threats to harm themselves, shall be referred to mental health staff immediately, or to medical staff in the absence of mental health staff.

(7) through (8) No change.

(9) All department staff having contact with inmates shall refer an inmate to mental health staff when the staff member determines that the inmate may need or could benefit from mental health services. Form DC4-529A, Mental Health Staff Request/Referral shall be used for this purpose. Form DC4-529A is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is _____.

Specific Authority 944.09, 945.49 FS. Law Implemented 944.09, 945.49 FS. History—New 5-27-97, Formerly 33-40.002, Amended _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.196
RULE TITLE: Medicaid Certified Match Substance Abuse Services

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Certified Match Substance Abuse Services Coverage and Limitations Handbook, February 2007. The handbook includes a description of the services, the service requirements, and reimbursement that will be available under the Medicaid Certified Match Substance Abuse Services Program. The effect will be to incorporate by reference in the rule the Florida Medicaid Certified Match Substance Abuse Services Coverage and Limitations Handbook, February 2007.

SUBJECT AREA TO BE ADDRESSED: Medicaid Certified Match Substance Abuse Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908 FS.

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

DATE AND TIME: Tuesday, March 6, 2007, 2:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Conference Room B, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Howard George, Medical/Health Care Program Analyst, Medicaid Services, 2727 Mahan Drive, Mail Stop #20, Tallahassee, FL 32308, (850)410-1258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.196 Medicaid Certified Match Substance Abuse Services.

(1) This rule applies to all community mental health services providers enrolled in the Medicaid program who receive certified match to provide substance abuse services.

(2) All community behavioral health services providers enrolled in the Medicaid program who receive certified match to provide substance abuse services must be in compliance with the Florida Medicaid Certified Match Substance Abuse Services Coverage and Limitations Handbook, February 2007, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated by reference in Rule 59G-4.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent's website at <http://floridamedicaid.acs-inc.com>. Click on Provider Support, and then on Handbooks. Paper copies of the handbooks may be obtained by calling the Medicaid fiscal agent at (800)377-8216.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History--New _____.

DEPARTMENT OF MANAGEMENT SERVICES

State Technology Office

RULE NO.: 60DD-1.002
RULE TITLE: Rural County Grants

PURPOSE AND EFFECT: The purpose of the rule is to make changes to the rule to remove unnecessary language, update current language, and clarify existing board practice. The effect of the rule will be to remove unnecessary language, update current language, and clarify existing board practice.

SUBJECT AREA TO BE ADDRESSED: Rural County Grants.

SPECIFIC AUTHORITY: 365.172(b)(a)12., 365.173(2)(c) FS.

LAW IMPLEMENTED: 365.173(2)(c) 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: John Ford, Executive Director, Wireless 911 Board, 4030 Esplanade Way, Suite 235M, Tallahassee, Florida 32399-0950

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NO.: 61A-4.009
RULE TITLE: Monthly Reports

PURPOSE AND EFFECT: The proposed rule amendment incorporates by reference DBPR forms AB&T 4000-A-100-1W, Rev. 12/03 and AB&T 4000A-125-2, Rev. 12/03.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment addresses the monthly reporting forms which are used by manufacturers and distributors of alcoholic beverages.

SPECIFIC AUTHORITY: 564.06(9) FS.

LAW IMPLEMENTED: 564.06(7) 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: David Tarbert, Assistant General Counsel, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, Florida 32399

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-5.006
RULE TITLE: Elevator Fees; Construction and Alteration Permits; Annual Certificates of Operation; Delinquency Fee; Temporary Operation Permits Certificate Replacement

PURPOSE AND EFFECT: The purpose of this rule development is to clarify application for permit to alter and permit extension requirements; clarify certificate of operation license renewal requirements; adopt a single fee for certificate of operation license renewals, effective with the August 1, 2008 renewal cycle; and to create consistency between the rule language and statutes.

SUBJECT AREA TO BE ADDRESSED: This rule amendment addresses application for permit to alter and permit extension requirements; fee and documentation requirements for certificate of operation license renewals; and creates consistency between the rule language and statutes. Copies of the rule may be obtained from John Calpini in the Bureau of Elevator Safety Tallahassee office at (850)488-9098.

SPECIFIC AUTHORITY: 399.03(2), 399.07(1), 399.10 FS.

LAW IMPLEMENTED: 399.03, 399.07, 399.061 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: John Calpini, Bureau Chief, Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, FL 32399-1012; Telephone: (850)488-9098

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 Pilot Commissioners

RULE NO.: **RULE TITLE:**

61G14-11.007 Documents Issued

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

SUBJECT AREA TO BE ADDRESSED: Deputy pilot valuations and recommendations to the Board.

SPECIFIC AUTHORITY: 310.185 FS., Chapter 94-119, Laws of Florida.

LAW IMPLEMENTED: 310.071(3) FS., Chapter 94-119, Laws of Florida.

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE NO.: **RULE TITLE:**

61G18-12.019 Reinstatement of a Null and Void Licensee Fee

PURPOSE AND EFFECT: The proposed rule amendment establishes a fee for the reinstatement of a null and void license.

SUBJECT AREA TO BE ADDRESSED: Reinstatement of a Null and Void License Fee.

SPECIFIC AUTHORITY: 474.206, 474.215, 455.219 FS.

LAW IMPLEMENTED: 474.215, 455.219, 455.271 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 Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0783
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: **RULE TITLE:**

61G19-5.007 Notice of Noncompliance

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

SUBJECT AREA TO BE ADDRESSED: Notice of Noncompliance.

SPECIFIC AUTHORITY: 455.225, 468.606 FS.

LAW IMPLEMENTED: 455.225, 468.607, 468.621 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G19-5.007 Notice of Noncompliance.

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

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

(b) through (2) No change.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-113.100
RULE TITLE: Purpose

PURPOSE AND EFFECT: The Department of Environmental Protection proposes to amend the existing Operating Agreements between the Department and the Suwannee River Water Management District (SRWMD), St. Johns River Water Management District (SJRWMD), Southwest Florida Water Management District (SWFWMD), and South Florida Water Management District (SFWMD) regarding environmental resource permit program activities regulated under Part IV of Chapter 373, F.S. These Agreements are listed and incorporated by rule in subsection 62-113.100(2), F.A.C. Specifically, these Operating Agreements provide a division of responsibility between the Department and each water management district (District) regarding permitting, compliance, and enforcement under Part IV of Chapter 373, F.S., mitigation banking under Sections 373.4135 and 373.4136, F.S., and wetland determinations under subsections 373.421(2) through (5), F.S.

The Agreements must be executed by both the Department and the Districts, and will require concurrent rulemaking by each District to incorporate each District's Agreement with the Department into the rules of the respective District.

OGC No.: 07-0080

SUBJECT AREA TO BE ADDRESSED: Amendments to the Agreements are proposed to revise the division of responsibilities between the Department and the water management district for activities under Part IV of Chapter 373, F.S., such as: domestic or industrial wastewater treatment activities; potable water facilities; mining activities; communication cables and natural gas distribution lines; larger plans of development associated with docking facilities;

residential dwelling units; boat ramps, ski jumps, and other "in water" activities; docking facilities and seawalls within the Mosquito Lagoon, Banana River, and Indian River (within the SJRWMD); docking facilities associated with no-notice general permits within the SFWMD; activities on lands leased by the Division of Recreation and Parks; mitigation banks and Regional Offsite Mitigation Areas; modifications of permits, including those associated with modifications to stormwater systems previously authorized under Chapters 17-25 or 62-25, F.A.C.; activities subject to Special Case Agreements; and compliance and enforcement of violations of activities on sovereignty submerged lands.

When it becomes effective, this agreement will supersede and replace the October 27, 1998, Operating Agreements Concerning Regulation Under Part IV, Chapter 373, F.S., between the Department and the SFWMD (#98-2, as adopted by reference in paragraph 62-113.100(3)(e), F.A.C.), SRWMD (#98-3, as adopted by reference in paragraph 62-113.100(3)(k), F.A.C.), SWFWMD (#98-4, as adopted by reference in paragraph 62-113.100(3)(p), F.A.C.), and SJRWMD (#98-5, as adopted by reference in subsection 62-113.100(3), F.A.C.).

SPECIFIC AUTHORITY: 373.026, 373.043, 373.046, 373.418, 373.441, 403.061 FS.

LAW IMPLEMENTED: 373.026, 373.046, 373.441, 403.061, 403.182 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Alice Heathcock, Florida Department of Environmental Protection, Office of Submerged Lands and Environmental Resources – MS 2500, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8483, or e-mail: Alice.Heathcock@dep.state.fl.us. Further information and updates on this proposed rule also may be obtained from the Department's Web Site at: <http://www.dep.state.fl.us/water/wetlands/erp/rules/rulestat.htm>.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**62-113.100 Purpose.**

This rule chapter lists the delegation agreements which have been entered into by the Department with another state agency, political subdivision or water management district, and which delegate any of the Department's duties and responsibilities under Chapters 253, 373, 376 and 403, Florida Statutes, and Title 62, F.A.C. This rule chapter additionally lists the agreements with water management districts which specify that the Department is exercising any of its independent regulatory authorities pursuant to Chapter 373, F.S. For

purposes of Title 62, F.A.C., wherever the term "Department" appears, it shall mean the Florida Department of Environmental Protection or its delegatee as provided in the agreements listed in Chapter 62-113, F.A.C. These delegation agreements are hereby incorporated by reference and are available for public inspection and copying during normal business hours at the Department's Office of General Counsel, 3900 Commonwealth Blvd., 2600 Blairstone Road, Tallahassee, Florida.

(1) through (2) No change.

(3) Delegations to water management districts and agreements with water management districts specifying areas in which the Department is exercising any of its independent regulatory authorities pursuant to Chapter 373, F.S.

(a) through (e) No change.

(f) #07-1: Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., between South Florida Water Management District and Department of Environmental Protection – provides a division of responsibility between the South Florida Water Management District and the Department for the exercise of their authority to implement environmental resource permitting, compliance, and enforcement, under Part IV, Chapter 373, F.S., and a division of responsibility between the South Florida Water Management District and the Department regarding formal wetland determinations pursuant to subsections 373.421(2) through (5), F.S., [Effective Date].

(f) through (k) renumbered (g) through (l) No change.

(m) #07-2: Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., between Suwannee River Water Management District and Department of Environmental Protection – provides a division of responsibility between the Suwannee River Water Management District and the Department for the exercise of their authority to implement environmental resource permitting, compliance, and enforcement, under Part IV, Chapter 373, F.S., and a division of responsibility between the Suwannee River Water Management District and the Department regarding formal wetland determinations pursuant to subsections 373.421(2) through (5), F.S., [Effective Date].

(l) through (p) renumbered (n) through (r) No change.

(s) #07-3: Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., between Southwest Florida Water Management District and Department of Environmental Protection – provides a division of responsibility between the Southwest Florida Water Management District and the Department for the exercise of their authority to implement environmental resource permitting, compliance, and enforcement, under Part IV, Chapter 373, F.S., and a division of responsibility between the Southwest Florida Water Management District and the Department regarding formal wetland determinations pursuant to subsections 373.421(2) through (5), F.S., [Effective Date].

(q) through (t) renumbered (t) through (w) No change.

(x) #07-4: Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., between St. Johns River Water Management District and Department of Environmental Protection – provides a division of responsibility between the St. Johns River Water Management District and the Department for the exercise of their authority to implement environmental resource permitting, compliance, and enforcement, under Part IV, Chapter 373, F.S., and a division of responsibility between the St. Johns River Water Management District and the Department regarding formal wetland determinations pursuant to subsections 373.421(2) through (5), F.S., [Effective Date].

(u) through (v) renumbered (y) through (z) No change.
Proposed Effective Date: July 1, 2007.

Specific Authority 373.026, 373.043, 373.046, 373.418, 373.441, 403.061 FS. Law Implemented 373.026, 373.046, 373.441, 403.061, 403.182 FS. History–New 1-5-93, Amended 11-16-93, 3-14-94, Formerly 17-113.100, Amended 7-4-95, 4-3-96, 3-24-98, 12-3-98, 7-16-01, 7-1-07.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Beaches and Shores

RULE NO.:

RULE TITLE:

62B-26.016

Description of the Gulf County

Coastal Construction Control Line

PURPOSE AND EFFECT: To amend Rule 62B-26.016, F.A.C., reestablishing the Gulf County Coastal Construction Control Line to more accurately define that portion of the beach dune system which is subject to severe fluctuations based upon the 100-year storm surge and storm waves, and thus define the area within which special siting and design considerations are required to ensure protection of the beach dune system, proposed or existing structures, adjacent properties, and the preservation of public beach access.

SUBJECT AREA TO BE ADDRESSED: The legal description of the location of the Coastal Construction Control Line in Gulf County.

SPECIFIC AUTHORITY: 161.053(21) FS.

LAW IMPLEMENTED: 161.053(2) FS.

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

DATE AND TIME: March 8, 2007, 6:00 p.m. – 8:00 p.m.

PLACE: Robert M. Moore Administrative Building, Gulf County Courthouse Complex, County Commission Meeting Rm., 1000 Cecil G. Costin, Sr. Blvd., Port St. Joe, FL.

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: Rosaline Beckham at (850)488-7815, or by e-mail at: rosaline.beckham@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: Rosaline Beckham as referenced above

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

DEPARTMENT OF JUVENILE JUSTICE

Education

RULE NOS.:	RULE TITLES:
63B-1.001	Purpose and Scope
63B-1.002	Educational and Vocational Programming
63B-1.003	Program Evaluation
63B-1.004	Vocational Staff
63B-1.005	Youth Participation
63B-1.006	Cooperative Agreement
63B-1.007	Reporting and Evaluation

PURPOSE AND EFFECT: Establishing standards and requirements for the provision of career-related programming to committed juveniles.

SUBJECT AREA TO BE ADDRESSED: Classification, service provision and evaluation of career-related programs for committed juveniles.

SPECIFIC AUTHORITY: 985.618(4) FS.

LAW IMPLEMENTED: 985.618, 985.622, 1003.52 FS.

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

DATE AND TIME: Friday, February 23, 2007, 2:00 p.m.

PLACE: DJJ Headquarters, 2737 Centerview Dr., General Counsel's Conference Room 312, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Milla, 2737 Centerview Dr., Ste. 312, Tallahassee, FL 32399-3100, e-mail: john.milla@dj.j.state.fl.us

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

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-5.1003	Monitoring Fees
64E-5.101	Definitions
64E-5.1508	Inspection of Low-Level Radioactive Waste Shipments
64E-5.204	Types of Licenses

64E-5.210	Special Requirements for a Specific License to Manufacture, Assemble, Repair or Distribute Commodities, Products or Devices Which Contain Radioactive Material
64E-5.502	General Requirements
64E-5.506	Intraoral Dental Radiographic Systems
64E-5.511	Registration of Radiation Machines

PURPOSE AND EFFECT: The purpose of the proposed rule development is to update department rules regarding the use of x-rays in the healing arts; to establish provisions for the use of hand-held dental x-ray units; to correct the numbering of Rule 64E-5.210, F.A.C.; and to update fees for environmental monitoring, inspections of low-level radioactive waste transportation shipments, and radioactive materials licenses. The effect will be to allow for the use of hand-held dental x-ray units; to clarify the requirements of x-ray use in the healing arts; and to cover the department's operational costs.

SUBJECT AREA TO BE ADDRESSED: General requirements of use of x-rays in the healing arts including hand-held dental units and fees.

SPECIFIC AUTHORITY: 404.022, 404.051, 404.056, 404.081, 404.131, 404.141, 404.22 FS.

LAW IMPLEMENTED: 404.022, 404.031, 404.056, 404.061, 404.081, 404.131, 404.141, 404.22, 404.051(1), (4),(5),(6),(8),(9),(10),(11), 404.061(2),(3), 404.071(1), 404.081(1), 404.22(1),(2),(3) 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 27, 2007, 10:30 a.m. – 12:00 Noon

PLACE: Capitol Circle Office Complex, Building 4042, Room 240P, 4042 Bald Cypress Way, Tallahassee, FL 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michael Stephens, Environmental Health Program Consultant, Bureau of Radiation Control, (850)245-4444, ext. 4043 or (850)245-4266 or Mike_Stephens@doh.state.fl.us

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

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE NO.:	RULE TITLE:
64F-12.015	Licensing, Application, Permitting

PURPOSE AND EFFECT: The Department intends to review this section to make changes to all aspects of permitting licensing and inspection requirements.

SUBJECT AREA TO BE ADDRESSED: Permitting, licensing and inspections.

SPECIFIC AUTHORITY: 499.01, 499.012, 499.0121(1), 499.0122, 499.013, 499.014, 499.028, 499.04, 499.041, 499.05, 499.62, 499.63, 499.64, 499.66, 499.67, 499.701 FS.

LAW IMPLEMENTED: 499.01, 499.012, 499.0121, 499.0122, 499.013, 499.028(6), 499.04, 499.004, 499.041, 499.05, 499.06, 499.006, 499.007, 499.052, 499.062, 499.063, 499.064, 499.066, 499.067 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: Rebecca Poston R. Ph., Drugs, Devices and Cosmetics Program, 4052 Bald Cypress Way, Mail Bin C-04, Tallahassee, Florida 32399, (850)245-4292

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: 69K-12.011
 RULE TITLE: Annual Inspection Fees for Monument Builders

PURPOSE AND EFFECT: Section 497.553(1), F.S., authorizes the Board of Funeral, Cemetery, and Consumer Services to set by rule an annual inspection fee not to exceed \$300 payable upon application for licensure and upon each renewal of such license. The proposed rule sets the inspection fee at \$100.

SUBJECT AREA TO BE ADDRESSED: Annual inspection fees for monument builders.

SPECIFIC AUTHORITY: 497.103(1)(bb), (5)(a), 497.553(1) FS.

LAW IMPLEMENTED: 497.553(1) FS.

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

DATE AND TIME: Tuesday, February 27, 2007, 2:00 p.m.

PLACE: Alexander Building, 2020 Capital Circle, S.E., 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: Diana Evans, (850)413-3039. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Diana Evans, Executive Director, Board of Funeral, Cemetery, and Consumer Services, Alexander Building, 2020 Capital Circle, S.E., Tallahassee, Florida 32399-0361, (850)413-3039

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69K-12.011 Annual Inspection Fees for Monument Builders.

Each monument builder shall pay an annual inspection fee of \$100 that is payable upon application for licensure and upon each renewal of such license.

Specific Authority 497.103(1)(bb), (5)(a), 497.553(1) FS. Law Implemented 497.103(1)(bb), 497.553(1) FS. History-New

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-142.003
 RULE TITLE: Letter Grade Scale of Consumer Advocate Report Card

PURPOSE AND EFFECT: Create a form for the Consumer Advocate's Report Card for Property Insurers.

SUBJECT AREA TO BE ADDRESSED: Policy holder rights.

SPECIFIC AUTHORITY: 627.0613(4) FS.

LAW IMPLEMENTED: 627.0613(4) 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: March 5, 2007, 9:30 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Chris Bailey, Chief of Staff's Office, Governmental Affairs, Office of Insurance Regulation, E-mail: Chris.Bailey@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: Chris Bailey, Chief of Staff's Office, Governmental Affairs, Office of Insurance Regulation, E-mail: Chris.Bailey@fldfs.com
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-167.014
RULE TITLE: Alternative Methods to Handwritten Statements

PURPOSE AND EFFECT: To develop alternative methods for policyholders with disabilities to provide statements required by Sections 627.701(4)(d) and 627.712(6), F.S.

SUBJECT AREA TO BE ADDRESSED: Policyholder disclosures.

SPECIFIC AUTHORITY: 627.701(4)(d)4, FS.

LAW IMPLEMENTED: 627.712(6) 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: March 6, 2007, 9:30 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar hours before the workshop/meeting by contacting: Michael Milnes, Property and Casualty 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michael Milnes, Property and Casualty Product Review, Office of Insurance Regulation, E-mail: Michael.Milnes@fldfs.com

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

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-167.015
RULE TITLE: Uniform Home Grading Scale to Grade the Ability of a Home to Withstand Wind Loads from Tropical Storms or Hurricanes

PURPOSE AND EFFECT: To establish a uniform grading scale to measure the ability of a home to withstand the wind load from a sustained severe tropical storm or hurricane.

SUBJECT AREA TO BE ADDRESSED: Development of a grading scale through consultation with the Department of Financial Services and the Department of Community Affairs and based on and consistent with the rating system required by Chapter 2006-12, Laws of Florida.

SPECIFIC AUTHORITY: s. 40, Chapter 2007-1, Laws of Florida.

LAW IMPLEMENTED: s. 40, Chapter 2007-1, Laws of Florida.

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 27, 2007, 9:30 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Chris Bailey, Chief of Staff's Office, Governmental Affairs, Office of Insurance Regulation, E-mail: Chris.Bailey@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: Chris Bailey, Chief of Staff's Office, Governmental Affairs, Office of Insurance Regulation, E-mail: Chris.Bailey@fldfs.com
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-170.0155
RULE TITLE: Forms

PURPOSE AND EFFECT: The purpose is to amend existing Form OIR-B1-1655, Notice of Premium Discounts for Hurricane Loss Mitigation, to incorporate changes required by Chapter 2007-1, Laws of Florida, and to develop a Uniform Mitigation Verification Inspection Form for use by insurers and to develop the Chief Executive Officer or Chief Financial Officer and Chief Actuary Certification Form.

SUBJECT AREA TO BE ADDRESSED: Revision of Form OIR-B1-1655, Notice of Premium Discounts for Hurricane Loss Mitigation and development of a Uniform Mitigation Verification Form and to develop the Chief Executive Officer or Chief Financial Officer and Chief Actuary Certification Form.

SPECIFIC AUTHORITY: 624.308(1), 627.711 FS.

LAW IMPLEMENTED: 624.307(1), 624.424, 627.062, 627.0645, 627.711 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 26, 2007, 9:30 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar hours before the workshop/meeting by contacting: Michael Milnes, Property and Casualty 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michael Milnes, Property and Casualty Product Review, Office of Insurance Regulation, E-mail: Michael.Milnes@fldfs.com
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.: RULE TITLE:

5E-1.003 Labels or Tags

PURPOSE AND EFFECT: The purpose of this rule modification is twofold. First is the clarification of existing verbiage, and second to establish labeling criteria for urban lawn or turf fertilizer products and adoption of Best Management Practices for Nitrogen applications for the Green Industry and Golf Course Industry.

SUMMARY: Establishes labeling criteria for fertilizer products distributed in Florida.

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: 576.181 FS.

LAW IMPLEMENTED: 576.021 FS.

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

DATE AND TIME: February 28, 2007, 1:30 p.m.

PLACE: Plant Science Research and Education Unit, 2556 West Highway 318, Citra, Florida 32113

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Dale W. Dubberly, Chief, Bureau of Compliance Monitoring, Division of Agricultural Environmental Services, Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)488-8731

THE FULL TEXT OF THE PROPOSED RULE IS:

5E-1.003 Labels or Tags.

(1) LABEL REQUIREMENTS FOR ALL FERTILIZER PRODUCTS.

(a) Labels setting forth the information specified in this section shall be attached to or accompany any fertilizer distributed in the state. For packaged products, this information shall either (1) Appear on the front or back of the package, (2) occupy at least one-third (1/3) of a side of the package, or (3) be printed on a tag and attached to the package. This information shall be in a readable and conspicuous form. For bulk products, this information in printed form shall accompany delivery and five analysis tags attached to the delivery ticket shall be supplied to the purchaser at time of delivery. The following information is required on labels for all fertilizer products.

1. Brand name ~~The net weight~~

2. The grade (Provided that the grade shall not be required when no primary nutrients are claimed) ~~Brand name~~

3. Guaranteed analysis, in the following format ~~The grade~~ (Provided that the grade shall not be required when no primary nutrients are claimed)

4. Guaranteed analysis in the following format: ~~Name and address of licensee~~

5. Guaranteed analysis in the following format:

Total Nitrogen (N).....%

— percent Nitrate Nitrogen

— percent Ammoniacal Nitrogen

— percent Water Soluble Nitrogen ~~percent Other Water Soluble~~

— percent Urea Nitrogen ~~Nitrogen (and/or Urea Nitrogen)~~

— percent Water Insoluble Nitrogen

Available Phosphorus (P₂O₅).....%

Soluble Potassium (K₂O).....%

Secondary and Micro Plant Nutrients

(list all claimed or advertised).....%

Derived From:

5. Name and address of licensee.

6. The net weight (The term "Bulk" shall suffice for bulk products).