

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE NO.: 5K-4.031 **RULE TITLE:** Ice Vending Machines

PURPOSE AND EFFECT: This rule amendment establishes sanitation and safety standards for the regulation of ice vending machines. The Florida Department of Agriculture and Consumer Services regulates food establishments that manufacture and process ice. Recently, the ice industry has evolved into the development and deployment of unique ice vending machines designed for customer self service in public locations. This rule will establish a set of sanitary standards for the operation of such ice vending machines and have an impact on all units that fall under the jurisdiction of this agency.

SUBJECT AREA TO BE ADDRESSED: The Florida Department of Agriculture and Consumer Services regulates food establishments that manufacture and process ice. Recently, the ice industry has evolved into the development and deployment of unique ice vending machines designed for customer self service in public locations. This rule will establish a set of sanitary standards for the operation of such ice vending machines.

SPECIFIC AUTHORITY: 500.09, 500.12, 570.07(23) FS.

LAW IMPLEMENTED: 500.04, 500.09, 500.10, 500.12(1)(f), 500.13, 500.172 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: Dr. John Fruin, Chief, Division of Food Safety, Bureau of Food and Meat Inspection, 3125 Conner Boulevard, Mail Stop C-18, Tallahassee, FL 32399-1650, Telephone: (850)245-5520

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-3.0171 **RULE TITLE:** Responsibilities of School Districts for Student Transportation

PURPOSE AND EFFECT: The purpose of this rule development is to update the Florida School Bus Safety Inspection Manual in accordance with required and requested

changes, current public expectations, and higher benchmarks among student transportation providers for the safety of students. The effect is implementing Florida's statutory requirements for safe, efficient transportation of Florida public school students by school districts and charter schools.

SUBJECT AREA TO BE ADDRESSED: Student Transportation, Florida School Bus Safety Inspection Manual.

SPECIFIC AUTHORITY: 1006.22 FS.

LAW IMPLEMENTED: 1006.22 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: Linda Champion, Deputy Commissioner for Finance and Operations, Department of Education, 325 West Gaines Street, Room 1214, Tallahassee, Florida 32399-0400, (850)245-0506. **TO REQUEST A RULE DEVELOPMENT WORKSHOP, please contact Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org**

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.03315 **RULE TITLE:** Private School Scholarship Compliance

PURPOSE AND EFFECT: The purpose of this rule development is to update the compliance reporting requirements specified in Form IEPC SCF-1, Scholarship Program Compliance Form for Private School Participants in State Scholarship Programs, to reflect new statutory requirements. The effect will be to develop a rule that is consistent with the governing statutes and procedures of the Department.

SUBJECT AREA TO BE ADDRESSED: Form IEPC SCF-1, Private School Scholarship Program Compliance Form.

SPECIFIC AUTHORITY: 220.187, 1002.39, 1002.421 FS.

LAW IMPLEMENTED: 1002.421, 1006.061 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: Jean Miller, Acting Executive Director, Office of Independent Education and Parental Choice, Department of Education, 325

West Gaines Street, Room 522, Tallahassee, Florida 32399-0400, (850)245-0502. TO REQUEST A RULE DEVELOPMENT WORKSHOP, please contact Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0960 RULE TITLE: Corporate Tax Credit Scholarship Program

PURPOSE AND EFFECT: The purpose of this rule development is to update the requirements for nonprofit scholarship-funding organizations and the requirements for measurement of student achievement to reflect statutory changes. The effect will be to develop a rule that is consistent with the governing statute and procedures of the Department.

SUBJECT AREA TO BE ADDRESSED: The subject areas for rule development include the requirements for nonprofit scholarship-funding organizations and the requirements for measurement of student achievement.

SPECIFIC AUTHORITY: 220.187 FS.

LAW IMPLEMENTED: 220.187 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: Jean Miller, Acting Executive Director, Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Room 522, Tallahassee, Florida 32399-0400, (850)245-0502. TO REQUEST A RULE DEVELOPMENT WORKSHOP, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-6.0960 Corporate Tax Credit Scholarship Program.

(1) No change.

(2) Nonprofit scholarship-funding organization requirements. Eligible nonprofit scholarship-funding organizations shall:

(a) Beginning with the 2007-2008 school year, upon each first-time scholarship student's entry to the scholarship program, obtain a written statement that the parent has informed the student's school district that the child will be attending an eligible private school. The written statement shall be maintained on file by each nonprofit scholarship-funding organization for no less than three (3)

years or until such time as the student graduates or otherwise exits the program. This requirement shall not apply to a kindergarten or first grade student, or a student placed in foster care, who was not enrolled in a Florida public school prior to entering the scholarship program.

(6) Measurement of student achievement. Private schools participating in the program are responsible for ensuring that all students who if in the public school system would otherwise be assessed under Section 1008.22(3)(c), F.S., and who are receiving scholarships are assessed annually and the results reported as required by Section 220.187(8)(c)2., F.S. Achievement data for scholarship students shall not be used to rate publicly the performance of private schools that participate in the program.

(a) Pursuant to Section 220.187(9)(i), F.S., relating to the identification and selection of nationally norm-referenced tests for the measurement of student achievement, participating private schools must annually administer one of the following approved assessments in grades K-12 to students receiving Corporate Income Tax Credit Scholarships:

1. Basic Achievement Skills Inventory (BASITM) – Comprehensive Version.
- ~~2. Florida Comprehensive Assessment Test (FCAT) – NRT Reading and Mathematics.~~
- ~~2.3.~~ Iowa Tests of Basic Skills® (ITBS®) Forms A and B – Core Battery.
- ~~3.4.~~ Metropolitan Achievement Tests®, Eighth Edition (METROPOLITAN8) – Short Form.
- ~~4.5.~~ Stanford Achievement Test, Tenth Edition (Stanford 10) – Basic Battery.
- ~~5.6.~~ TerraNova (CTBS/5) – Basic Battery.
- ~~6.7.~~ TerraNova, Second Edition (CAT/6) – Basic Battery.

Specific Authority 220.187(9)(i), 220.187(12)(c) FS. Law Implemented 220.187 FS. History–New 2-5-07, Amended _____.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: 12A-19.015 RULE TITLE: Recordkeeping Requirements

PURPOSE AND EFFECT: The purpose of this notice is to inform the public that the department is developing requirements for records and information to be maintained by communications services tax dealers.

The effect of this action is to ensure that the Department's rules conform to the applicable provisions in Chapter 202, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The subject area that will be addressed is the records and information required to be maintained by communications services tax dealers.

SPECIFIC AUTHORITY: 202.28(1)(b)2. FS.

LAW IMPLEMENTED: 202.26(3)(f), (j), 202.28(1)(b)2., 202.34(1), (3) FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD). 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: Vince Aldridge, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443 telephone (850)488-0718, e-mail address: aldridgev@dor.state.fl.us

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 NOS.:	RULE TITLES:
25-17.400	Renewable Portfolio Standard
25-17.410	Renewable Portfolio Standard
25-17.420	Renewable Portfolio Standard

PURPOSE AND EFFECT: To begin developing a Renewable Portfolio Standard as required by HB 7135 (Chapter Law No. 2008-227). The new law mandates that the Commission adopt rules for a renewable portfolio standard requiring each investor-owned utility to supply renewable energy to its customers directly, by procuring, or through renewable energy credits. The Commission must present a draft rule for legislative consideration by February 1, 2009. Docket No. 080503-EI.

SUBJECT AREA TO BE ADDRESSED: Renewable Portfolio Standard for utilities. The staff will present a strawman draft rule proposal for discussion at the rule development workshop. The topics in the strawman proposal for discussion at the workshop will include: 1) Renewable Portfolio Standard Design, 2) Renewable Energy Credit Market and 3) Reporting Requirements for municipal electric and rural electric cooperatives.

SPECIFIC AUTHORITY: 350.127(2), 366.05 FS.
LAW IMPLEMENTED: 366.02, 366.04, 366.041, 366.05, 366.81, 366.82, 366.91, 366.92 FS.

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

DATE AND TIME: Wednesday, August 20, 2008, 9:30 a.m.
PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, FL 32399-0850, (850)413-6770. One or more Commissioners may be in attendance and participate at the 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: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (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: Judy Harlow, Office of Strategic Analysis and Governmental Affairs, or Cindy Miller, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850. Judy Harlow may also be reached at (850)413-6842 or jharlow@psc.state.fl.us. Cindy Miller may also be reached at (850)413-6082, or cmiller@psc.state.fl.us. A COPY OF THE DRAFT RULES MAY BE OBTAINED AFTER AUGUST 13, 2008.

DEPARTMENT OF CORRECTIONS

RULE NO.:	RULE TITLE:
33-204.003	Food Services – Standards of Operation

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend the form documenting substitution of food items from DC6-229, Daily Record of Segregation, to DC6-209, Housing Unit Log, and DC6-210, Incident Report. This amendment is made for efficiency.

SUBJECT AREA TO BE ADDRESSED: Food services.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 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: Jamie Jordan-Nunes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-204.003 Food Services – Standards of Operation.

- (1) No change.
- (2) Confinement.

(a) All inmates in confinement shall receive normal institutional meals as are available to the general population, except that if any item on the normal menu or any food utensil might create a security problem in the confinement area, then another item of comparable quality or other appropriate utensils shall be substituted. Substitutions shall be documented on the Housing Unit Log, DC6-209 and Incident Report, DC6-210 ~~Daily Record of Segregation, Form DC6-229~~. Forms DC6-209 and DC6-210 ~~229~~ have been previously incorporated by reference in Rule 33-602.220, F.A.C.

- (b) through (d) No change.
- (3) through (5) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–New 1-18-89, Amended 7-21-97, Formerly 33-30.003, Amended 8-9-00, 11-16-00, 10-2-01, 2-18-02, 7-2-03, 11-1-04, 2-27-05, 10-16-05, 1-17-06, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari- Mutuel Wagering

RULE NOS.:	RULE TITLES:
61D-2.002	Toe Grabs
61D-2.022	Use of Whips

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the use of toe grabs and whips at pari-mutuel horseracing facilities.

SUBJECT AREA TO BE ADDRESSED: The rule workshop will address whether the Division of Pari-Mutuel Wagering should implement the provisions of Section 550.2415, F.S., by adopting the model rule of the Association of Racing Commissioners International regarding toe grabs. The workshop will also address rules regarding the use of a whip in the general rule section.

SPECIFIC AUTHORITY: 550.0251, 550.2415(13) FS.
LAW IMPLEMENTED: 550.0251(3), (11), 550.2415(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: August 25, 2008, 10:00 a.m. – 2:00 p.m.
PLACE: State of Florida, Department of Children and Families, 1400 West Commercial Blvd., Room 203, Ft. Lauderdale, Florida 33309

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: Mary Polombo at (850)413-0750. 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: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.:	RULE TITLE:
61D-6.008	Permitted Medications for Horses

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the use of anabolic steroids in race horses at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The rule workshop will address whether the Division of Pari-Mutuel Wagering should implement the provisions of Section 550.2415, F.S., by adopting the model anabolic steroid rule of the Association of Racing Commissioners International.

SPECIFIC AUTHORITY: 550.0251, 550.2415(13) FS.

LAW IMPLEMENTED: 550.2415(8)(e), (9)(c) 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: August 25, 2008, 10:00 a.m. – 2:00 p.m.
PLACE: State of Florida, Department of Children and Families, 1400 West Commercial Blvd., Room 203, Ft. Lauderdale, Florida 33309

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: Mary Polombo at (850)413-0750. 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: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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 Professional Engineers

RULE NOS.:	RULE TITLES:
61G15-20.001	Definitions
61G15-20.0015	Application for Licensure by Endorsement
61G15-20.007	Demonstration of Substantial Equivalency

PURPOSE AND EFFECT: The purpose and effect is to revise the definition of a Board approved program, revise the list of approved evaluators and update requirements for licensure by endorsement.

SUBJECT AREA TO BE ADDRESSED: Definitions; Application for Licensure by Endorsement; Demonstration of Substantial Equivalency.

SPECIFIC AUTHORITY: 471.008, 471.013, 471.015 FS.

LAW IMPLEMENTED: 471.013, 471.015 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: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.:	RULE TITLE:
61G15-21.009	Endorsement

PURPOSE AND EFFECT: The purpose and effect is to update the requirements for licensure by endorsement.

SUBJECT AREA TO BE ADDRESSED: Endorsement.

SPECIFIC AUTHORITY: 471.008 FS.

LAW IMPLEMENTED: 471.015(3), (5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NOS.:	RULE TITLES:
61G15-22.0001	Renewal of Active Licenses
61G15-22.011	Board Approval of Continuing Education Providers

PURPOSE AND EFFECT: The purpose and effect is to revise the standards for approval of C.E. courses and providers.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Requirements; Board Approval of Continuing Education Providers.

SPECIFIC AUTHORITY: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS.

LAW IMPLEMENTED: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019 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: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NOS.:	RULE TITLES:
61G15-23.002	Seal, Signature and Date Shall Be Affixed
61G15-23.003	Procedures for Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents

PURPOSE AND EFFECT: The purpose and effect is to update procedures for electronically signing and sealing engineering documents.

SUBJECT AREA TO BE ADDRESSED: Seal, Signature and Date Shall Be Affixed; Procedures for Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents.

SPECIFIC AUTHORITY: 282.75, 471.025, 668.006 FS.

LAW IMPLEMENTED: 471.025 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: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: 61G15-37.001 RULE TITLE: Performance Standards and Measurable Outcomes

PURPOSE AND EFFECT: The purpose and effect is to update standards and measurable outcomes for Florida Engineers Management Corporation.

SUBJECT AREA TO BE ADDRESSED: Performance Standards and Measurable Outcomes.

SPECIFIC AUTHORITY: 471.038(3)(m) FS.

LAW IMPLEMENTED: 471.038(3)(m) 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: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE NO.: 61G18-30.001 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes to the rule amendment in order to update disciplinary guidelines.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

SPECIFIC AUTHORITY: 455.2273(1), 474.206 FS.

LAW IMPLEMENTED: 455.2273, 455.2281, 474.213, 474.214 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 32399-0750

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 NOS.: 62-304.300, 62-304.305, 62-304.405, 62-304.410, 62-304.810 RULE TITLES: St. Marks Basin TMDLs, Ochlockonee Basin TMDLs, Lower Suwannee River Basin TMDLs, Santa Fe Basin TMDLs, Everglades West Coast Basin TMDLs

PURPOSE AND EFFECT: The Department is initiating rulemaking to establish Total Maximum Daily Loads (TMDLs) for waters in the St. Marks (Ames Sink, Lake Munson, and Munson Slough), Ochlockonee River (Black Creek, Juniper Creek, and Swamp Creek), Suwannee River (Middle and Lower Suwannee River and associated springs), Santa Fe River (Alligator Lake, New River, and Santa Fe River), and the Everglades West Coast (Cocohatchee River, Gordon River, Hendry Creek, Imperial River, and Lake Trafford) Basins.

Pursuant to Section 403.067(6), F.S., TMDLs must be adopted by the Secretary of the Department by rule. Chapter 62-304, F.A.C., was established as the rule chapter within which rules adopting TMDLs shall reside. Establishment of TMDLs is proceeding for waters within the above basins for which the verified list of impaired waters previously were adopted by Secretarial Order. TMDL calculations and allocations for each waterbody or waterbody segment will be adopted by rule, by the Secretary of the Department, pursuant to Sections 120.536(1), 120.54 and 403.805, F.S. These rules have been

given individual OGC case numbers: 08-1892 for Rules 62-304.300, 08-1893 for 62-304.305, 08-1894 for 62-304.405, 08-1895 for 62-304.410, and 08-1896 for 62-304.810, F.A.C. SUBJECT AREA TO BE ADDRESSED: TMDLs and their allocations will be established for the pollutants identified as causing the impairment for the impaired waters in the above listed basin (as indicated in the order adopting the verified list for each basin).

SPECIFIC AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.016, 403.062, 403.067 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: Jan Mandrup-Poulsen, Administrator, Watershed Assessment Section, 2600 Blair Stone Road, Mail Station 3555, Tallahassee, FL 32399-2400, Telephone (850)245-8449

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

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-18.002
 RULE TITLE: Formulary of Topical Ocular Pharmaceutical Agents

PURPOSE AND EFFECT: The purpose of the amendment is to incorporate a new medication requested by the Florida Optometric Association, to which the TOPA Committee did not raise an objection, and to implement the Board's determination that Azasite in the existing rule language is the brand name of the medication, not the chemically generic name, and its instruction that the amendment correct the name Azasite to Azithromycin.

SUBJECT AREA TO BE ADDRESSED: Formulary of Topical Ocular Pharmaceutical Agents.

SPECIFIC AUTHORITY: 463.005, 463.0055(2)(a) FS.

LAW IMPLEMENTED: 463.0055 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: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-18.002 Formulary of Topical Ocular Pharmaceutical Agents.

The topical ocular pharmaceutical formulary consists of pharmaceutical agents which a certified optometrist is qualified to administer and prescribe in the practice of optometry pursuant to Section 463.0055(2)(a), F.S. The topical ocular pharmaceutical agents in the formulary include the following legend drugs alone or in combination in concentrations up to those specified, or any lesser concentration that is commercially available:

- (1) through (3) No change.
- (4) ANTIBACTERIAL.
 - (a) through (l) No change.
 - (m) Moxifloxacin – 0.5%;
 - (n) Sodium sulfacetamide – 10.0% (alone and in combination); ~~and~~
 - (o) ~~Azithromycin – 1%;~~ ~~and~~ ~~Azasite.~~
 - (p) Levofloxacin – 1.5%
- (5) through (8) No change.
- (9) MISCELLANEOUS.
 - (a) Hydroxypropyl cellulose ophthalmic Insert;
 - (b) Dapiprazole – 0.5%; ~~and~~
 - (c) Cyclosporine emulsion – 0.05%; ~~and~~
 - (d) Polyvinyl pyrrolidone – drops 2.0%.

Specific Authority 463.005, 463.0055(2)(a) FS. Law Implemented 463.0055 FS. History–New 3-30-87, Amended 4-5-88, 5-7-90, Formerly 21-18.002, Amended 5-10-92, 1-29-93, Formerly 21Q-18.002, Amended 8-31-93, 7-30-94, Formerly 61F8-18.002, Amended 2-11-96, 4-21-96, 1-12-97, 6-8-97, Formerly 59V-18.002, Amended 6-15-00, 6-7-05, 6-10-06, 6-26-08,_____.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-13.001
 RULE TITLE: Continuing Education for Biennial Renewal

PURPOSE AND EFFECT: The Board proposes the rule amendment to update requirements for continuing education for biennial renewal.

SUBJECT AREA TO BE ADDRESSED: Continuing Education for Biennial Renewal.

SPECIFIC AUTHORITY: 459.005, 459.008(4) FS.

LAW IMPLEMENTED: 456.013(5), (6), (7), 459.008, 459.008(4) FS.

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

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

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-19.002
 RULE TITLE: Violations and Penalties

PURPOSE AND EFFECT: The Board proposes the rule amendment to update violations and penalties.

SUBJECT AREA TO BE ADDRESSED: Violations and Penalties.

SPECIFIC AUTHORITY: 456.079, 459.015(5) FS.

LAW IMPLEMENTED: 456.072, 456.079, 456.50 FS.

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

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

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.2031
 RULE TITLE: Licensure by Examination; Foreign Pharmacy Graduates

PURPOSE AND EFFECT: The Board proposes the rule amendment to amend the qualifications of a foreign pharmacy graduate to sit for the licensure examination.

SUBJECT AREA TO BE ADDRESSED: Licensure by Examination; Foreign Pharmacy Graduates.

SPECIFIC AUTHORITY: 465.005, 465.007 FS.

LAW IMPLEMENTED: 465.007 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, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-2.001	Definitions
64E-2.002	Basic Life Support Service License – Ground
64E-2.003	Advanced Life Support Service License – Ground
64E-2.005	Air Ambulances
64E-2.0321	Certificate of Public Convenience and Necessity

PURPOSE AND EFFECT: The Joint Administrative Procedures Committee (JAPC) is required to review administrative rules and advise agencies concerned of its findings. This charge applies to existing as well as proposed rules. JAPC notified the Bureau of Emergency Medical Services that the law implemented for Rule 64E-2.032, F.A.C. appeared to contravene the law implemented, Section 401.27, F.S., in certain parts. This rule was repealed and replaced with the definition of “operate”. This definition did not satisfy JAPC’s objections. The purpose of this rule revision is to provide clarification for the EMS community regarding the Certificate of Public Convenience and Necessity (COPCN) requirement for licensure and satisfy JAPC’s objections. After receiving comments at the public hearing the Bureau of EMS has elected to present this proposal at one more rule workshop to finalize the COPCN language.

In addition, portions of the workshop will be to collaborate with subject matter experts to do the following:

- develop and establish rules for the educational and training criteria for the certification and recertification of 911 emergency dispatchers (ED)
- develop and establish certification & recertification applications
- develop and establish by rule a procedure for biennial renewal certification
- develop and establish by rule a procedure for the initial certification of 911 ED who have documentation of at least 5 years of supervised full-time employment as a 911 ED since 1/1/2002
- develop and establish rules for renewing a certificate that has been inactive for 1 year or less
- develop and establish rules for renewing a certificate that has been on inactive status for more than 1 year

SUBJECT AREA TO BE ADDRESSED: Licensure as a basic life support or an advanced life support service, Certificate of Public Convenience and Necessity, and emergency dispatchers. COPCN and emergency dispatchers will be placed under new sections of the rule. The electronic Florida Administrative Weekly (FAW) system does not have an option to select these rule titles as they are not yet implemented.

SPECIFIC AUTHORITY: 401.25, 401.35, 401.465, 401.5 FS.

LAW IMPLEMENTED: 401.25, 401.465, 401.5 FS.

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

DATE AND TIME: August 19, 2008, 8:30 a.m. – 4:00 p.m. EST (additional time may be added if deemed necessary.) The first half of the day will be focused on emergency dispatchers and the second half of the day will be COPCN. A conference line will be available for the workshop. We ask conference line participants from the same organization to only use one line to ensure that others are able to call in. Conference Dial-In Number: 1(888)808-6959, Conference Code: 1454440.

PLACE: Orange County Emergency Operations Center (EOC), 6590 Amory Court, Winter Park, FL 32792, phone: (407)894-4141

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 2 days before the workshop/meeting by contacting: Alexander Macy at (850)245-4440, ext. 2735 or Alexander_Macy@doh.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: Lisa M. Walker, Government Analyst, Bureau of Emergency Medical Services, Department of Health, 4052 Bald Cypress Way, Bin C18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2733; e-mail lisa_walker2@doh.state.fl.us; Fax (850)488-9408
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

FISH AND WILDLIFE CONSERVATION COMMISSION

Division of Law Enforcement

RULE NO.: 68D-24.011
RULE TITLE: Okeechobee Waterway Boating Restricted Areas

PURPOSE AND EFFECT: The purpose of this amendment is to protect vessel traffic safety on the Okeechobee Waterway. The effect of this rule will be to reduce vessel speeds over specified portions of the Okeechobee Waterway where necessary to manage and promote the use of this state waterway for safe and enjoyable boating. Additionally, the rule

is re-organized to list the boating restricted areas in order of the description of the Okeechobee Waterway as given in the Coastal Pilot and navigation charts.

SUBJECT AREA TO BE ADDRESSED: Amendment addresses vessel speed limits within and adjacent to portions of the Okeechobee Waterway.

SPECIFIC AUTHORITY: 327.04, 327.46 FS.

LAW IMPLEMENTED: 327.46 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 IS: Ms. Tara Alford, Management Analyst, Boating and Waterways Section, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)410-0656, extension 17169

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 68D-24.011 follows. See Florida Administrative Code for present text.)

68D-24.011 Okeechobee Waterway Boating Restricted Areas.

(1) For the purpose of regulating the speed and operation of vessel traffic on the Okeechobee Waterway, the following Boating Restricted Areas are established:

(a) S.E. Ocean Boulevard – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Okeechobee Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Okeechobee Waterway 300 feet north of the centerline of the S.E. Ocean Boulevard (State Road A1A) bridge, and bounded on the south by a line drawn perpendicular to the centerline of the Okeechobee Waterway 300 feet south of the centerline of said bridge, as depicted in drawing A.

(b) Stuart “Roosevelt Bridge” Area – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Okeechobee Waterway, bounded on the east by a line drawn parallel to and 300 feet east of the centerline of the Roosevelt Bridge (U.S. Highway 1), bounded on the northwest by a line drawn from Britt Point to Arbeau Point across the mouth of the North Fork of the St. Lucie River at its confluence with the Okeechobee Waterway, and bounded on the southwest by a line drawn across the Okeechobee Waterway from Arbeau Point to Bessy Point 3,000 feet southwest of the centerline of North Dixie Highway (State Road 707) bridge, as depicted in drawing B.

(c) Palm City Bridge – A Slow Speed Minimum Wake boating restricted area, shoreline to shoreline, in and adjacent to the Okeechobee Waterway, bounded on the northwest by a line drawn parallel to and 300 feet east of the centerline of the Palm City Bridge (State Road 714), and bounded on the southeast by a line drawn parallel to and 1,500 feet southeast of the centerline of said bridge, as depicted in drawing C.

(d) St. Lucie Lock and Dam Structure, the Florida Turnpike and I-95 Bridges.

1. A Slow Speed Minimum Wake boating restricted area, shoreline to shoreline, in and adjacent to the Okeechobee Waterway, bounded on the northeast by a line drawn parallel to and 1,000 feet northeast of the centerline of the eastern span of the northbound traffic lane of I-95 and bounded on the southwest by a line drawn perpendicular to the centerline of the Okeechobee Waterway 300 feet northeast of the St. Lucie Lock and Dam Structure, as depicted in drawing D.

2. An Idle Speed No Wake boating restricted area, shoreline to shoreline, in the Okeechobee Waterway in and adjacent to the St. Lucie Lock and Dam Structure, bounded on the northeast by a line drawn perpendicular to the centerline of the Okeechobee Waterway 300 feet northeast of the St. Lucie Lock and Dam Structure and bounded on the southwest by a line drawn perpendicular to the centerline of the Okeechobee Waterway 300 feet southwest of the St. Lucie Lock and Dam Structure, as depicted in drawing D.

(e) Arundel Bridge (S.W. 96th Street) – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Okeechobee Waterway, bounded on the northeast by a line drawn perpendicular to the centerline of the Okeechobee Waterway 300 feet northeast of the centerline of the Arundel Bridge (S.W. 96th Street), and bounded on the northeast by a line drawn perpendicular to the centerline of the Okeechobee Waterway 300 feet southwest of the centerline of said bridge, as depicted in drawing E.

(f) Timer Powers Park and Boat Ramp – A Slow Speed Minimum Wake boating restricted area, shoreline to shoreline, in and adjacent to the Okeechobee Waterway, bounded on the northeast by a line drawn perpendicular to the centerline of the Okeechobee Waterway 1,000 feet northeast of the centerline of the Timer Powers Boat Ramp and bounded on the southwest by a line drawn perpendicular to the centerline of the Okeechobee Waterway 1,000 feet southwest of the centerline of the Timer Powers Boat Ramp, as depicted in drawing F.

(g) State Road 710 and Seaboard Coast Line (CSX) Railroad Trestle – A Slow Speed Minimum Wake boating restricted area from shoreline to shoreline, in and adjacent to the Okeechobee Waterway, bounded on the northeast by a line drawn perpendicular to the centerline of the Okeechobee Waterway 300 feet northeast of the centerline of the State Road 710 bridge, and bounded on the southwest by a line drawn perpendicular to the centerline of the Okeechobee Waterway

300 feet southwest of the centerline of the Seaboard Coast Line (CSX) Railway Trestle, perpendicular to the centerline of the Okeechobee Waterway as depicted in drawing G.

(h) FEC Railroad Trestle – A Slow Speed Minimum Wake boating restricted area from shoreline to shoreline, in and adjacent to the Okeechobee Waterway, bounded on the east by a line drawn perpendicular to the centerline of the Okeechobee Waterway 300 feet east of the centerline of the FEC Railroad Trestle, and bounded on the west by a line drawn perpendicular to the centerline of the Okeechobee Waterway 300 feet west of the centerline of said trestle, as depicted in drawing H.

(i) U. S. 441/U. S. 98 Bridge and Port Mayaca Lock – An Idle Speed No Wake boating restricted area in and adjacent to the Okeechobee Waterway, from shoreline to shoreline east of the Port Mayaca lock structure and within the right-of-way of the Okeechobee Waterway west of said lock structure, bounded on the east by a line drawn parallel to and 300 feet east of the centerline of the U.S. 441/U.S. 98 bridge, and bounded on the west by a line drawn perpendicular to the centerline of the Okeechobee Waterway 300 feet west of the lock structure, as depicted in drawing I.

(j) Torry Island Bridge – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Okeechobee Waterway in Palm Beach County, bounded on the north by a line drawn perpendicular to the centerline of the Okeechobee Waterway 400 feet north of Torry Island Bridge in Belle Glade, Palm Beach County, and bounded on the south by a line drawn perpendicular to the centerline of the Okeechobee Waterway 1,400 feet south of said bridge, as depicted in drawing J.

(k) Clewiston Lock Structure – An Idle Speed No Wake zone from shoreline to shoreline in and adjacent to the Okeechobee Waterway and Cauley Cut in the vicinity of Hurricane Gate and Lock Structure S-310 in Clewiston, Hendry County, within the boundaries set forth below, as depicted in drawing K:

1. In Cauley Cut, from shoreline to shoreline, from the confluence of Cauley Cut and the Okeechobee Waterway Rim Canal to a line drawn parallel to the centerline of the Okeechobee Waterway Rim Canal 150 feet northeast of the confluence of Cauley Cut and the Okeechobee Waterway Rim Canal;

2. In the Route 1 Approach Channel leading northeast toward Port Mayaca, from shoreline to shoreline, from the confluence of Route 1 Approach Channel and the Okeechobee Waterway Rim Canal to a line drawn parallel to the centerline of the Okeechobee Waterway Rim Canal 150 feet northeast of the confluence of Route 1 Approach Channel and the Okeechobee Waterway Rim Canal;

3. In the Okeechobee Waterway Rim Canal, from shoreline to shoreline, from a line drawn perpendicular to the center line of the Rim Canal 150 feet southeast of Lock Structure S-310 to a line drawn perpendicular to the center line

of the Rim Canal 150 feet northwest of the intersection of the Route 1 Approach Channel and the Okeechobee Waterway Rim Canal; and

4. In the Industrial Canal, from shoreline to shoreline, from the Okeechobee Waterway Rim Canal to and including the Lock Structure.

(l) Liberty Point – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Okeechobee Waterway Rim Canal and Mayaca Cut in Glades County, bounded on the west by a line drawn perpendicular to the centerline of the Okeechobee Waterway Rim Canal 300 feet west of Liberty Point, on the southeast by a line drawn perpendicular to the centerline of the Rim Canal 600 feet southeast of Liberty Point, and on the east by a line drawn perpendicular to the centerline of the Mayaca Cut 150 east of its confluence with the Rim Canal, as depicted in drawing L.

(m) Moore Haven Lock Structure and Vicinity – A Slow Speed Minimum Wake boating restricted area from shoreline to shoreline in and adjacent to the Okeechobee Waterway Rim Canal, the Old Moore Haven Canal and associated canals, and the Caloosahatchee River in the vicinity of the Moore Haven Lock and flood control structure S-77 in Glades County, within the boundaries set forth below, as depicted in drawing M:

1. In the Okeechobee Waterway Rim Canal, shoreline to shoreline, from a line drawn perpendicular to the centerline of the Okeechobee Waterway Rim Canal 1,800 feet northwest of the centerline of the Moore Haven Lock Gates canal (26°50'45.2"N/81°05'24.2"W), to a line drawn perpendicular to the centerline of the Okeechobee Waterway Rim Canal 500 feet southeast of the centerline of the Alvin Ward boat ramp (26°50'21.8"N/81°04'46.9"W), including the area shoreline to shoreline 500 feet north from the Okeechobee Waterway Rim Canal into the Old Moore Haven Canal (26°50'40.9"N/81°05'14.4"W), and including the Moore Haven Locks canal;

2. In the lock structure and approaches, shoreline to shoreline, from the Okeechobee Waterway Rim Canal to the Caloosahatchee River;

3. In the approaches and spillway of flood control structure S-77, shoreline to shoreline, from the Okeechobee Waterway Rim Canal to the Caloosahatchee River; and,

4. In the Caloosahatchee River, shoreline to shoreline, from the river's northern terminus at the lock structure to a line drawn perpendicular to the centerline of the river 1,450 feet downstream of the centerline of the US 27 Bridge, (26°49'48.3"N/81°05'30.2"W), including the area, shoreline to shoreline, in the Old Moore Haven Canal south of the Okeechobee Waterway Rim Canal to the Old Moore Haven Canal's terminus.

(n) State Road 29 Bridge – A Slow Speed Minimum Wake boating restricted area in the Caloosahatchee River (Okeechobee Waterway), shoreline to shoreline, from a line drawn parallel to and 500 feet east of the centerline of the State

Road 29 bridge as it crosses the Caloosahatchee River to a line drawn parallel to and 2,056 feet west of the centerline said bridge, as depicted in drawing N.

(2) The boating restricted areas are depicted on the following drawings:

DRAWINGS WILL BE INSERTED HERE WHEN DEVELOPED.

Specific Authority 327.04, 327.46 FS. Law Implemented 327.46 FS. History--New 1-5-88, Formerly 16N-24.011, Amended 1-8-96, Formerly 62N-24.011, Amended 10-2-00, 10-23-05,_____.

FISH AND WILDLIFE CONSERVATION COMMISSION

Division of Law Enforcement

RULE NO.:	RULE TITLE:
68D-24.143	Martin County Boating Restricted Areas.

PURPOSE AND EFFECT: The purpose of this amendment is to protect vessel traffic safety on the Florida Intracoastal Waterway. The effect of this rule will be to reduce vessel speeds over specified portions of the Atlantic Intracoastal Waterway in Martin County where necessary to manage and promote the use of this state waterway for safe and enjoyable boating.

SUBJECT AREA TO BE ADDRESSED: Amendment addresses vessel speed limits within and adjacent to portions of the Florida Intracoastal Waterway in Martin County.

SPECIFIC AUTHORITY: 327.04, 327.46 FS.

LAW IMPLEMENTED: 327.46 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 IS: Ms. Tara Alford, Management Analyst, Boating and Waterways Section, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)410-0656, extension 17169

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68D-24.143 Martin County Boating Restricted Areas.

(1) For the purpose of regulating the speed and operation of vessel traffic on and adjacent to the Intracoastal Waterway in Martin County, Florida, the following Boating Restricted Areas are established ~~for vessels 35 feet or more in length:~~

(a) ~~+~~ Jensen Beach Causeway – A Slow Speed Minimum Wake zone bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet north of the centerline of the Jensen Beach Causeway (State Road 707A) Bridge and on the south by a line drawn

~~perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet south of said bridge, as depicted in drawing A. Gleason Street Boat Ramp – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 600 feet north of the Gleason Street Boat Ramp and on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet south of said boat ramp, as depicted in drawing A. If the Gleason Street Boat Ramp is closed and its use as a transportation facility discontinued, the zone established in this paragraph shall no longer be in force or effect.~~

~~2. Jupiter Island – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 4,350 feet south of the Hobe South (State Road 708) Bridge (at marker number 33) to the centerline of the Florida Intracoastal Waterway 8,295 feet south of said bridge (at marker 35), as depicted in drawing A.~~

~~(b) N.E. Ocean Boulevard – A Slow Speed Minimum Wake zone bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet north of the centerline of the N.E. Ocean Boulevard (State Road A1A) Bridge and on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet south of said bridge, as depicted in drawing B. The Town of Jupiter Island is authorized to install and maintain appropriate regulatory markers as directed by the Division of Law Enforcement within such boating restricted area.~~

~~(c) Hobe Sound Bridge – A Slow Speed Minimum Wake zone bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet north of the centerline of the Hobe Sound (State Road 708) Bridge and on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet south of said bridge, as depicted in drawing C.~~

~~(d) Jupiter Island – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 4,350 feet south of the Hobe South (State Road 708) Bridge to the centerline of the Florida Intracoastal Waterway 8,295 feet south of said bridge, as depicted in drawing D. The zone established in this paragraph is applicable only to vessels 35 feet or more in length.~~

~~(e) Blowing Rocks – A Slow Speed Minimum Wake zone bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 500 feet north of the centerline of the fuel dock located at 26°58.749'N/80° 05.354' W and on the south by a line drawn perpendicular to~~

~~the centerline of the Florida Intracoastal Waterway 500 feet south of said fuel dock centerline, as depicted in drawing E. The zone established in this paragraph is applicable only to vessels 35 feet or more in length and in effect only from November 1 through April 30 each year. If the fuel dock is closed and its use as a public fueling facility discontinued, the zone established in this paragraph shall no longer be in force or effect.~~

~~(2) The boating restricted areas described in Rule 68D-24.143, F.A.C., are depicted on the following drawings:~~

~~DRAWINGS WILL BE INSERTED HERE WHEN DEVELOPED.~~

~~Specific Authority 327.04, 327.46 FS. Law Implemented 327.46 FS. History–New 2-25-96, Formerly 62N-24.143, Amended _____.~~

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NOS.:	RULE TITLES:
68D-36.107	Minimum Training Requirements for Personal Watercraft Rentals
68D-36.109	Boating Safety Information to be Displayed at Liveries (Boat Rental Facilities)

PURPOSE AND EFFECT: The purpose of the amendment is to revise the personal watercraft safety information standards and move the information standards to the new rule to be included with the other vessel types. The purpose of the proposed rule will establish standards for safety information to be displayed to the public by boat rental facilities as required by Section 327.54, Florida Statutes. The effect of this rule will be for the Boating and Waterways Section to create the products and distribute to liveries without charge.

SUBJECT AREA TO BE ADDRESSED: Boating safety information to be displayed at liveries (boat rental facilities).

SPECIFIC AUTHORITY: 327.04, 327.39, 327.54 FS.

LAW IMPLEMENTED: 327.39, 327.54 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Captain Richard Moore, (850)488-5600. 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: Captain Richard Moore,

Boating Law Administrator, Boating and Waterways Section, Division of Law Enforcement, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-5600

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68D-36.107 Minimum Training Requirements for Personal Watercraft Rentals.

(1) and (2) No change.

~~(3) A livery may not lease, hire, or rent a personal watercraft to any person unless the livery either shows a safe operation instructional video tape or displays and reviews both a safe operation instructional poster and brochure with each prospective operator prior to personal watercraft operation. The instructional materials shall contain information on the personal watercraft safety topics identified in subsection (1).~~

~~(3)(4)~~ Persons offering a personal watercraft for lease, hire, or rent shall conduct an on-the-water demonstration and check ride to verify the prospective operator's ability to safely operate the personal watercraft to be leased, hired, or rented.

Specific Authority ~~327.04, 327.39, 327.54 327.395, 327.731~~ FS. Law Implemented ~~327.39, 327.54 327.395, 327.731~~ FS. History–New 6-9-05, Amended _____.

68D-36.109 Boating Safety Information to be Displayed at Liveries (Boat Rental Facilities).

(1) As provided in Section 327.54(1)(f), F.S., a livery must display boating safety information meeting the following minimum standards in a place visible to the renting public.

(a) Any livery offering motorboats, other than personal watercraft, jet boats or houseboats, for lease, hire or rent must display an informational poster or sign titled "Motorboat Rental Safety" and dated October 2008.

(b) Any livery offering houseboats for lease, hire or rent must display an informational poster or sign titled "Houseboat Rental Safety" and dated October 2008.

(c) Any livery offering personal watercraft and/or jet boats for lease, hire or rent must display an informational poster or sign titled "Personal Watercraft/Jet Boat Rental Safety" and dated October 2008.

(d) Any livery offering sailboats for lease, hire or rent must display an informational poster or sign titled "Sailboat Rental Safety" and dated October 2008.

(e) Any livery offering paddlecraft or other manually-propelled boats for lease, hire or rent must display an informational poster or sign titled "Paddlecraft Rental Safety" and dated October 2008.

The posters and signs specified in this section may be obtained at no cost by contacting: FWC Boating and Waterways Section, 620 S. Meridian Street, Tallahassee, FL 32399-1600.

(2) A livery may substitute for a specified information poster or sign any other poster or sign that is no less than 187 square inches in area and contains the same information found on the applicable poster or sign listed in paragraphs (1)(a)-(e).

Specific Authority 327.04, 327.39, 327.54 FS. Law Implemented 327.39, 327.54 FS. History–New _____.

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Forestry

RULE NOS.:

5I-2.003

5I-2.004

5I-2.006

RULE TITLES:

Definitions

Open Burning Not Allowed

Open Burning Allowed

PURPOSE AND EFFECT: The purpose of this proposed rule is to bring the reference to agricultural black plastic into line with the statutory citation in Chapter 403, F.S.

We are including in this revision the new open burning certification program for Certified Pile Burning. The rule outlines how to become a certified pile burner and what is required of a certified pile burner when they are using their certification. It also outlines how they can lose their certification.

SUMMARY: The proposed rule changes are to more clearly define the difference between the Department's certification programs for acreage burns and for the new certified pile burning program which is being added to the Rule 5I-2.006, F.A.C. It also highlights the advantages of being a certified burner for either acreage or broadcast. There is clarification concerning the burning of agricultural plastic to bring it in line with proposed changes from FDEP. The language of the proposed rule has been simplified to facilitate the understanding of all Floridians.

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: 570.07(23), (28), 590.02(1)(f) FS.

LAW IMPLEMENTED: 570.07(28), 570.548, 590.02(1)(b), 590.02(1)(f), 590.125 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: Thursday, September 4, 8:30 a.m.