

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-1.603 RULE TITLE: Food Stamp Program Income and Expenses

PURPOSE AND EFFECT: The proposed rule amendment removes the figures associated with the standard utility allowance, the basic utility allowance, the telephone standard and the shelter standard estimate for the homeless. Included are some wording changes, clarifications and technical changes of a non-substantive nature improving the content of the rule.

SUBJECT AREA TO BE ADDRESSED: General Food Stamp Program income and expense language.

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.31 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: November 3, 2008, 1:30 p.m.
PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Cindy Keil, ACCESS Florida Program Policy, 1317 Winewood Boulevard, Building 3, Tallahassee, Florida 32399-0700, (850)410-3291

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

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-175.008 RULE TITLE: Unfair Discrimination in Private Passenger Motor Vehicle Insurance Rates – Based on History of Accidents

PURPOSE AND EFFECT: To clarify that imposing additional premium on an existing or new insured based upon non-fault accidents is a violation of Section 626.9541(1)(o)3.a., F.S.

SUBJECT AREA TO BE ADDRESSED: Auto Insurance rates.

SPECIFIC AUTHORITY: 624.308(1), 626.9611 FS.

LAW IMPLEMENTED: 624.307(1), 626.9541(1)(o)3.a. 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:

TIME AND DATE: November 18, 2008, 11:00 a.m.
PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Michael Milnes, at Michael.milnes@flor.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, at Michael.milnes@flor.com

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

**Section II
Proposed Rules**

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Community Planning

RULE NO.: 9J-5.026 RULE TITLE: Rural Land Stewardship Area (RLSA)

PURPOSE AND EFFECT: The purpose and effect are to amend the rule to implement current statutory requirements regarding the Rural Land Stewardship Program.

SUMMARY: The proposed amendments to Chapter 9J-5, F.A.C., pertaining to criteria for the review of local government comprehensive plans and plan amendments, modify the rules to comply with subsection 163.3177(11), F.S., regarding rural land stewardship areas. Specifically, the proposed amendments add Rule 9J-5.026, F.A.C. The purpose of Rule 9J-5.026, F.A.C., is to establish rules for designating a rural land stewardship area. It specifies the substantive compliance requirements for rural land stewardship area plan amendments and explains how the Department will determine the compliance of a rural land stewardship area plan amendment. These rules establish minimum criteria which may be exceeded by local governments.

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: 163.3177(9), (11)(h) FS.

LAW IMPLEMENTED: 163.3177(2), (3), (6)(a), (8), (10)(e), (11)(a), (11)(b), (11)(d)1., (11)(d)2., (11)(d)4., (11)(d)5., (11)(d)6. FS.

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

DATE AND TIME: November 14, 2008, 9:00 a.m.

PLACE: Kelley Training Room, Third Floor, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

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 7 least days before the workshop/meeting by contacting: Robert Pennock, Strategic Planning Coordinator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1735. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robert Pennock, Strategic Planning Coordinator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1735

THE FULL TEXT OF THE PROPOSED RULES IS:

9J-5.026 Rural Land Stewardship Area (RLSA).

(1) Purpose of the RLSA Planning Process. The RLSA is an enhanced rural planning process which counties may elect to use. The paramount purpose of the planning process is to further the statutory principles of rural sustainability through innovative planning strategies and incentives. The planning process uses stewardship planning to encourage landowners to permanently conserve agricultural lands, and ecosystems, habitats, and natural resources in return for appropriate development rights on a limited portion of other lands suitable for development within the RLSA. The planning process is not an entitlement vehicle for urban developments of such size that they overwhelm the rural or agricultural character of the area.

(2) Purpose of the RLSA Rule. The purpose of this section is to establish rules for designating a RLSA. It specifies the substantive compliance requirements for RLSA plan amendments and explains how the Department will determine the compliance of a RLSA plan amendment as required by Chapter 163, Part II, F.S. These rules establish minimum criteria which may be exceeded by local governments.

(3) Adoption of a RLSA Plan Amendment. A county, or counties in the case of a multi-county RLSA, may adopt a RLSA plan amendment(s) after giving notification to and receiving the authorization of the Department. Chapter 9J-11, F.A.C., establishes the specific procedures and requirements for the local notification, the Department's authorization, and the adoption of a plan amendment designating a RLSA.

(4) Definitions.

(a) "Designated Receiving Area" means a delineated land area within an Eligible Receiving Area within a RLSA to which stewardship credits can be transferred to increase the density or intensity of a parcel.

(b) "Designated Sending Area" means an area within a RLSA that has been assigned stewardship credits.

(c) "Eligible Receiving Area" means an area designated in the initial RLSA plan amendment that delineates where "Designated Receiving Areas" can be subsequently located.

(d) "Greenbelt" means a wide border of permanently undeveloped land that precludes the expansion of development into the surrounding rural lands; provides a buffer to protect the surrounding rural resources from development impacts; and separates the developed area from other developed areas.

(e) "Rural Landscape" means the mosaic of agricultural and natural land covers which may include rural settlements.

(f) "Stewardship credits" means development credits assigned to lands within a rural lands stewardship area. These development credits do not constitute development rights until they are transferred to parcels within Designated Receiving Areas for the sole purpose of implementing the innovative planning and development strategies and creative land use planning techniques established by the rural lands stewardship area plan.

(g) "Stewardship easement" means a covenant or restrictive easement running with the land which records the use of stewardship credits and limits future development. The stewardship easement must be jointly held by the county and either the Department of Environmental Protection, Department of Agriculture and Consumer Services, a water management district, or a recognized statewide land trust.

(5) Threshold Eligibility Requirements. To be eligible for consideration by a county and the Department for designation as a RLSA, a proposed RLSA must meet the following eligibility requirements:

(a) A RLSA may encompass land in one county or land in adjacent counties but shall not include land within municipal or established urban growth boundaries as designated in the local comprehensive plan(s);

(b) A RLSA must include a minimum of 10,000 acres of privately owned land that is not already permanently protected through existing easements, covenants or other restrictions; and

(c) A RLSA must consist of lands with a pre-existing future land use map designation of agricultural, rural, open, open-rural, or an essentially similar land use designation.

(6) Mandatory Substantive Requirements. A RLSA plan amendment must satisfy the substantive requirements for plan amendments in Chapter 163, Part II, F.S. and Chapter 9J-5, F.A.C., including the additional requirements established by Section 163.3177(11), F.S., and Rule 9J-5.026, F.A.C., for the designation of a RLSA.

(7) Rural Sustainability. Rural sustainability is the paramount goal of a RLSA.

(a) A RLSA plan amendment must demonstrate that it will further the following statutory principles of rural sustainability:

1. Restoration and maintenance of the economic value of rural land;

2. Control of urban sprawl;

3. Identification and protection of ecosystems, habitats, and natural resources;

4. Promotion of rural economic activity;

5. Maintenance of the viability of Florida's agricultural economy; and

6. Protection of the character of rural areas of Florida.

(b) Furthering the principles of rural sustainability requires large-scale planning which controls the amount, type, and location of development. A RLSA shall manifest the following general landscape features which will vary based on local characteristics:

1. Land area(s) large enough to accommodate development on suitable lands while conserving the overall rural character and the agricultural lands, and ecosystems, habitats, and natural resources on the remaining lands;

2. A limited development footprint in order to protect the surrounding rural landscape and agricultural lands, and ecosystems, habitats, and natural resources;

3. A limited number of Designated Receiving Areas to prevent urban sprawl and unnecessary fragmentation of the rural landscape;

4. Designated Receiving Areas with compact shapes that avoid intrusions into the surrounding rural landscape in the form of radial, strip, ribbon, or finger patterns;

5. Greenbelts surrounding Designated Receiving Areas to provide for a clear separation between urban and rural uses except when the Designated Receiving Area is adjacent to existing development or incorporated areas;

6. Designated Receiving Areas located only on land most suitable for development and away or effectively buffered from lands most suitable for agriculture and natural resource conservation; and

7. Designated Receiving Areas connected with each other and the remainder of the RLSA and to areas outside of the RLSA using rural design principles and rural road corridors

with controlled access that are designed to prevent sprawl and minimize impacts on ecosystems, habitats, and natural resources.

(c) The amount and type of development in a RLSA must also be designed to further the principles of rural sustainability. Therefore, development should be of the amount and type that is sustainable and will support and sustain and not undermine the rural and agricultural economies. A RLSA shall manifest the following general development characteristics:

1. The total amount of development, particularly residential development, must be limited and carefully controlled to avoid impacts that will overwhelm the overall rural character of the RLSA and surrounding area or adversely impact agricultural activities, and ecosystems, habitats, and natural resources. The total amount of development shall not exceed the amount calculated in accordance with paragraphs (9)(c) and (11)(b).

2. Provision for agricultural-related uses, including farmworker housing, that will support and sustain the rural and agricultural economies. These uses may be located in Designated Receiving Areas, and in designated Agricultural Areas if sited on agricultural lands suitable for development and in a manner that does not adversely affect agricultural activities.

3. Rural villages, rural activity centers, and new towns shall be designed to:

a. Provide for a compact, functional mix of land uses that serve living, working, shopping, recreational, and civic needs;

b. Provide energy efficient land use patterns that minimize vehicle miles travelled and greenhouse gas emissions;

c. Minimize the external impacts of the development;

d. Maximize the cost-efficient provision of public facilities and services; and

e. Provide adequate workforce housing, including low, very low, and moderate income housing.

(8) Existing Conditions: Data and Analysis Requirements. The data and analysis requirements that apply to all plan amendments also apply to RLSA amendments. This subsection does not repeat those requirements, but some requirements are cross-referenced for ease of use. This subsection establishes RLSA-specific data and analysis requirements that are in addition to the requirements for all amendments. In order to evaluate the existing conditions within the RLSA and how those conditions interrelate with the surrounding regional context, the data and analysis must cover existing local conditions within the RLSA, the county or counties in which it is located, and the areas surrounding the RLSA irrespective of county boundaries. The data and analysis shall:

(a) Agriculture.

1. Identify current and historical agricultural land uses, activities, and economic conditions in the RLSA and surrounding area and include an existing conditions map of current agricultural areas within and surrounding the RLSA.

2. Analyze the probable or projected future agricultural uses and activities in the area and the amount of land required to accommodate them.

3. Analyze the suitability of the land for existing and potential agricultural activities. The analyses shall consider the threats to agriculture from development and spatial fragmentation.

4. Inventory and evaluate local, state, and federal agricultural programs to determine how the RLSA may impact or be impacted by these programs.

(b) Rural Character and Economy.

1. Identify and describe the existing, locally specific rural character of the RLSA and surrounding area by analyzing its characteristics, including land use, development patterns, and economic, social, cultural, historic, scenic, landscape, recreational, and environmental elements.

2. Describe and analyze the existing rural and agricultural economy, including the types of existing industries, employment, extent of unemployment, and local workforce characteristics.

3. Inventory and evaluate local, state, and federal programs addressing rural economic issues such as the Rural Economic Development Initiative established in Section 288.0656, F.S., including how the RLSA may impact or be impacted by these programs.

(c) Ecosystems, Habitats, and Natural Resources.

1. Inventory and identify natural resources as required under Rules 9J-5.006 and 9J-5.013, F.A.C., including ecosystems, habitats, and natural resources existing within and proximate to the RLSA. The inventory shall include important water recharge areas and water supply sources; water bodies designated pursuant to Section 403.067, F.S.; spring protection areas; and the Florida Greenways and Trails System as designated pursuant to Chapter 260, F.S.

2. Analyze geographic connections between RLSA resources and larger systems and networks such as water systems, wildlife corridors, greenways, and trails.

3. Analyze the potential threats to natural resources, including urbanization, economic, biological, and spatial fragmentation.

4. Inventory and evaluate local, state, and federal programs and special land use designations such as publicly owned conservation lands, mitigation banks, and environmental restoration efforts, including the Comprehensive Everglades Restoration Plan (CERP), that may impact or be impacted by the RLSA.

(d) Potential Development and Urban Sprawl.

1. Analyze landscape and development conditions of the RLSA and surrounding rural lands, such as the overall pattern of rural land uses and land covers, parcel size and ownership patterns, recent historical trends regarding subdivision of land

and transition to residential uses, roadways, and other infrastructure that may affect RLSA development and rural sustainability.

2. Analyze how the RLSA is likely to affect the future development patterns of other rural and agricultural lands in the surrounding area, irrespective of county boundaries.

(e) Land Values Analysis for Stewardship Credit System. In evaluating agricultural lands, and ecosystems, habitats, and natural resources, conduct a land values analysis for use in assigning stewardship credits and for determining the most suitable locations for Designated Receiving Areas. The analysis shall include and be based on the following:

1. All forms of rural resources including agricultural, environmental, local and regional ecosystems, wildlife habitat, water resources, recreational, tourism, scenic, cultural, and other rural amenities;

2. The broad landscape ecology, including geographic linkages and corridors; specially designated areas such as natural reservations and the Florida Greenways and Trails System, including the Florida National Scenic Trail identified in Chapter 260, F.S.; and appropriate buffer zones to mitigate incompatibilities and enhance environmental and other values;

3. All existing permanent protection measures, both public and private, including land use restrictions and conservation programs and an evaluation of whether these measures reduce the need for additional protection through the RLSA planning process;

4. Land development and other conversion threats whereby significant rural resources under threat require more incentives via stewardship credits and less significant resources require lesser incentives and may be more suitable for designation as receiving areas. This includes the future threat of low-density sprawl on lands proximate to and surrounding potential Designated Receiving Areas; and

5. Site specific natural resource evaluation criteria substantially similar to those used to establish statewide geographic information systems by the Florida Natural Areas Inventory, Florida Fish and Wildlife Conservation Commission, Florida Department of Environmental Protection, and Water Management Districts; and available agricultural data from the Florida Department of Agriculture and Consumer Services, and the United States Department of Agriculture.

(9) RLSA Plan Standards. The RLSA Plan shall satisfy the following standards:

(a) Development and Design Standards.

1. The RLSA Plan must be consistent with the general landscape and development characteristics set forth in paragraphs (7)(b) and (7)(c).

2. The maximum amount of allowable residential and non-residential development in the RLSA shall not exceed the amount of development determined pursuant to paragraphs (9)(c) and (11)(b).

3. All non-agricultural development enabled by the transfer of stewardship credits shall be located in Designated Receiving Areas which are located in Eligible Receiving Areas designated in the comprehensive plan.

4. Any Designated Receiving Area exceeding 1,000 acres shall meet the definition of new town in subsection 9J-5.003(80), F.A.C. All other development shall be designated as a rural village or rural activity center which shall meet the definition set forth in subsection 9J-5.003(112), F.A.C., and shall not exceed 1,000 acres in size.

5. Significant ecosystems, habitats, and natural resource areas in the RLSA shall be designated as Conservation Areas in which, after transfer of all stewardship credits, development shall be prohibited by sending area stewardship easements. Conservation Areas in which specified agricultural uses are allowed shall be clearly distinguished from Conservation Areas in which no agricultural uses are allowed.

6. All lands in the RLSA, except for Designated Receiving Areas and designated Conservation Areas, shall be designated as Agricultural Areas in which, after transfer of stewardship credits, development shall be prohibited by sending area stewardship easements, except for agricultural-related uses as provided in subparagraph (7)(c)2.

7. Service area boundaries must be established for each Designated Receiving Area which provide for a clear separation between it and other land uses in the RLSA through limitations on the extension of services. Service areas shall provide for the cost-efficient delivery of public facilities and services.

8. The innovative planning and development strategies to be used in Designated Receiving Areas shall include a compact, functional mix of land uses; energy efficient land use patterns; the internal capture of trips; and minimization of vehicle miles traveled and greenhouse gas emissions.

(b) The Size of the Development Footprint. The RLSA plan amendment shall limit the size of the development footprint, i.e., the Designated Receiving Area(s).

1. The size of the development footprint shall be based upon:

a. The size of the RLSA and the number of Designated Receiving Areas;

b. The percentage of the RLSA that will be permanently protected or preserved by stewardship easements, the degree to which protected sending areas are contiguous, and the degree to which protected sending areas establish an effective greenbelt around the receiving areas;

c. The locational attributes of the development footprint, including whether it is located adjacent to existing development or incorporated areas and will be otherwise surrounded by greenbelts;

d. The extent and location of new infrastructure, including roadways, which will be required to serve the Designated Receiving Areas;

e. The land use, design and development standards, such as the amount of residential development, the degree of mixed use, compactness, jobs-housing balance, internalization of impacts, pedestrian orientation, multi-modal transportation, connectivity standards, and energy efficiency, that will be required in the Designated Receiving Areas;

f. The extent to which potential urban sprawl is prevented by reducing or eliminating permissible land uses and development intensities and densities in Agricultural and Conservation areas outside of the Designated Receiving areas within the RLSA and in the rural areas surrounding the RLSA; and

g. The impact of the development footprint on ecosystems, habitats, and natural resources, including potential fragmentation of such resources.

2. In reviewing the size of the development footprint established in the RLSA plan amendment, the Department shall determine that a total footprint that does not exceed 10 percent of the entire RLSA complies with this paragraph and subparagraph (7)(b)2. and furthers the principles of rural sustainability. If the total development footprint is more than 10 percent of the entire RLSA, the RLSA plan amendment must demonstrate that the development footprint furthers the principles of rural sustainability.

(c) Development Allocation Standards. Because the RLSA Plan projects the ultimate land use pattern that may occur beyond the long-term planning period of the comprehensive plan, the amount of allowable development in the RLSA Plan must be based on population projections for the RLSA for the short- and long-term planning periods of the comprehensive plan and for the ultimate land use pattern. The population projections shall be based on professionally acceptable methods for projecting growth in rural geographic areas like the RLSA. The methodology must take into account the requirement to achieve the statutory principles of rural sustainability; the population projections and the allocations of development entitlements for the county as a whole; the amount of development allowed by the underlying land uses; and the anticipated effect of the proposed RLSA and its proposed Receiving Areas, including any committed catalyst projects or other projects that would attract and support development.

(d) Stewardship Credit System Standards. The RLSA plan amendment shall either incorporate or require adoption by separate ordinance of a stewardship credit system and methodology that complies with the following criteria:

1. Each credit shall represent a defined number of residential units per acre or a defined amount of non-residential square footage per acre. The credit transferee may decide whether to use the credit for a residential or non-residential use according to the plan of development for the Designated Receiving Area.

2. The maximum number of credits for the entire RLSA shall be established and shall equal the maximum amount of development allowed in the RLSA.

3. Credits shall be assigned to each acre of land based on the land values analysis required by paragraph (8)(e) in a manner designed to accomplish the purposes of the RLSA Plan.

4. Credits for a Designated Sending Area shall be assigned at the time the sending area is designated.

5. After assignment of credits to a Designated Sending Area, credits may be transferred directly to a parcel within a Designated Receiving Area in order to increase development entitlements or, at the option of the landowner and county, to a credit bank managed by the county or to a third party. Banked or third party credits are reserved for future transfer to a Designated Receiving Area.

6. At the time credits are transferred to a Designated Receiving Area, credit bank, or third party, a stewardship easement or restrictive covenant must be imposed on the Designated Receiving Area and recorded in the public records of the county to permanently prohibit development and to provide for conservation of ecosystems, habitats and natural resources, and to permanently limit land uses on agricultural lands to specified agricultural activities, including agricultural-related development. The easement or restrictive covenant shall be in favor of the county and either the Department of Environmental Protection, the Department of Agricultural and Consumer Services, a water management district, or a recognized statewide land trust.

7. The local government may require that the easement or restrictive covenant provide for the appropriate management and monitoring of the resources to be protected and enforcement mechanisms to ensure compliance with the terms, conditions and restrictions established in the easement or covenant.

8. Upon transfer of credits, the underlying land uses are extinguished except for agricultural-related uses that may be allowed in Agricultural or Conservation Areas according to the provisions of the stewardship easement or restrictive covenant, which may restrict the intensity of the agricultural-related uses to promote compatible conservation uses.

9. To encourage the restoration, management, and maintenance of conservation lands through conservation easements, credit bonuses may be allowed as determined by the comprehensive plan. This bonus amount shall be included in the maximum number of credits established for the entire RLSA and shall not increase the total amount of credits and development allowed in the entire RLSA.

10. To encourage the early establishment of stewardship easements, credits that are transferred to a credit bank or third party for future use may be increased by a bonus amount as determined by the comprehensive plan. This bonus amount shall be included in the maximum number of credits

established for the entire RLSA and shall not increase the total amount of credits and development allowed in the entire RLSA.

(10) Goals, Objectives, Policies and Map. The RLSA plan amendment shall contain a RLSA Plan consisting of goals, objectives, policies, and a map that set forth the innovative planning and development strategies to be applied in the RLSA. The goal statement(s) shall establish the long-term ends of the amendment to further the principles of rural sustainability. Each goal shall contain objectives and policies which address how the principles of rural sustainability and the standards specified in subsection (9) will be achieved in the RLSA. The goals, objectives, policies and map shall address the following:

(a) The conservation and protection of agricultural lands, and ecosystems, habitats, and natural resources in the RLSA.

(b) The control of urban sprawl within and surrounding the RLSA.

(c) The planning period for the RLSA and the maximum amount of development allowed in the RLSA.

(d) The criteria to be used in establishing the methodology for the stewardship credit system. The methodology and stewardship credit system based on the criteria in the RLSA Plan shall either be incorporated into the RLSA Plan or adopted by separate ordinance.

(e) The process for establishing Designated Receiving Areas and Designated Sending Areas. This shall include minimum standards for the application, review, and designation of sending and receiving areas. This shall also include locational criteria and the maximum cumulative size of Designated Receiving Areas within Eligible Receiving Areas.

(f) The plan of development shall include innovative planning and development strategies to be used in Designated Receiving Areas, including:

1. A compact, functional mix of land uses in rural villages, rural activity centers, and new towns;

2. Timing and phasing requirements necessary to achieve a functional mix; and

3. Land use standards to be applied in Designated Receiving Areas including the amount, type, density, intensity, composition, distribution, location, and design standards of future uses and which specify that the increased densities and intensities can only be enabled through the transfer of stewardship credits to parcels within the Designated Receiving Area.

(g) A process that encourages visioning and public participation in the design of any Designated Receiving Area.

(h) Adequate available workforce housing, including low, very-low, and moderate income housing, for the development anticipated in the RLSA, including housing for persons working in agriculture and other rural industries.

(i) Provision for businesses and industries which support and sustain the rural and agricultural economy.

(j) Compatibility standards and techniques, including greenbelts, buffers, setbacks, and density and intensity gradations, to ensure a clear separation between urban and rural uses and to provide adequate protection of designated Conservation and Agricultural areas.

(k) The protection, restoration and maintenance of designated Conservation Areas through stewardship easements and other means.

(l) The existing and planned rural road system and the rural design principles to be used in connecting the Designated Receiving Areas with each other and to areas outside of the RLSA.

(m) Standards for the establishment of service areas.

(n) Inclusion of existing rural developments such as cross-roads communities and partially built subdivisions as part of the overall plan to further rural sustainability, including appropriate consideration of those areas as most suitable for Designated Receiving Areas.

(o) Energy efficient land use patterns that minimize vehicle miles travelled and greenhouse gas emissions.

(p) The RLSA Plan shall include a RLSA Plan map as an overlay which at a minimum depicts the Eligible Receiving Areas; Conservation and Agricultural Areas; existing rural road corridors; and the general location of planned rural road corridors. The map must be consistent with and supported by data and analysis, and goals, objectives, and policies submitted or adopted in accordance with this section.

(11) Data and Analysis. The RLSA plan amendment, including the RLSA Plan, shall be based on and supported by data and analysis which address the following:

(a) How the RLSA Plan will further the principles of rural sustainability.

(b) The maximum amount of allowable development in the RLSA.

(c) The demonstration of need for the maximum amount of development pursuant to paragraph (9)(c).

(d) The stewardship credit system and how it will allow achievement of the RLSA Plan.

(e) The suitability for development of land in the RLSA, including Eligible Receiving Areas and potential sites for development in Agricultural Areas.

(f) Identification and evaluation of existing agricultural lands, and ecosystems, habitats, and natural resources. If the entire RLSA consists of these lands, the data and analysis should identify those lands having the least agricultural suitability and environmental value.

(g) How the proposed amount of allowable development, especially residential development, will affect agricultural lands, and ecosystems, habitats, and natural resources.

(h) The location and extent of greenbelts, buffers, or setbacks needed to ensure a separation of any urban and rural uses and to protect agricultural lands, and ecosystems, habitats, and natural resources.

(i) The control of urban sprawl within and surrounding the RLSA.

(j) The amount of workforce housing, including low, very-low, and moderate income housing, needed for the development allowed in the RLSA and for persons working in agriculture and other rural industries in the RLSA.

(k) The rural design standards and rural road corridor network that will be needed to serve the RLSA.

(l) Service areas for Designated Receiving Areas.

(m) The general terms of the conservation and stewardship easements and restrictive covenants that are proposed to be utilized for the Conservation and Agricultural Areas.

(n) Energy efficient land use patterns that minimize vehicle miles travelled and greenhouse gas emissions.

(12) Timing of Demonstration of Need, the Plan of Development, and Financial Feasibility. The local government shall utilize one of the following options in addressing the issues of need, plan of development, and financial feasibility in a RLSA plan amendment:

(a) Option One: Conventional Plan Amendment Option. The initial RLSA plan amendment must include the following:

1. A demonstration of need for the maximum amount of development allowed for the long-term planning period for the entire RLSA as determined in accordance with paragraphs (9)(c) and (11)(c). A demonstration of residential land use need is not required if the maximum amount of residential development for the RLSA does not exceed the cumulative amount of residential development allowed by the underlying land uses within the RLSA as established in the pre-existing comprehensive plan. If this limit is chosen, the analysis must demonstrate, using professionally accepted methods, that the amount of non-residential land uses is sufficient to meet the daily and work needs of the projected population and employment, which will vary based on location, proximity to other development, and the size of the planned development.

2. A financially feasible 5-Year schedule of capital improvements for any development that will occur in the first five years and a long term capital improvement plan for the entire RLSA.

3. The Designated Receiving Areas must develop according to all of the requirements established in the initial plan. A subsequent amendment pursuant to Section 163.3184, F.S. is not required except for one or more of the following circumstances:

a. The annual update to the 5-Year Capital Improvements Schedule which must address any capital improvements needed by RLSA development.

b. A change from the initial RLSA plan amendment.

c. The local government has adopted plan policies in the initial plan amendment that require subsequent plan amendments.

4. The RLSA plan amendment shall require that after the local government has designated a Designated Receiving Area by land development regulation, the Future Land Use Map shall be revised to delineate the Designated Receiving Area pursuant to a ministerial process. This singular action shall not require a compliance review pursuant to Section 163.3184, F.S.

(b) Option Two: The Vision Plan Option.

1. The initial RLSA plan amendment must include a descriptive vision plan for the entire RLSA which is consistent with the principles of rural sustainability. The vision plan shall establish the maximum amount of development required to achieve the vision, the general location and the maximum size of Eligible Receiving Areas, and the general location of Agricultural and Conservation Areas. The amendment must address all goal, objective, and policy requirements except paragraph (10)(f), the plan of development for Designated Receiving Areas. The amendment must address all data and analysis requirements except for paragraph (11)(c) regarding the demonstration of land use need. The initial amendment does not require a financially feasible 5-Year Schedule of Capital Improvements for the RLSA.

2. The initial RLSA plan amendment must provide that prior to the development of a Designated Receiving Area(s), the comprehensive plan must be amended to incorporate the Designated Receiving Area(s) and Designated Sending Area(s) on the Future Land Use Map. This subsequent amendment must include and be supported by:

a. The plan of development required by paragraph (10)(f) and maximum amount of development allowable in the Designated Receiving Area(s) for the long-term planning period.

b. A demonstration of need for the maximum amount of development allowed for the long-term planning period for the Designated Receiving Area(s) determined in accordance with paragraphs (9)(c) and (11)(c). A demonstration of residential land use need is not required if the maximum amount of residential development for the RLSA does not exceed the cumulative amount of residential development allowed by the underlying land uses within the RLSA as established in the pre-existing comprehensive plan. If this limit is chosen, the analysis must demonstrate, using professionally accepted methods, that the amount of non-residential land uses is sufficient to meet the daily and work needs of the projected population and employment, which will vary based on location, proximity to other development, and the size of the planned development.

c. A financially feasible schedule of capital improvements that addresses all capital facility planning needs for the Designated Receiving Area(s).

d. Compliance of the plan amendment shall be limited to the requirements in sub-subparagraphs a., b., and c. above and internal consistency with the initial RLSA plan amendment. Any changes to the initial RLSA Plan shall be subject to the complete compliance requirements.

Specific Authority 163.3177(9), (11)(h) FS. Law Implemented 163.3177(2), (3), (6)(a), (8), (10)(e), (11)(a), (11)(b), (11)(d)1., (11)(d)2., (11)(d)4., (11)(d)5., (11)(d)6. FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Robert Pennock, Strategic Planning Coordinator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1735

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Thomas G. Pelham, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 7, 2008

DATE NOTICES OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 22, 2007, September 7, 2007, March 14, 2008

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Community Planning

RULE NO.:

RULE TITLE:

9J-11.023

Procedure for the designation of a Rural Land Stewardship Area

PURPOSE AND EFFECT: The purpose and effect are to implement current statutory requirements for requests to authorize the designation of a Rural Land Stewardship Area and for amendments to local comprehensive plans that establish or amend a Rural Land Stewardship Area.

SUMMARY: The proposed amendments to Chapter 9J-11, F.A.C., pertaining the procedure for the submittal and review of local government comprehensive plans and amendments, modify the rules to comply with Section 163.3177(11), F.S., regarding rural land stewardship areas. The proposed amendments add procedures concerning the notification of intent to designate rural land stewardship areas and the Department's authorization to the local government to proceed with the plan amendment. Specifically, the proposed amendments add Rule 9J-11.023, F.A.C., which establishes the required procedures for the designation of a rural land stewardship area.

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: 163.3177(9), 163.3177(11)(h) FS.

LAW IMPLEMENTED: 163.3177(11)(d) FS.

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

DATE AND TIME: November 14, 2008, 9:00 a.m.

PLACE: : Kelley Training Room, Third Floor, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Robert Pennock, Strategic Planning Coordinator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1735. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robert Pennock, Strategic Planning Coordinator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1735

THE FULL TEXT OF THE PROPOSED RULE IS:

9J-11.023 Procedure for the designation of a Rural Land Stewardship Area.

(1) Purpose and Intent. This section establishes the required procedure for the designation of a rural land stewardship area (RLSA) pursuant to Section 163.3177(11)(d), F.S.

(2) Pre-Notification Actions. Prior to giving official notification of intent to designate a RLSA to the Department, the county(ies) is(are) encouraged to conduct at least one noticed public workshop to discuss and evaluate the appropriateness of establishing a RLSA. The county(ies) is(are) encouraged to invite the Department of Community Affairs, Department of Agricultural and Consumer Services, Department of Environmental Protection, Department of Transportation, Florida Fish and Wildlife Conservation Commission, affected regional planning council(s), and affected water management district(s) (collectively referred to as the "RLSA Interagency Technical Advisory Team") to participate in the workshop. Potentially affected landowners and other interested parties should be given notice and invited to participate in the workshop. During this workshop, the county(ies), and state and regional agencies should, at a minimum, discuss the statutory process for designating a RLSA, the planning issues that are likely to arise, and the technical assistance that will be available from state and regional agencies if the county(ies) proceed(s) to designate a RLSA. The county(ies) is(are) encouraged to provide opportunities for broad public participation in the RLSA process, which may include a series of public meetings or workshops.

(3) Notification of Intent to Designate. The county(ies) must inform the Department in writing of its (their) intent to designate a RLSA prior to transmitting any plan amendments to designate a RLSA. The official notification of intent shall be based on locally specific facts and analysis and shall address and explain the extent to which the RLSA will:

(a) Enhance rural land values;

(b) Control urban sprawl;

(c) Provide necessary open space for agriculture and protection of the natural environment;

(d) Promote rural economic activity; and

(e) Maintain rural character and the economic viability of agriculture.

The notification should avoid conclusory statements, generalities, and repetition of statutory language unsupported by a discussion of relevant local facts.

(4) Review of Notification of Intent to Designate.

(a) The Department will provide members of the RLSA Interagency Technical Advisory Team with a copy of the notice of intent to designate within five days after receipt of the notice. Simultaneously, the Department will inform the RLSA Interagency Technical Advisory Team members of its intent to schedule a site visit to the RLSA.

(b) Within ten days after receipt of a notice of intent, the Department will contact the county(ies) and arrange a site visit of the proposed RLSA and surrounding lands. The Department will coordinate the scheduling of the site visit with the members of the RLSA Interagency Technical Advisory Team and request their participation in the site visit.

(c) Members of the RLSA Interagency Technical Advisory Team shall be asked to provide to the Department oral and/or written comments on the proposed RLSA within 30 days of the site visit. The Department may also request meetings with the members of the RLSA Interagency Technical Advisory Team to discuss and evaluate the notice and site visit. The Department may also request a conference with the county's(ies') staff(s) to discuss issues and questions that have arisen as a result of the site visit, comments from members of the Interagency Technical Advisory Team and other stakeholders, and the Department's evaluation of the RLSA proposal.

(d) Not later than 60 days following the site visit to the proposed RLSA, the Department shall issue a written notification to the county(ies).

(e) The Department's notification shall authorize the county(ies) to proceed with a plan amendment to designate the RLSA or inform the county(ies) of the Department's decision not to authorize. If the Department decides to authorize the county(ies) to proceed with a plan amendment to designate a RLSA, the notification will set forth any conditions or understandings pertaining to the authorization, and may include recommendations to the county(ies) regarding the RLSA. The notification will not guarantee that a

comprehensive plan amendment(s) to designate a RLSA will be found in compliance by the Department. It will only constitute the Department's authorization to designate a RLSA if the necessary comprehensive plan amendment(s) are adopted and found in compliance pursuant to Section 163.3184, F.S. If the Department decides not to authorize the county(ies) to proceed with a plan amendment to designate a RLSA, the agency's notification will explain the reasons for the decision.

(5) Amendment to the Comprehensive Plan: If authorized to proceed, the county(ies) may prepare and process a plan amendment(s) that will be reviewed by the Department pursuant to Section 163.3184, F.S. The county(ies) may, in preparing the plan amendment(s), establish a local visioning process to facilitate the development of a RLSA plan amendment. The Department encourages the county(ies) to seek and utilize technical assistance from the members of the RLSA Interagency Technical Advisory Team in preparing a RLSA plan amendment.

Specific Authority 163.3177(9), 163.3177(11)(h) FS. Law Implemented 163.3177(11)(d) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Robert Pennock, Strategic Planning Coordinator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1735

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Thomas G. Pelham, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 7, 2008

DATE NOTICES OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 22, 2007, September 7, 2007

DEPARTMENT OF TRANSPORTATION

RULE NO.: 14-15.0081
RULE TITLE: Toll Facilities Description and Toll Rate Schedule

PURPOSE AND EFFECT: The current Alligator Alley Toll Rates are proposed to be increased. The Toll Rate charged to vehicles traveling on Alligator Alley distinguishes between (i) Electronic Transactions (SunPass) and Cash Transactions, and (ii) the number of axles of each vehicle. The Toll Rate is equal to the number of axles of each vehicle traveling on Alligator Alley minus one, multiplied by the Rounded Base Rate.

The Rounded Base Rate for Electronic Transactions (SunPass) is the Base Toll Rate rounded down to the nearest penny. The Rounded Base Rate for Cash Transactions is the Base Toll Rate rounded to the nearest quarter; provided that in the event that the Base Toll Rate is equally between two quarters (rounding is determined at the fourth decimal point position) then it shall be rounded up.

The Base Toll Rate is being increased to \$3.00 for Electronic Transactions (SunPass) and \$3.75 for Cash Transactions, which increases the Toll Rate for all vehicles. The Base Toll

Rate is the unrounded Electronic Transactions (SunPass) or the unrounded Cash Toll Rate for a two axle vehicle for the immediately preceding year.

Beginning January 1, 2011 and as of each January 1 thereafter, the Base Toll Rate will be the Base Toll Rate for the immediately preceding calendar year multiplied by 1.03 or the ratio of the Consumer Price Index (CPI – All Items), United States Department of Labor for the immediately preceding CPI year ended June 30th to the CPI for the second most recent CPI year ended June 30th, whichever is greater.

Section 338.155(1), Florida Statutes, does not permit the use of the State's toll facilities without paying a toll.

SUMMARY: The current Roll Rates are proposed to be increased and increased in the future based upon the Consumer Price Index or 3 percent, whichever is greater.

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: 334.044(2), 338.155(1) FS.

LAW IMPLEMENTED: 338.155, 338.165, 338.222, 338.231, 338.26 FS.

HEARINGS WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATE AND TIMES: Wednesday, November 12, 2008, Open House from 6:00 p.m. – 7:00 p.m.; Public Hearing begins at 7:00 p.m.

PLACE: Golden Gate Community Center, 4701 Golden Gate Parkway, Naples, Florida 34116

DATE AND TIMES: Thursday, November 13, 2008, Open House from 6:00 p.m. – 7:00 p.m.; Public Hearing begins at 7:00 p.m.

PLACE: Florida Atlantic University Davie Campus, 2912 College Avenue, Liberal Arts Building – Auditorium, LA 120, Davie, Florida 33314

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0485

THE FULL TEXT OF THE PROPOSED RULE IS:

14-15.0081 Toll Facilities Description and Toll Rate Schedule.

The Toll Facilities Description and Toll Rate Schedule, adopted November 15, 1987, and amended on February 8, 1988, August 1, 1988, February 2, 1989, May 10, 1989, July 1, 1991, August 1, 1991, November 6, 1991, July 11, 1993, November 28, 1993, September 18, 1994, June 6, 1995, July 9,

1995, January 1, 1996, March 31, 1996, April 28, 1996, June 2, 1996, July 28, 1996, September 23, 1997, November 24, 1997, February 12, 1998, June 30, 1998, July 29, 1998, January 6, 1999, February 9, 1999, April 29, 1999, June 21, 1999, September 4, 2001, March 26, 2002, April 10, 2003, October 1, 2003, December 11, 2003, March 7, 2004, May 20, 2004, November 1, 2005, February 5, 2006, July 27, 2006, October 26, 2006, January 15, 2007, _____, is hereby incorporated by this rule and made a part of the rules of the department. Copies of this Department of Transportation Toll Facilities Description and Toll Rate Schedule and any amendments thereto are available at no more than cost.

Specific Authority 334.044(2), 338.155(1) FS. Law Implemented 338.155, 338.165, 338.222, 338.231, 338.26 FS. History—New 11-15-87, Amended 2-8-88, 8-1-88, 2-2-89, 5-10-89, 7-1-91, 8-1-91, 11-6-91, 7-11-93, 11-28-93, 9-18-94, 6-6-95, 7-9-95, 1-1-96, 3-31-96, 4-28-96, 6-2-96, 7-28-96, 9-23-97, 11-24-97, 2-12-98, 6-30-98, 7-29-98, 1-6-99, 2-9-99, 4-29-99, 6-21-99, 9-4-01, 3-26-02, 4-10-03, 10-1-03, 12-11-03, 3-7-04, 5-20-04, 11-1-05, 2-5-06, 7-27-06, 10-26-06, 1-15-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Greg L. Schiess, P.E., Manager, Strategic Initiatives, Chief Engineer’s Office

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Stephanie C. Kopelousos, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 7, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 30, 2008

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.: 33-601.603
RULE TITLE: Furloughs

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to remove protected information from Form DC6-152, Type A/B Furlough Sponsor Agreement, and amend the rule and form for clarity.

SUMMARY: The proposed amendment to Rule 33-601.603, F.A.C., removes the Bureau Chief of Community Residential Programs from the list of approving authorities and amends the rule for clarity. Form DC6-152 is amended for clarity and to remove the requirement that a furlough sponsor provide their entire social security number.

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: 945.091 FS.

LAW IMPLEMENTED: 945.091 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jamie Jordan-Nunes, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.603 Furloughs.

(1) No change.

(2) Definitions.

(a) through (b) No change.

(c) Approving Authority – For purposes of this rule, the term “approving authority” refers to the Secretary of the Department of Corrections or his designee who shall be the warden of a major institution or the select exempt service status employee who has oversight responsibility of a community correctional center, ~~or the Bureau Chief of Community Residential Programs.~~

(d) through (g) No change.

(3) through (4) No change.

(5) Furlough Sponsors.

(a) through (c) No change.

(d) Approval to serve as furlough sponsor is subject to termination at any time for the reasons stated below:

1. through 2. No change.

3. Violation of any rule set forth ~~in~~ ~~on~~ Form DC6-152, Type A/B Furlough Sponsor Agreement, if the person is serving as sponsor for a type B furlough, Form DC6-152 is incorporated by reference in subsection (11) of this rule;

4. through 6. No change.

(6) Type A Furloughs.

(a) No change.

(b) Other conditions which apply to type A furloughs are:

1. No change.

2. Inmates must complete Form DC6-178, a Type “A” Furlough Request Agreement, Form; DC6-178 is incorporated by reference in subsection (11) of this rule;

3. The sponsor must complete and agree to abide by all condidtions of Form DC6-152, A Type A/B Furlough Sponsor Agreement, DC6-152, must be completed and sponsor must agree to abide by all conditions of DC6-152;

4. No change.

5. An inmate shall abide by all conditions in ~~an~~ Form DC6-152, the Type A Furlough Agreement, ~~Form DC6-152~~;

6. through 8. No change.

(c) No change.

(7) through (8) No change.

(9) Type B Furloughs.

(a) through (d) No change.

(e) Inmates who demonstrate satisfactory facility adjustment and program participation, meet all eligibility criteria, and have either served 5 calendar years or have completed one third of the sentence to be served, which ever is less, shall be eligible for consideration for a furlough for family visitation purposes. "Sentence to be served" is interpreted as being from the imposed date of sentence to the earliest release date. The following special conditions apply to family visitation furloughs:

1. No change.

2. Inmates will be required to call the facility when they arrive at their furlough destination and when they are departing from their furlough destination to return to the facility. In addition, at least one telephone contact with the inmate by facility staff shall be made to the location of the furlough to verify the inmate's presence. The contact shall be documented on Form DC6-180, Sign-Out Sheet for Community Activity or Furlough, ~~the community correctional center's sign-out sheet for community activities or furloughs~~; Form DC6-180, Sign-Out Sheet for Community Activity or Furlough. Form DC6-180 is incorporated by reference in subsection (11) of this rule;

3. No change.

(f) No change.

(g) An inmate granted type B furlough privileges must:

1. Agree to the conditions as outlined in Form DC6-179, Type B Furlough Request. Form DC6-179 is incorporated by reference in subsection (11) of this rule;

2. No change.

3. Adhere to the following procedures:

a. No change.

b. All inmates to whom a type B furlough privilege has been granted must be signed out of and into the facility by an officer prior to departure from and upon their return from the furlough activity utilizing Form. ~~The form used for this purpose is~~ DC6-180, Sign Out Sheet for Community Activity or Furlough.

c. No change.

(h) through (i) No change.

(10) No change.

(11) Forms. The following forms are hereby incorporated by reference.

(a) through (b) No change.

(c) DC6-152, Type A/B Furlough Sponsor Agreement, effective 4-13-98.

(d) No change.

Specific Authority 945.091 FS. Law Implemented 945.091 FS. History--New 12-8-97, Amended 4-13-98, 10-20-98, Formerly 33-9.024, Amended 10-9-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: George Sapp, Assistant Secretary of Institutions

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Walter A. McNeil, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 10, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 19, 2008

SPACE FLORIDA

RULE NOS.:

57-1.001

57-1.0015

57-1.003

57-1.005

57-1.007

57-1.009

57-1.025

57-1.035

57-1.040

RULE TITLES:

General

The Authority

The Authority Head

General Description of Authority Organization

General Information Concerning Authority

Statutory Chapters and Rules

Public Information and Inspection of Records

Authority Clerk

Public Access to Authority

PURPOSE AND EFFECT: To repeal existing rules.

SUMMARY: To repeal existing rules.

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: 331.310(1)(j), (2)(a), (d), 331.3101(1) FS.

LAW IMPLEMENTED: 331.310(1)(j), (2)(a), (d), 331.3101(1) FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Deborah Spicer (321)730-5301, x-243. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Deborah Spicer (321)730-5301, X-243

THE FULL TEXT OF THE PROPOSED RULES IS:

57-1.001 General.

Specific Authority 331.305(19), 331.310(1), (11), (12), 331.3101(1)(a), (b) FS. Law Implemented 331.305(19), 331.310(1), (6), (12), 331.3101(1)(a), (b) FS. History–New 9-2-92, Repealed.

57-1.0015 The Authority.

Specific Authority 331.305(19), 331.310(1), (11), (12), 331.3101(1)(a), (b) FS. Law Implemented 331.305(19), 331.310(1), (6), (12), 331.3101(1)(a), (b) FS. History–New 9-2-92, Repealed.

57-1.003 The Authority Head.

Specific Authority 331.305(19), 331.310(1), (11), (12), 331.3101(1)(a), (b) FS. Law Implemented 331.305(19), 331.310(1), (6), (12), 331.3101(1)(a), (b) FS. History–New 9-2-92, Repealed.

57-1.005 General Description of Authority Organization.

Specific Authority 331.305(19), 331.310(1), (11), (12), 331.3101(1)(a), (b) FS. Law Implemented 331.305(19), 331.310(1), (6), (12), 331.3101(1)(a), (b) FS. History–New 9-2-92, Repealed.

57-1.007 General Information Concerning Authority.

Specific Authority 331.305(19), 331.310(1), (11), (12) FS. Law Implemented 331.305(19), 331.310(1), (6), (12), 331.308 FS. History–New 9-2-92, Repealed.

57-1.009 Statutory Chapters and Rules.

Specific Authority 331.305(19), 331.310(1), (11), (12) FS. Law Implemented 331.305(19), 331.310(1), (12) FS. History–New 9-2-92, Repealed.

57-1.025 Public Information and Inspection of Records.

Specific Authority 331.305(19), 331.310(1), (11), (12) FS. Law Implemented 331.305(19), 331.310(1), (12) FS. History–New 9-2-92, Repealed.

57-1.035 Authority Clerk.

Specific Authority 331.305(19), 331.310(1), (11), (12) FS. Law Implemented 331.305(19), 331.310(1), (6), (12) FS. History–New 9-2-92, Repealed.

57-1.040 Public Access to Authority.

Specific Authority 331.305(19), 331.310(1), (11), (12) FS. Law Implemented 331.305(19), 331.310(1), (12) FS. History–New 9-2-92, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Desiree Mayfield (321)730-5301, x-237

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Steven Kohler

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 25, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 29, 2008; originally published under 57-1.010, 57-1.020, 57-1.030, 57-1.050, 57-1.060

SPACE FLORIDA

RULE NOS.:

RULE TITLES:

57-2.001

Trade Secret Information Policy – Part I

57-2.002

Public Notices, Access, and Meetings – Part II

57-2.003

General

57-2.004

Public Notice of Meetings

57-2.005

Documents and Records

PURPOSE AND EFFECT: To repeal existing rules.

SUMMARY: To repeal existing rules.

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: 331.305(19), 331.310(1), (11), (12) FS.

LAW IMPLEMENTED: 331.305(19), 331.310(1), (12) FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Deb Spicer, (321)730-5301, x-243. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Deb Spicer, (321)730-5301, x-243

THE FULL TEXT OF THE PROPOSED RULES IS:

57-2.001 Trade Secret Information Policy – Part I.

Specific Authority 331.305(19), 331.310(1), (11), (12) FS. Law Implemented 331.305(19), 331.310(1), (12) FS. History–New 9-2-92, Repealed.

57-2.002 Public Notices, Access, and Meetings – Part II.

Specific Authority 331.305(19), 331.310(1), (11), (12) FS. Law Implemented 331.305(19), 331.310(1), (12) FS. History–New 9-2-92, Repealed.

57-2.003 General.

Specific Authority 331.305(19), 331.310(1), (11), (12) FS. Law Implemented 331.305(19), 331.310(1), (12) FS. History–New 9-2-92, Repealed.

57-2.004 Public Notice of Meetings.

Specific Authority 331.305(19), 331.310(1), (11), (12) FS. Law Implemented 331.305(19), 331.310(1), (12) FS. History–New 9-2-92, Repealed.

57-2.005 Documents and Records.

Specific Authority 331.305(19), 331.310(1), (11), (12) FS. Law Implemented 331.305(19), 331.310(1), (12) FS. History–New 9-2-92, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Desiree Mayfield, (321)730-5301, x-237

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Steven Kohler

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 25, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 29, 2008

SPACE FLORIDA

RULE NOS.:	RULE TITLES:
57-3.001	Scope
57-3.002	Definitions
57-3.003	General

PURPOSE AND EFFECT: To repeal existing rules.

SUMMARY: To repeal existing rules.

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: 331.350(3) FS.

LAW IMPLEMENTED: 331.350(3) FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Deb Spicer, (321)730-5301, x-243. If you are

hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Deb Spicer, (321)730-5301, x-243

THE FULL TEXT OF THE PROPOSED RULES IS:

57-3.001 Scope.

Specific Authority 331.350(3) FS. Law Implemented 331.350(3) FS. History–New 2-7-01, Repealed.

57-3.002 Definitions.

Specific Authority 331.303 FS. Law Implemented 331.303 FS. History–New 2-7-01, Repealed.

57-3.003 General.

Specific Authority 331.303 FS. Law Implemented 331.303 FS. History–New 2-7-01, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Desiree Mayfield, (321)730-5301, x-237

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Steven Kohler

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 25, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 29, 2008

SPACE FLORIDA

RULE NOS.:	RULE TITLES:
57-4.001	Authority
57-4.002	Definitions
57-4.003	General
57-4.004	Responsibilities
57-4.005	Documents and Records

PURPOSE AND EFFECT: To repeal existing rules.

SUMMARY: To repeal existing rules.

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: 331.305(17), 331.350(3) FS.

LAW IMPLEMENTED: 331.305(17), 331.350(3) FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 7 days before the workshop/meeting by contacting: Deb Spicer, (321)730-5301, x-243. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Deb Spicer, (321)730-5301, x-243

THE FULL TEXT OF THE PROPOSED RULES IS:

57-4.001 Authority.

Specific Authority 331.305(17), 331.350(3) FS. Law Implemented 331.305(17), 331.350(3) FS. History–New 2-8-01, Repealed

57-4.002 Definitions.

Specific Authority 331.303 FS. Law Implemented 331.303 FS. History–New 2-8-01, Repealed

57-4.003 General.

Specific Authority 331.305(17) FS. Law Implemented 331.305(17) FS. History–New 2-8-01, Repealed

57-4.004 Responsibilities.

Specific Authority 331.314, 331.319, 331.350(3) FS. Law Implemented 331.314, 331.319, 331.350(3) FS. History–New 2-8-01, Repealed

57-4.005 Documents and Records.

Specific Authority 331.314, 331.319, 331.350(3) FS. Law Implemented 331.314, 331.319, 331.350(3) FS. History–New 2-8-01, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: Desiree Mayfield, (321)730-5301, x-237

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Steven Kohler

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 25, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 29, 2008

SPACE FLORIDA

RULE NOS.: RULE TITLES:

- 57-5.001 Scope
- 57-5.002 Definitions
- 57-5.003 General Requirements
- 57-5.004 Storage; General
- 57-5.005 Conflicts

PURPOSE AND EFFECT: To repeal existing rules.

SUMMARY: To repeal existing rules.

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: 331.350(3) FS.

LAW IMPLEMENTED: 331.350(3) FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Deb Spicer, (321)730-5301, x-243. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Deb Spicer, (321)730-5301, x-243

THE FULL TEXT OF THE PROPOSED RULES IS:

57-5.001 Scope.

Specific Authority 331.350(3) FS. Law Implemented 331.350(3) FS. History–New 2-8-01, Repealed

57-5.002 Definitions.

Specific Authority 331.303, 331.314 FS. Law Implemented 331.303, 331.314 FS. History–New 2-8-01, Repealed

57-5.003 General Requirements.

Specific Authority 331.314, 331.350(3), 331.353 FS. Law Implemented 331.314, 331.350(3), 331.353 FS. History–New 2-8-01, Repealed

57-5.004 Storage; General.

Specific Authority 331.314, 331.350(3), 331.353 FS. Law Implemented 331.314, 331.350(3), 331.353 FS. History–New 2-8-01, Repealed

57-5.005 Conflicts.

Specific Authority 331.314, 331.350(3), 331.353 FS. Law Implemented 331.314, 331.350(3), 331.353 FS. History–New 2-8-01, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: Desiree Mayfield, (321)730-5301, x-237

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Steven Kohler

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 25, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 29, 2008

SPACE FLORIDA

RULE NOS.: RULE TITLES:
 57-6.001 Scope
 57-6.002 Definitions
 57-6.003 General Requirements
 57-6.004 Safety Plans

PURPOSE AND EFFECT: To repeal existing rules.

SUMMARY: To repeal existing rules.

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: 331.350(3) FS.

LAW IMPLEMENTED: 331.350(3) FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Deb Spicer, (321)730-5301, x-243. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Deb Spicer, (321)730-5301, x-243

THE FULL TEXT OF THE PROPOSED RULES IS:

57-6.001 Scope.

Specific Authority 331.350(3) FS. Law Implemented 331.350(3) FS. History–New 2-8-01, Repealed.

57-6.002 Definitions.

Specific Authority 331.303 FS. Law Implemented 331.303 FS. History–New 2-8-01, Repealed.

57-6.003 General Requirements.

Specific Authority 331.350(3) FS. Law Implemented 331.350(3) FS. History–New 2-8-01, Repealed.

57-6.004 Safety Plans.

Specific Authority 331.350(3) FS. Law Implemented 331.350(3) FS. History–New 2-8-01, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Desiree Mayfield, (321)730-5301, x-237

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Steven Kohler

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 25, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 29, 2008

SPACE FLORIDA

RULE NOS.: RULE TITLES:
 57-7.001 Scope
 57-7.002 Definitions
 57-7.003 General Requirements
 57-7.004 Hazardous Material Selection
 57-7.005 Hazardous Material Test Requirements
 57-7.006 Hazardous Materials System Hardware Requirements

PURPOSE AND EFFECT: To repeal existing rules.

SUMMARY: To repeal existing rules.

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: 331.314 FS.

LAW IMPLEMENTED: 331.314 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Deb Spicer, (321)730-5301, x-243. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Deb Spicer, (321)730-5301, x-243

THE FULL TEXT OF THE PROPOSED RULES IS:

57-7.001 Scope.

Specific Authority 331.314 FS. Law Implemented 331.314 FS. History–New 2-8-01, Repealed.

57-7.002 Definitions.

Specific Authority 331.303 FS. Law Implemented 331.303 FS. History–New 2-8-01, Repealed.

57-7.003 General Requirements.

Specific Authority 331.314 FS. Law Implemented 331.314 FS. History–New 2-8-01, Repealed.

57-7.004 Hazardous Material Selection.

Specific Authority 331.314 FS. Law Implemented 331.314 FS. History--New 2-8-01, Repealed.

57-7.005 Hazardous Material Test Requirements.

Specific Authority 331.314 FS. Law Implemented 331.314 FS. History--New 2-8-01, Repealed.

57-7.006 Hazardous Materials System Hardware Requirements.

Specific Authority 331.314 FS. Law Implemented 331.314 FS. History--New 2-8-01, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Desiree Mayfield, (321)730-5301, x-237
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Steven Kohler
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 25, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 29, 2008

SPACE FLORIDA

RULE NOS.: RULE TITLES:

- 57-20.001 General
- 57-20.002 Space Florida Description
- 57-20.003 Officers of Space Florida
- 57-20.004 Public Meetings
- 57-20.005 Public Information
- 57-20.006 Board of Directors

PURPOSE AND EFFECT: To promulgate new rules relating to Space Florida's organization.

SUMMARY: To promulgate new rules relating to Space Florida's organization.

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: 331.310(1)(j) FS.

LAW IMPLEMENTED: 331.310(2)(a), 331.310(2)(f) FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Deb Spicer, (321)730-5301, x-243. If you are

hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Deb Spicer, (321)730-5301, x-243

THE FULL TEXT OF THE PROPOSED RULES IS:

57-20.001 General.

To the extent required by law, these rules were established in accordance with Chapter 120, Florida Statutes. Any requests for information about Space Florida should be submitted in writing to the Vice President, Communications, Government and External Affairs, or their designee, at the headquarters office located at MS: SPFL Bldg, M6-306, Room 9030, State Road 405, Kennedy Space Center, FL 32899. As new procedures or revisions to existing ones are called for, they will be approved by the Board of Directors and through state rule approval processes and procedures.

Specific Authority 331.310(1)(j), (2)(a), (d), 331.310(1) FS. Law Implemented 331.310(1)(j), (2)(a), (d), 331.310(1) FS. History--New

57-20.002 Space Florida Description.

Space Florida was created as an independent special district, a body politic and corporate and subdivision of state government in 2006 by the Governor and Legislature. The Space Florida Act, Chapter 331, Part II, Florida Statutes, outlines the purpose, powers, and duties of Space Florida.

(1) Under Sections 331.310(1)(j) and (2)(a) and (d), Florida Statutes, the Board of Directors of Space Florida is required to adopt rules to carry out Space Florida's mission. This document provides such rules and is intended as a reference guide and basis for implementation of Space Florida's administrative procedures.

(2) The President is responsible for ensuring that these rules are followed, establishing systems required to implement the rules, and providing procedural direction in cases where the rules are determined to be unspecified.

(3) It is estimated that enforcement of these rules will cause no significant economic impact to the State of Florida. Space Florida's policy of fiscal responsibility and accountability is in keeping with the policies and needs of the Governor, Legislature, and citizens of the State of Florida. These rules are intended to enable Space Florida to operate at maximum efficiency while meeting the requirements of applicable Florida Statutes. Where possible, the rules were crafted to enable operational and administrative cost savings.

(4) Chapter 331, Part II, Florida Statutes, outlines the purpose, powers, and duties of Space Florida.

Specific Authority 331.310(1)(j), (2)(a), (d), 331.310(1) FS. Law Implemented 331.310(1)(j), (2)(a), (d), 331.310(1) FS. History--New

57-20.003 Officers of Space Florida.

(1) The President is the Chief Administrative and Operational Officer for the Board of Directors of Space Florida, and shall direct and supervise the administrative affairs of the Board of Directors and Space Florida. The Board of Directors may delegate to the President those powers and responsibilities it deems appropriate, except for the appointment of a President.

(2) The Treasurer of Space Florida shall have charge of the funds of Space Florida with the advice and consent of the Board of Directors, as provided in Section 331.309, Florida Statutes. The Board may give the Treasurer such other or additional powers and duties as the Board may deem appropriate, as provided in Section 331.309, Florida Statutes.

(3) Any other officers of Space Florida shall have such powers and duties as may be prescribed by the Board of Directors.

(4) The Board shall establish the compensation of the President, Treasurer, and any other officer of Space Florida as provided in Sections 331.309 and 331.310, Florida Statutes.

Specific Authority 331.310(1)(j), (2)(a), (d) FS. Law Implemented 331.309, 331.310 FS. History--New _____.

57-20.004 Public Meetings.

(1) In accordance with the provisions of Section 286.011 and Section 189.417, Florida Statutes, all meetings of any board or commission of Space Florida, unless exempted by the statute, at which official acts are to be taken, are public meetings which shall be open to the public at all times.

(2) Space Florida will provide sufficient prior public notice of the meetings as required by statute.

Specific Authority 331.310(1)(j), (2)(a), (d) FS. Law Implemented 331.310(1)(j), (2)(a), (d) FS. History--New _____.

57-20.005 Public Information.

The Vice President, Communications, Government and External Affairs, or their designee, is designated as the contact for the purpose of obtaining information as to the location and method of acquiring or reviewing any form, publication, or documents which Space Florida makes available to the public. All public information requests shall be submitted in writing to the Vice President, Communications, Government and External Affairs, or their designee, who will serve as the clerk and will normally be found at the headquarters office of Space Florida during regular business hours (8:30 a.m. to 5:00 p.m.). Subject to the exceptions and exemptions set forth in Sections 331.326, 288.075, F.S., and other applicable Florida Statutes, Space Florida shall make and retain records and comply with the applicable sections in Chapter 119, Florida Statutes.

(1) All material which has been classified confidential, proprietary or trade secret shall be exempt from Chapter 119, Florida Statutes, and will be accorded stringent internal procedural safeguards against public disclosure.

(2) Space Florida, under provisions of the Space Florida Act, Section 331.326, as well as other applicable Florida Statutes, is extended exemptions to Chapter 119, Florida Statutes.

(a) Given Space Florida's extensive close interaction with aerospace-related businesses operating both within and outside of Space Florida territories, and given Space Florida's regulatory capacity on its territories, the transfer of confidential, proprietary or trade secret information in implicit confidence to Space Florida is a common occurrence. Space Florida, in compliance with its statutory duties, will keep such information from the public record.

(b) Space Florida also interacts on a frequent basis with the Air Force, other Federal agencies, and international government agencies, often discussing their sensitive or confidential information. In consideration of the proprietary status given such information by those organizations, Space Florida will classify it as confidential, proprietary or trade secret on a case by case basis as provided for in Sections 812.081, 331.326, 288.075 or other applicable Florida Statutes.

(c) To maintain the proprietary status of any sensitive information, Space Florida's managerial staff is authorized to officially classify any information as confidential, proprietary or trade secret on a case by case basis in accordance with statutory provisions, including but not limited to Sections 812.081, 288.075, 331.326, Florida Statutes.

(3) Unless exempted by statute Space Florida's documents and records, including correspondence, reports, planning documents, reference documents, maps, and computer files, shall be open and kept for public access.

(4) Space Florida's preparation and provision of responses to public information requests shall be subject to the charges that are permitted under Chapter 119, Florida Statutes.

Specific Authority 331.310(1)(j), (2)(a), (d) FS. Law Implemented 331.310(1)(j), (2)(a), (d), 331.326 FS. History--New _____.

57-20.006 Board of Directors.

The Space Florida Board of Directors shall, from time to time, create committees of the Board consisting of members of the Board and external experts and professionals to advise the Board on matters relating to Space Florida's mission and operation. The recommendations of such committees shall be submitted to the Space Florida Board of Directors for consideration.

Specific Authority 331.310(1)(j), (2)(a), (d) FS. Law Implemented 331.310(1)(j), (2)(a), (d) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Desiree Mayfield, (321)730-5301, x-237

NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Steven Kohler

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 25, 2008
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 29, 2008

SPACE FLORIDA

RULE NO.: 57-30.001
RULE TITLE: Responsibilities
PURPOSE AND EFFECT: To promulgate new rules regarding the responsibilities and authority of Space Florida's Safety Officer.
SUMMARY: To promulgate new rules regarding the responsibilities and authority of Space Florida's Safety Officer.
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: 331.310(1)(j), (2)(a), (d), 331.305(18), 331.350(3) FS.
LAW IMPLEMENTED: 331.305(18), 331.350(3) FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Deb Spicer (321)730-5301, x-243. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Deb Spicer (321)730-5301, x-243

THE FULL TEXT OF THE PROPOSED RULE IS:

57-30.001 Responsibilities.

Space Florida's Safety Officer is responsible for the maintenance and implementation of a comprehensive safety and loss prevention plan as specified by Florida Statutes.

Specific Authority 331.310(1)(j), (2)(a), (d), 331.305(18), 331.350(3) FS. Law Implemented 331.310(1)(j), (2)(a), (d), 331.305(18), 331.350(3) FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE: Desiree Mayfield, (321)730-5301, x-237
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Steven Kohler

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 25, 2008
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 29, 2008

SPACE FLORIDA

RULE NOS.: 57-40.001, 57-40.002, 57-40.003, 57-40.004, 57-40.005
RULE TITLES: Scope, General Requirements, Hazardous Material Selection, Hazardous Material Test Requirements, Hazardous Materials Storage and Handling
PURPOSE AND EFFECT: To promulgate new rules regarding hazardous materials at Space Florida.
SUMMARY: To promulgate new rules regarding hazardous materials at Space Florida.
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: 331.310(1)(j), (2)(a), (d), 331.305(18), 331.350(3) FS.
LAW IMPLEMENTED: 331.310(1)(j), (2)(a), (d), 331.305(18), 331.350(3) FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Deb Spicer, (321)730-5301, x-243. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Deb Spicer, (321)730-5301, x-243

THE FULL TEXT OF THE PROPOSED RULES IS:

57-40.001 Scope.

These rules apply to all persons, companies and organizations conducting or performing space launch, pre-launch or satellite processing, and rocket motor or aerospace related hazardous materials use, storage, and transportation activities commercially within the jurisdiction of Space Florida with the following exceptions:

(1) These rules shall not apply to the transportation of aerospace related explosives when under the jurisdiction of and in compliance with the regulations of the United States Department of Transportation, 49 C.F.R., Parts 177-379, incorporated by reference herein.

(2) These rules shall not apply to the regular Armed Forces of the United States, or to any duly organized military force of any state or territory thereof.

(3) These rules shall not apply to the transportation and use, in the normal and emergency operations, of federal agencies such as the Federal Bureau of Investigation or the Secret Service.

Specific Authority 331.310(1)(j), (2)(a), (d), 331.305(18), 331.350(3) FS. Law Implemented 331.310(1)(j), (2)(a), (d), 331.305(18), 331.350(3) FS. History–New _____.

57-40.002 General Requirements.

(1) No person shall store, handle or transport aerospace related hazardous materials when such storage, handling, and transportation constitutes a hazard to life or property.

(2) Quantities of hazardous materials handled at any location within the state and within the jurisdiction of Space Florida shall be restricted by the Safety Officer of Space Florida.

Specific Authority 331.310(1)(j), (2)(a), (d), 331.305(18), 331.350(3) FS. Law Implemented 331.310(1)(j), (2)(a), (d), 331.305(18), 331.350(3) FS. History–New _____.

57-40.003 Hazardous Material Selection.

The selection of hazardous materials shall be based on flammability and combustibility, toxicity and compatibility.

(1) The least flammable liquid or material shall be used where feasible.

(2) The least toxic liquid or material shall be used where feasible.

(3) Materials that do not give off a toxic gas if ignited shall be used where feasible.

(4) Hazardous materials, including leakage, shall not come into contact with a non-compatible material that can cause a hazard during ground operations. The Safety Officer will provide oversight of the usage and disposal of hazardous materials, but day-to-day operations will be the responsibility of the Operator. An “Operator” for purposes of Chapter 57, F.S., shall mean any tenant, contractor, subcontractor or employee utilizing Space Florida facilities. The Safety Officer shall give an Operator thirty (30) days to correct any hazards, unless it is determined to be an immediate hazard, in which case the Operator must act immediately to mitigate the hazard.

(5) Hazardous materials shall not retain a charge that presents an ignition source to ordnance or propellants or a hazard to personnel during ground operations. The Safety

Officer will provide oversight of the usage and disposal of hazardous materials, but day-to-day operations will be the responsibility of the Operator.

Specific Authority 331.310(1)(j), (2)(a), (d), 331.305(18), 331.350(3) FS. Law Implemented 331.310(1)(j), (2)(a), (d), 331.305(18), 331.350(3) FS. History–New _____.

57-40.004 Hazardous Material Test Requirements.

(1) If the physical properties of the material or liquid are unknown, standard testing conducted by a laboratory certified by the National Institute of Standards and Technology shall be performed to determine the hazard. If the material or liquid is found to be hazardous, it shall be handled and controlled as a hazardous material.

(2) Safety documentation shall include a listing of all hazardous materials and liquids on space flight hardware and ground processing equipment or is used during ground operations.

Specific Authority 331.310(1)(j), (2)(a), (d), 331.305(18), 331.350(3) FS. Law Implemented 331.310(1)(j), (2)(a), (d), 331.305(18), 331.350(3) FS. History–New _____.

57-40.005 Hazardous Materials Storage and Handling.

Equipment for handling and/or storing of hazardous materials and chemicals shall be designed by qualified engineers using industry standards to prevent hazardous chemicals from spilling or leaking, and, thereby, injuring personnel, damaging property, or contaminating the environment.

Specific Authority 331.310(1)(j), (2)(a), (d), 331.305(18), 331.350(3) FS. Law Implemented 331.310(1)(j), (2)(a), (d), 331.305(18), 331.350(3) FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Desiree Mayfield, (321)730-5301, x237
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Steven Kohler
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 25, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 29, 2008

SPACE FLORIDA

RULE NOS.:	RULE TITLES:
57-50.001	General
57-50.002	Approval of Travel and Entertainment Expenses
57-50.003	Authority of the President to Make Advance Payment for Travel

PURPOSE AND EFFECT: To promulgate new rules relating to Space Florida’s policies for reimbursement of travel and entertainment expenses.

SUMMARY: To promulgate new rules relating to Space Florida's policies for reimbursement of travel and entertainment expenses.

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: 331.310(1)(j), (2)(a), (d), 331.3101 FS.

LAW IMPLEMENTED: 331.310(1)(j), (2)(a), (d), 331.3101 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Deb Spicer, (321)730-5301, x-243. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Deb Spicer, (321)730-5301, x-243

THE FULL TEXT OF THE PROPOSED RULES IS:

57-50.001 General.

This chapter establishes the rules regarding the reimbursement of business clients, guests, and authorized persons as defined in Section 112.061(2)(e), Florida Statutes, and direct payments to third-party vendors:

(1) For travel expenses of such business clients, guests, and authorized persons incurred in connection with the performance of Space Florida's statutory duties, and for travel expenses incurred by state officials and state employees while accompanying such business clients, guests, or authorized persons or when authorized by the Board of Directors or its designee.

(2) For entertainment expenses of such guests, business clients, and authorized persons incurred in connection with the performance of Space Florida's statutory duties.

Specific Authority 331.310(1)(j), (2)(a), (d), 331.3101 FS. Law Implemented 331.310(1)(j), (2)(a), (d), 331.3101 FS. History—New

57-50.002 Approval of Travel and Entertainment Expenses.

(1) All travel and entertainment expenses must be authorized and approved by the President, Chief Financial Officer, or their designees. Complete explanation and justification must be shown on the expense voucher or attached thereto.

(2) Travel and entertainment expenses of guests, business clients, and authorized persons shall be limited to those expenses necessarily incurred by them in the performance of a public purpose authorized by law to be performed by Space Florida and must be within the limitations prescribed by Space Florida.

(3) The reimbursement policy for travel and entertainment expenses, incorporated by reference herein, can be requested from Space Florida by submitting a written request to the Vice President, Communications, Government and External Affairs, or their designee, at the headquarters office located at MS: SPFL Bldg., M6-306, Room 9030, State Road 405, Kennedy Space Center, FL 32899.

Specific Authority 331.310(1)(j), (2)(a), (d), 331.3101 FS. Law Implemented 331.310(1)(j), (2)(a), (d), 331.3101 FS. History—New

57-50.003 Authority of the President to Make Advance Payments for Travel.

The President, Chief Financial Officer, or their designees, may make, or authorize the making of, advances to cover anticipated costs of travel to guests, business clients, and authorized persons. Such advancements may include the costs of subsistence and travel of any person transported in the care or custody of the guests, business clients, and authorized persons in the performance of his or her duties.

Specific Authority 331.310(1)(j), (2)(a), (d), 331.3101 FS. Law Implemented 331.310(1)(j), (2)(a), (d), 331.3101 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Desiree Mayfield, (321)730-5301, x-237

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Steven Kohler

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 25, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 29, 2008

SPACE FLORIDA

RULE NOS:	RULE TITLES:
57-60.001	General
57-60.002	Unsolicited Proposals
57-60.003	Solicited Proposals
57-60.004	Sole Source Justification Standards

PURPOSE AND EFFECT: To promulgate new rules regarding Space Florida's requirements for vendors wishing to do business with Space Florida.

SUMMARY: To promulgate new rules regarding Space Florida's requirements for vendors wishing to do business with Space Florida.

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: 331.310(1)(j), (2)(a), (d) FS.

LAW IMPLEMENTED: 331.310(1)(j), (2)(a), (d), 331.324 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Deb Spicer, (321)730-5301, x-243. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Deb Spicer, (321)730-5301, x-243

THE FULL TEXT OF THE PROPOSED RULES IS:

57-60.001 General.

This chapter establishes the rules regarding Space Florida's relations with its vendors in connection with unsolicited proposals (including sponsorship and grant requests), solicited proposals, and sole source processes. A "Vendor" is defined as any organization or person (other than an employee) who receives compensation from Space Florida.

Specific Authority 331.310(1)(j), (2)(a), (d) FS. Law Implemented 331.310(1)(j), (2)(a), (d), 331.324 FS. History-New _____.

57-60.002 Unsolicited Proposals.

Any unsolicited project, product offering, service offering, grant request, sponsorship request or financing proposal (the "Proposal") received by Space Florida must comply with the following guidelines and shall be subject to the review and consideration process outlined below:

(1) The prospective Vendor must request a Project Proposal and Financing Request Form ("PPFR Form"), incorporated by reference herein, from Space Florida. The PPFR Form can be requested from Space Florida by submitting a written request to the Vice President, Communications, Government and External Affairs, or their designee, at the headquarters office located at MS: SPFL Bldg., M6-306, Room 9030, State Road 405, Kennedy Space Center, FL 32899.

(2) The prospective Vendor must complete the PPFR Form and return it to Space Florida for review and evaluation in accordance with the instructions set forth in the form.

(3) The staff of Space Florida will review and evaluate the Proposal along with the Board or a committee of the Board and the appropriate advisory committee, if necessary. If the Proposal has been approved, then the President, Chief Financial Officer, or their designees, will execute the PPFR Form before any action may be taken to initiate the project or allocate any funds.

(4) The original PPFR Form shall be kept on file with Space Florida. Once the Proposal has been evaluated and Space Florida has made decisions to either approve or reject the Proposal, Space Florida shall provide the prospective Vendor with a copy of the completed PPFR Form with the appropriate signatures. If the Proposal is denied, Space Florida shall retain the denied PPFR Form and related documentation on file in a denied proposal request file, in accordance with the provisions of Chapter 119, Florida Statutes. The rationale for the denial shall be included with each PPFR Form in the denied request file and such rationale shall be provided to the prospective Vendor.

(5) Any unsolicited Proposal which is not submitted in accordance with the guidelines described above shall be returned to the prospective Vendor.

Specific Authority 331.310(1)(j), (2)(a), (d) FS. Law Implemented 331.310(1)(j), (2)(a), (d), 331.324 FS. History-New _____.

57-60.003 Solicited Proposals.

To the extent that the President, Chief Financial Officer or their designees, solicit proposals from prospective Vendors to provide goods or services to Space Florida, such solicitations shall be in accordance with the terms and conditions described in such solicitations which shall be listed on Space Florida's website located at <http://www.spaceflorida.gov/businessopps.php>.

Specific Authority 331.310(1)(j), (2)(a), (d) FS. Law Implemented 331.310(1)(j), (2)(a), (d), 331.324 FS. History-New _____.

57-60.004 Sole Source Justification Standards.

Space Florida is authorized to enter into sole source contracts with prospective Vendors once the following conditions have been satisfied:

(1) The contract or purchase is approved with justification in writing by the President, Chief Financial Officer, or their designees; and

(2) Is justifiable based upon one or more of the categories below:

(a) The Vendor is deemed the only capable provider of good or services;

(b) Time constraints which preclude using the normal selection process;

(c) Unique qualifications;

(d) Vendor being a public/private partnership, government agency, or instrumentality, or

(e) Written notification by the Office of Tourism, Trade and Economic Development that a sole source bid is in the best interest of the state.

Specific Authority 331.310(1)(j), (2)(a), (d) FS. Law Implemented 331.310(1)(j), (2)(a), (d), 331.324 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Desiree Mayfield, (321)730-5301, x-237

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Steven Kohler

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 25, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 29, 2008

SPACE FLORIDA

RULE NO.: 57-70.001 RULE TITLE: Operational Procedures

PURPOSE AND EFFECT: To promulgate new rules regarding Space Florida's operational procedures.

SUMMARY: To promulgate new rules regarding Space Florida's operational procedures.

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: 331.310(1)(j) FS.

LAW IMPLEMENTED: 331.310(2)(a), 331.310(2)(f) FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Deb Spicer, (321)730-5301, x-243. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Deb Spicer, (321)730-5301, x-243

THE FULL TEXT OF THE PROPOSED RULE IS:

57-70.001 Operational Procedures.

(1) In case of conflict regarding the powers and duties of Space Florida, the Florida Constitution shall govern over the controlling statute, the controlling statute shall govern over the rules, the rules shall govern over the internal governance policies, and the internal governance policies shall govern over the internal organizational policies and procedures of Space Florida.

(2) The Board shall adopt an operating budget for each fiscal year. The President or designated Standing Committee shall be responsible for presenting a proposed budget to the Board. The budget may be amended by the Board.

(3) The President, Chief Financial Officer, or their designees, shall have the authority to enter into contracts as the Board may approve, or as approved by the Board through the enactment of policies pertaining to matters of procurement and program delivery. The Board is authorized to empower any other officer or officers, agent or agents, to enter into any contracts or execute and deliver any instrument in the name of and on behalf of Space Florida, and such authority may be general or confined to specific instances.

(4) No loans shall be contracted on behalf of Space Florida and no evidence of indebtedness shall be issued in its name unless authorized by resolution of the Board. Loans, other than through the purchase of bonds, debentures, or similar obligations of the type customarily sold in public offerings, or through ordinary deposit of funds in a bank, may not be made by Space Florida to the members of the Board, officers or employees or to any other corporation, firm, association or other entity in which one or more of the members, officers or employees is a member, officer or employee or a beneficial owner of 10 percent or more of such entity.

(5) All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of Space Florida shall be signed by such officer or officers, agent or agents, of Space Florida and in such manner as shall from time to time be determined by resolution of the Board.

Specific Authority 331.310(1)(j) FS. Law Implemented 331.310(2)(a), 331.310(2)(f) FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Desiree Mayfield, (321)730-5301, x-237

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Steven Kohler

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 25, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 29, 2008

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 rules 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.

SUMMARY: The proposed rules will address the use of toe grabs and whips at pari-mutuel horseracing facilities.

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: 550.0251, 550.2415(13) FS.

LAW IMPLEMENTED: 550.0251(3), (11) 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: November 12, 2008, 10:30 a.m. – 12:30 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 RULES IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

THE FULL TEXT OF THE PROPOSED RULES IS:

61D-2.002 Toe Grabs.

Toe grabs with a height greater than two millimeters, bends, jar calks, stickers, and any other traction device worn on the front shoes of thoroughbred horses while racing or training on all racing surfaces at a pari-mutuel facility in Florida are prohibited.

Specific Authority 550.0251 FS. Law Implemented 550.0251(3), (11) FS. History–New _____.

61D-2.022 Use of Whips.

(1) Any jockey or driver who uses a whip during a race shall do so only in a manner consistent with exerting his or her best efforts to win.

(2) In all races where a jockey or driver participates without a whip, an announcement of such fact shall be made over the public address system.

(3) A whip shall not be used by any person:

(a) On any part of a horse’s body other than the shoulders or hindquarters;

(b) During the post parade or after the finish of the race;

(c) In any manner that causes welts or breaks in a horse’s skin;

(d) When a horse is clearly out of the race or has obtained its maximum placing in a race;

(e) Persistently, even though the horse is showing no response under the whip; or

(f) To strike a person, another horse, or any other animal.

Specific Authority 550.0251 FS. Law Implemented 550.0251(3), (11) FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

David J. Roberts, Director, Division of Pari-Mutuel Wagering
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Charles W. Drago, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 1, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 1, 2008

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.

SUMMARY: The proposed rule will address the use of anabolic steroids in race horses at pari-mutuel racing facilities.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Costs was prepared that indicates that the total industry wide regulatory cost associated with using alternative medications to prevent thoroughbred and standardbred mares from coming into heat would be approximately \$684,000 per year for each breed and that the cost of other alternative medications are indeterminate. Failure to adopt the proposed rule would result in estimated purse losses of \$14,900,000 –

\$17,900,000 per year. A copy of the Statement of Estimated Regulatory Costs may be obtained by contacting Mary Polombo, whose address is listed below.

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: 550.0251, 550.2415 FS.

LAW IMPLEMENTED: 550.2415(1), (8)(e), (9)(c), (13), (15) 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: November 12, 2008, 10:30 a.m. – 12:30 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 IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

THE FULL TEXT OF THE PROPOSED RULE IS:

61D-6.008 Permitted Medications for Horses.

(1) through (7) No change.

(8) No Androgenic-Anabolic Steroids (AAS) shall be permitted in test samples collected from racing horses, except for the major metabolites of stanozolol, nandrolone, and the naturally occurring substances boldenone and testosterone at concentrations less than the following thresholds:

(a) Stanozolol or 16β – hydroxystanozolol – 1 nanogram per milliliter in urine for all horses regardless of sex.

(b) Boldenone – 15 nanograms per milliliter in urine of male horses other than geldings. No boldenone shall be permitted in geldings or female horses.

(c) Nandrolone – 1 nanogram per milliliter in urine of geldings or females; or 45 nanograms per milliliter of metabolite, 5α-oestrane-3β,17α-diol in urine of male horses other than geldings.

(d) Testosterone – 20 nanograms per milliliter in urine of geldings, 55 nanograms per milliliter in urine of females. Samples collected from male horses other than geldings will not be tested for testosterone.

(9) Urine samples of horses shall be identified as having been collected from a female, male, or gelding before being sent to the laboratory.

Specific Authority ~~120.80(4)(a)~~, 550.0251(3), 550.2415(8), (9), (13), (16) FS. Law Implemented ~~120.80(4)(a)~~, 550.0251(11), 550.2415(1), (8)(e), (9)(c), (13), (15), (16) FS. History–New 10-20-96, Amended 1-5-98, 6-6-00, 5-14-02, 6-6-04, 7-6-06, 8-12-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: David J. Roberts, Director, Division of Pari-Mutuel Wagering

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Charles W. Drago, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 1, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 1, 2008

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: RULE TITLE:

61D-13.006 Use of Whips

PURPOSE AND EFFECT: The purpose and effect of the proposed rule repeal will be to repeal Rule 61D-13.006, F.A.C. The rule is being readopted in other rulemaking as Rule 61D-2.022, F.A.C.

SUMMARY: Elimination of Rule 61D-13.006, F.A.C.

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: 550.0251 FS.

LAW IMPLEMENTED: 550.0251(3), (11) 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: November 12, 2008, 10:30 a.m. – 12:30 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 IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

THE FULL TEXT OF THE PROPOSED RULE IS:

61D-13.006 Use of Whips.

Specific Authority 550.0251(3), (11), 550.1155 FS. Law Implemented 550.0251, 550.1155 FS. History--New 8-15-04, Amended 1-4-05, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: David J. Roberts, Director, Division of Pari-Mutuel Wagering
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Charles W. Drago, Secretary, Department of Business and Professional Regulation
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 1, 2008

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 FINANCIAL SERVICES

Division of Worker's Compensation

RULE NO.:	RULE TITLE:
69L-7.020	Florida Workers' Compensation Health Care Provider Reimbursement Manual

PURPOSE AND EFFECT: To amend the rule to adopt the 2008 Edition of the Florida Workers' Compensation Health Care Provider Reimbursement Manual and implement the 2008 conversion factors issued by the Centers for Medicare and Medicaid Services, as approved by the Three Member Panel, pursuant to Section 440.13(12), Florida Statutes. Additional proposed amendments to the rule will adopt the CPT® 2008 Current Procedural Terminology Professional Edition, Copyright 2007, American Medical Association and the "Healthcare Common Procedure Coding System, Medicare's National Level II Codes, HCPCS 2008", American Medical Association, Twentieth Edition, Copyright 2007, Ingenix Publishing Group. The 2008 Edition of the Florida Workers' Compensation Health Care Provider Reimbursement Manual also provides new language addressing issues relating to co-payments, insurer reimbursement responsibilities, and reimbursement disputes. Specifically, it states that while health

care providers are entitled to collect a \$10.00 co-payment from injured workers who have reached maximum medical improvement, such co-payments are not in addition to any maximum reimbursement allowance or fee agreement, and that the reimbursement amount otherwise payable by the insurer shall be reduced by the amount of the co-payment. It further specifies that such co-payments do not apply in cases involving emergency care or service to injured employees. The 2008 Manual also provides new language recognizing National Correct Coding Initiative Edits as an appropriate resource for insurer use in the bill review process. On the subject of reimbursement disputes, new language provides that where an insurer has disallowed or adjusted payment for services rendered pursuant to an authorized workers' compensation managed care arrangement, a health care provider may not elect to petition the Department of Financial Services pursuant to Section 440.13, Florida Statutes.

SUMMARY: Addresses proposed revisions to the Florida Workers' Compensation Health Care Provider Reimbursement Manual, 2008 Edition, implements the 2008 conversion factors issued by the Centers for Medicare and Medicaid Services, provides guidelines detailing the circumstances under which providers may collect co-payments from claimants, provides new language recognizing the National Correct Coding Initiative Edits as an appropriate resource for insurer use in the bill review process, and provides that a health care provider may not elect to petition the Department to resolve a reimbursement dispute where services were rendered pursuant to an authorized workers' compensation managed care arrangement.

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: 440.13(14)(b), 440.591 FS.

LAW IMPLEMENTED: 440.13(7), (12), (14)(c) FS.

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

DATE AND TIME: Friday, November 21, 2008, 10:00 a.m.

PLACE: 104J Hartman Bldg., 2012 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: Sam Willis at (850)413-1898. If you are hearing or

speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sam Willis, Office of Medical Services, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4226, phone (850)413-1898

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-7.020 Florida Workers' Compensation Health Care Provider Reimbursement Manual.

(1) The Florida Workers' Compensation Health Care Provider Reimbursement Manual, 2008~~7~~ Edition, is adopted by reference as part of this rule. The manual contains the Maximum Reimbursement Allowances determined by the Three-Member Panel, pursuant to Section 440.13(12), F.S., and establishes reimbursement policies, guidelines, codes and maximum reimbursement allowances for services and supplies provided by health care providers. Also, the manual includes reimbursement policies and payment methodologies for pharmacists and medical suppliers.

(2) The CPT[®] 2008~~7~~ Current Procedural Terminology Professional Edition, Copyright 2007~~6~~, American Medical Association; the Current Dental Terminology, CDT-2007/2008, Copyright 2006, American Dental Association; and in part for D codes and for injectable J codes, and for other medical services and supply codes, the "Healthcare Common Procedure Coding System, Medicare's National Level II Codes, HCPCS 2008~~7~~", American Medical Association, ~~Twentieth Nineteenth~~ Edition, Copyright 2007~~6~~, Ingenix Publishing Group, are adopted by reference as part of this rule. When a health care provider performs a procedure or service which is not listed in the Florida Workers' Compensation Health Care Provider Reimbursement Manual, 2008~~7~~ Edition incorporated above, the provider must use a code contained in the CPT[®]-2008~~7~~, CDT-2007/2008 or HCPCS-2008~~7~~ as specified in this section.

(3) The Florida Workers' Compensation Health Care Provider Reimbursement Manual, 2008~~7~~ Edition incorporated above, is available for inspection during normal business hours at the Florida Department of Financial Services, Document Processing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0311, or via the Department's web site at <http://www.fldfs.com/wc>.

Specific Authority 440.13(14)(b), 440.591 FS. Law Implemented 440.13(7), (12), (14)(c) FS. History—New 10-1-82, Amended 3-16-83, 11-6-83, 5-21-85, Formerly 38F-7.20, Amended 4-1-88, 7-20-88, 6-1-91, 4-29-92, 2-18-96, 9-1-97, 12-15-97, 9-17-98, 9-30-01, 7-7-02, Formerly 38F-7.020, 4L-7.020, Amended 12-4-03, 1-1-04, 7-4-04, 5-9-05, 9-4-05, 11-16-06, 10-18-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Sam Willis, Office of Medical Services, Division of Workers' Compensation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Alex Sink, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 8, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 22, 2008

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Forestry

RULE NO.: 5I-2.006 RULE TITLE: Open Burning Allowed
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 31, August 1, 2008 issue of the Florida Administrative Weekly.

5I-2.006 Open Burning Allowed.

(1) No change.

(2) Open Burning for Certified Prescribed Burn Managers (CPBM). All burning conducted under this section is related to broadcast burning for the purposes of: Silviculture, Wildlife Management, Ecological Maintenance and Restoration, Range and Pasture Management. Open burning authorizations under this section require the Certified Prescribed Burn Manager's certification number be presented at the time of the request, and that a Certified Prescribed Burn Manager be on site for the entire burn.

(a) Prescription. A prescription for the burn must be completed prior to any ignition and it must be on site and available for inspection by a Department representative. The prescription will contain, as a minimum, ~~(unless the local Division of Forestry District or Center Manager and the burner agree that a particular item is not necessary and this has been documented in writing, agreed to in writing locally between the burner and the District or Center Manager of the Division of Forestry)~~ the following:

1. Stand or Site Description;
2. Map of the area to be burned;
3. Number of personnel and equipment types to be used on the prescribed burn;