

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

| | |
|------------|---|
| RULE NOS.: | RULE TITLES: |
| 5K-4.002 | Adoption of Federal Regulations and Other Standards |
| 5K-4.020 | Food Permits; Requirements and Fees |
| 5K-4.021 | Food Manager Certification |
| 5K-4.029 | Tomato Packing Houses |

PURPOSE AND EFFECT: The purpose of this rule is to establish inspection procedures and best management practices to enhance the safety of fresh tomatoes packed or repacked in Florida and to implement sections 11-13 of Chapter 2007-67, Laws of Florida, adopted during the 2007 Legislative Session. Procedures and processes will be developed to include sanitation and safety inspections of tomato packing and repacking houses. Guidelines adopted by FDACS entitled The Tomato Best Practices Manual (5G-6, F.A.C.), which also relate to packing house operations and post harvest handling, are essential to the adoption and implementation of this proposed rule and have been integrated to apply needed practices and procedures for safe production and handling of tomatoes. These rules will have an effect on those establishments permitted by the FDACS in the State of Florida who handle tomatoes from arrival at tomato packing houses through distribution.

SUBJECT AREA TO BE ADDRESSED: This rule development will address inspection, permit requirements and best practices in the tomato industry for packers, re-packers and workers.

SPECIFIC AUTHORITY: 500.09(1)(b), (3), (4), 500.12(1)(f), 570.07(6), 570.07(23), 570.481(1)(a) FS.

LAW IMPLEMENTED: 500.03(1)(j), (n), 500.09(1)(b), (4), 500.12(1)(a), (f), 500.147(6), 570.48(2)(e), 570.481(1)(a), (b) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Lee M. Cornman, Assistant Director, Division of Food Safety, 3125 Conner Boulevard, Mail Stop C-18, Tallahassee, FL 32399-1650; telephone: (850)488-0295

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5K-4.002 Adoption of Federal Regulations and Other Standards.

- (1) through (3) No change.
- (4) Food Code – Provisions Adopted.
- (a) No change.

(b) All provisions in the “2001 Food Code” and the “Supplement to the 2001 Food Code,” hereafter identified as “FDA Food Code,” that are adopted herein by reference shall apply to all food establishments regulated by the Florida Department of Agriculture and Consumer Services unless specifically exempted within this rule chapter. Interested parties may obtain copies of this publication by contacting the U.S. Government Printing Office, Superintendent of Documents, P. O. Box 371954, Pittsburgh, PA 15250-7954. Copies are also available for examination at the Florida Department of Agriculture and Consumer Services, Division of Food Safety, Bureau of Food and Meat Inspection, 3125 Conner Boulevard, Room 289, Tallahassee, Florida 32399-1650.

- (c) No change.
- (5) No change.

Specific Authority 500.09, 500.12(1)(f), 500.12(5)(d), 500.12(6), 500.303, 500.304, 500.459, 570.07(23), (24) FS. Law Implemented 500.03, 500.032, 500.04, 500.09, 500.10, 500.11, 500.12(4)(a), 500.121, 500.13, 500.147, 500.166, 500.169, 500.172, 500.301, 500.303, 500.304, 500.459, 570.07(2), (6), (9), (16), (18), (24), 570.0725 FS. History—Revised 3-1-72, Amended 12-31-74, 1-18-83, 6-17-85, Formerly 5E-6.02, Amended 7-25-88, 4-13-92, Formerly 5E-6.002, Amended 8-8-95, 9-9-96, 12-10-96, 4-10-97, 9-8-97, 11-15-99, 2-5-04,_____.

5K-4.020 Food Permits; Requirements and Fees.

(1) As used in this rule, the following definitions shall apply in determining food permit fees:

- (a) through (bb) No change.

(cc) Tomato Packing House means any establishment that washes, packs, or otherwise treats tomatoes in their unpeeled, natural form before they are marketed.

(dd)(ee) Wholesale bakery. A food establishment that bakes breads, pastries or other similar baked goods, primarily for wholesale distribution.

- (2) through (6) No change.

Specific Authority 500.09, 500.12(1)(b), 500.12(1)(f), 570.07(23) FS. Law Implemented 500.04, 500.09, 500.10, 500.12(1)(a), (b), (c), (d), (f), 500.12(2), 500.12(7), 500.121, 500.171, 500.172, 500.177, 570.15 FS. History—New 1-10-93, Formerly 5E-6.020, Amended 8-8-95, 3-11-98, 3-6-01, 10-30-01, 1-1-03, 11-1-04, 11-5-07, 10-28-08,_____.

5K-4.021 Food Manager Certification.

- (1) through (2) No change.

(3) Food establishments shall designate in writing its food manager or managers. The designation shall be posted in a conspicuous place within the food establishment. The following types of food establishments are not required to designate a certified food manager:

(a) Food establishments that are not required to obtain a food permit in accordance with subsections 500.12(1)(a)1.-3., F.S.;

(b) Food establishments that store, sell, or store and sell only pre-packaged, non-potentially hazardous foods that arrive at the food establishment in a pre-packaged state and that are not opened or otherwise further processed by the food establishment;

(c) Food establishments that only process seafood and that are in full compliance with the mandatory HACCP provisions in paragraph 5K-4.002(1)(a), F.A.C.

(d) Tomato packing houses.

(4) through (11) No change.

Specific Authority 500.12(6), 570.07(23) FS. Law Implemented 500.12(6) FS. History—New 1-11-94, Formerly 5E-6.021, Amended 1-23-97, 5-25-98,_____.

5K-4.029 Tomato Packing House.

(1) PURPOSE.

(a) This rule establishes inspection procedures and best management practices to enhance the safety of fresh tomatoes packed or repacked in Tomato Packing Houses in Florida, as provided by Chapters 500 and 570, F.S.

(b) In addition to the requirements in statute, Chapters 500 and 570, F.S., and applicable Department rules in Chapters 5K-4 and 5G-6, F.A.C., Tomato Packers and Repackers shall comply with the following rules.

(2) DEFINITIONS.

(a) “Department” means the Florida Department of Agriculture and Consumer Services.

(b) “T-BMP” means Tomato Best Management Practices as specified in *The Tomato Best Practices Manual* as adopted and incorporated by reference in Department Chapter 5G-6, F.A.C.

(c) “Tomato Packing House” means any establishment that washes, packs, or otherwise treats tomatoes in their unpeeled, natural form before they are marketed.

(3) INSPECTION.

(a) Regulatory inspections will be performed as frequently as needed to verify adherence to *The Tomato Best Practices Manual* for product packed or repacked and will be performed at least once annually in packing houses by the Department.

(b) Tomato packers and repackers shall comply with the requirements specified in *The Tomato Best Practices Manual*, as adopted and incorporated by reference in Department Rule 5G-6.009, F.A.C. A copy of this document may be obtained by contacting the Division of Fruit and Vegetables by mail at P. O.

Box 1072, Winter Haven, Florida, 33881-3403; by telephone at (863)291-5820; or, electronically through the Department Internet website at <http://www.doacs.state.fl.us/fs/other.html>.

(c) Tomato Packing Houses are exempt from compliance with the provisions of chapters 3 through 7 of the “FDA Food Code” as adopted in this rule chapter, paragraph 5K-4.002(4)(b), F.A.C.

(d) A handwashing sink supplied with running water shall be maintained within a tomato packing house so that it is accessible at all times for employee use and such sinks may not be used for purposes other than handwashing. Food employees shall use the designated handwash sink to wash their hands as specified in Chapter 2 of the FDA Food Code.

(e) Tomatoes in Tomato Packing Houses shall be protected from contamination after rinsing or sanitization by storing the tomatoes in a clean, dry location where exposure to splash, dust, or other contamination is minimized. Tomatoes may not be stored:

1. In locker rooms;

2. In toilet rooms;

3. In dressing rooms;

4. In garbage rooms;

5. In mechanical rooms;

6. Under sewer lines that are not shielded to intercept potential drips;

7. Under leaking water lines or under lines on which water has condensed;

8. Under open stairwells; or

9. Under other sources of contamination.

Specific Authority 500.09(1)(b), (3), (4), 500.12(1)(f), 570.07(6), 570.07(23) FS. Law Implemented 500.03(1)(j), (n), 500.09(1)(b), (4), 500.12(1)(f), 570.48(2)(e) FS. History—New _____.

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.”

BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND

| RULE NOS.: | RULE TITLES: |
|------------|--|
| 18-21.001 | Intent |
| 18-21.002 | Scope and Effective Date |
| 18-21.003 | Definitions |
| 18-21.004 | Management Policies, Standards, and Criteria |
| 18-21.005 | Forms of Authorization |
| 18-21.0051 | Delegation of Authority |
| 18-21.008 | Applications for Lease |

- 18-21.011 Payments and Fees
- 18-21.020 Aquacultural Activities
- 18-21.021 Applications for Aquacultural Activities
- 18-21.022 Payments and Fees for Aquacultural Activities
- 18-21.900 Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to implement statutory changes in Chapter 253, Florida Statutes, and establish forms of authorization for aquacultural activities on sovereignty submerged lands.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment provides for the administrative and management responsibilities of the Board of Trustees of the Internal Improvement Trust Fund and the Department of Agriculture and Consumer Services regarding the use of sovereignty submerged lands for aquacultural purposes.

SPECIFIC AUTHORITY: 253.002, 570.07(23) FS.

LAW IMPLEMENTED: 253.002(2) FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mark Berrigan at (850)488-5471. 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: Mark Berrigan, Division of Aquaculture, 1203 Governor’s Square Boulevard, 5th Floor, Tallahassee, FL 32301; phone (850)488-5471

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

DEPARTMENT OF CITRUS

- RULE NO.:** 20-39.003
- RULE TITLE:** Approved Boxes

PURPOSE AND EFFECT: Amendment would delete provision requiring fiberboard honeycomb cells from approved cartons DOC-29-P and DOC-31-P.

SUBJECT AREA TO BE ADDRESSED: Deletion of provision requiring fiberboard honeycomb cells from approved cartons DOC-29-P and DOC-31-P.

SPECIFIC AUTHORITY: 601.11 FS.

LAW IMPLEMENTED: 601.11 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Alice P. Wiggins, License & Regulation Specialist, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148 or awiggins@citrus.state.fl.us

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

- RULE NO.:** 40E-4.091
- RULE TITLE:** Publications, Rules and Interagency Agreements Incorporated by Reference

PURPOSE AND EFFECT: To incorporate by reference the Agreement for Delegation of a Portion of the Environmental Resource Permitting Program between the South Florida Water Management District and Miami-Dade County.

SUBJECT AREA TO BE ADDRESSED: 1) Proposed activities located entirely in uplands less than 40 acres total land area with positive stormwater outfall or less than 320 acres total land area and less than 160 acres of impervious area with no positive stormwater outfall. 2) Petitions for variances for activities over which permitting responsibilities have been delegated pursuant to the delegation agreement for mixing zones, turbidity, and dissolved oxygen associated with permits under Part IV, Chapter 373, F.S. 3) Issuing, waiving or denying state water quality certification for those activities over which permitting responsibility has been delegated under the delegation agreement. 4) Performing the duties and obligations of the District in association with applications requiring review and final agency action by Miami-Dade County under the delegation agreement for providing concurrence with coastal zone consistency determinations and distributing copies of notices of receipt of applications to the U.S. Army Corps of Engineers, the State of Florida Fish and Wildlife Conservation Commission, the State of Florida Department of State, the State of Florida Department of Community Affairs, and other persons who have specifically requested a copy of the application in accordance with Rules 62-343.090 and 40E-1.6058, F.A.C.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.171, 403.813, 403.814 FS.

LAW IMPLEMENTED: 373.118, 373.413, 373.416, 373.426 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Clerk of the South Florida Water Management District, (800)432-2045, ext. 2087 or (561)682-2087. 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 DRAFT DELEGATION AGREEMENT IS: Anita R. Bain, Division Director, Environmental Resource Permitting, Environmental Resource Regulation Department, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, (800)432-2045, ext. 6866 or (561)682-6866, email: abain@sfwmd.gov. For procedural questions, contact: Jan Sluth, Senior Paralegal, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, (800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-4.091 Publications, Rules and Interagency Agreements Incorporated by Reference.

(1) The following publications, rules and interagency agreements are incorporated by reference into this chapter, Chapters 40E-40, 40E-41 and 40E-400, F.A.C.:

(a) through (k) No change.

(l) Agreement for Delegation of a Portion of the Environmental Resource Permitting Program between the South Florida Water Management District and Miami-Dade County.

(2) No change.

Specific Authority 373.044, 373.046, 373.103(8), 373.113, 373.171, 373.413, 373.418, 373.441, 668.003, 668.004, 668.50, 704.06 FS. Law Implemented 373.046, 373.413, 373.4135, 373.4137, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426, 373.441, 668.003, 668.004, 668.50, 704.06 FS. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1), Amended 5-1-86, 7-1-86, 3-24-87, 4-14-87, 4-21-88, 11-21-89, 11-15-92, 1-23-94, 4-20-94, 10-3-95, 1-7-97, 12-3-98, 5-28-00, 8-16-00, 1-17-01, 7-19-01, 6-26-02, 6-26-02, 4-6-03, 4-14-03, 9-16-03, 12-7-04, 2-12-06, 10-1-06, 11-20-06, 1-23-07, 7-1-07, 7-22-07, _____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: 40E-400.315
 RULE TITLE: No Notice General Permit for Activities in Uplands

PURPOSE AND EFFECT: To delete language providing partial delegation from the District to Miami-Dade County for projects within the designated boundaries of Miami-Dade County with less than 40 acres total land area with positive stormwater outfall or less than 320 acres total land area and less than 160 acres of impervious area with no positive stormwater outfall as the partial delegation will instead be addressed in the Agreement for Delegation of a Portion of the Environmental Resource Permitting Program between the South Florida Water Management District and Miami-Dade County and will be incorporated by reference in Rule 40E-4.091, F.A.C.

SUBJECT AREA TO BE ADDRESSED: No Notice General Permit for Activities in Uplands – Thresholds and Conditions within Miami-Dade County.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.171, 403.813, 403.814 FS.

LAW IMPLEMENTED: 373.118, 373.413, 373.416, 373.426 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk, (800)432-2045, ext. 2087 or (561)682-2087. 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: Anita R. Bain, Division Director, Environmental Resource Permitting, Environmental Resource Regulation Department, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, (800)432-2045, ext. 6866 or (561)682-6866, email: abain@sfwmd.gov. For procedural questions, contact Jan Sluth, Senior Paralegal, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, (800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-400.315 No Notice General Permit for Activities in Uplands.

- (1) No change.
- (2) through (2)(a) No change.

~~(b) Thresholds and Additional Conditions Within Dade County.~~

~~1. The project must have less than 40 acres total land area with positive stormwater outfall or less than 320 acres total land area and less than 160 acres of impervious area with no positive stormwater outfall.~~

~~2. The project and surface water management system must have been approved by the Dade County Department of Environmental Resource Management or its successor agency subsequent to October 2, 1977.~~

Specific Authority 373.044, 373.118, 373.171, 403.813, 403.814 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History—New 10-3-95, Amended 4-14-03,_____.

**DEPARTMENT OF MANAGEMENT SERVICES
Communications and Information Technology Services**

| RULE NOS.: | RULE TITLES: |
|------------|--|
| 60FF-6.001 | Purpose |
| 60FF-6.002 | Request for Certification of Compliance |
| 60FF-6.003 | Compliance with published State E911 Plan |
| 60FF-6.004 | Additions or Modifications to State E911 Plan Initiated by County 911 Plan Updates |

PURPOSE AND EFFECT: To consider development of a new rule chapter establishing requirements and procedures for a cohesive statewide emergency communications number “Enhanced 911” plan for E911 services provided by the Department of Management Services to define requirements for the state’s counties to provide citizens with rapid direct access to public safety agencies by accessing “911” with the objective of reducing the response time to situations requiring law enforcement, fire, medical, rescue, and other emergency services.

SUBJECT AREA TO BE ADDRESSED: Enhanced 911 system requirements, the application and approval process, frequency and talk groups use, security requirements and service and maintenance priorities.

SPECIFIC AUTHORITY: 365.171(4) FS.

LAW IMPLEMENTED: 365.171(4), (10) FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

- DATE AND TIME:** November 25, 2008, 1:00 p.m.
- PLACE:** 4030 Esplanade Way, Room 225A, Tallahassee, Florida
- DATE AND TIME:** November 26, 2008, 11:00 a.m.
- PLACE:** Public Safety Communications Division, 3511 Parkway Center Court, Orlando, 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 2 days before the workshop/meeting by contacting: Queenell Fox at (850)921-0522; SUNCOM 291-0522. 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: Penney Taylor, DMS Communications and Information Technology Services, 4030 Esplanade Way, Suite 160E, Tallahassee, Florida 32399-0950; Penney.Taylor@dms.myflorida.com, (850)414-9636

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

| RULE NO.: | RULE TITLE: |
|-----------|------------------------------|
| 61-20.003 | Business Entity Registration |

PURPOSE AND EFFECT: The purpose and effect of the proposed amendment to Rule 61-20.003, F.A.C., removes reference to registration and adds language required for licensing.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is licensing of management firms.

SPECIFIC AUTHORITY: 468.4315, 468.433 FS.

LAW IMPLEMENTED: 468.432 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony B. Spivey, Executive Director, Regulatory Council for Community Association Managers, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)922-5012. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before any hearing by contacting: Anthony B. Spivey at (850)922-5012. If you are hearing or speech impaired, please contact the Department using the Florida Dual Party Relay System which can be reached at 1(800)955-8700 (Voice) or 1(800)955-8771 (TTD).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Geologists

RULE NO.: 61G16-2.005
 RULE TITLE: Procedures for Signing and Sealing Geological Papers, Reports, or Other Documents

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete language from the rule that is no longer current and to update Specific Authority and Law Implemented sections of the rule.

SUBJECT AREA TO BE ADDRESSED: The rule amendment will delete language from the rule that is no longer current or correct and to update Specific Authority and Law Implemented sections of the rule.

SPECIFIC AUTHORITY: 282.75, 492.104, 492.107, 668.003, 668.006 FS.

LAW IMPLEMENTED: 282.75, 492.107, 668.003, 668.006 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Rick Morrison, Executive Director, Board of Professional Geologists, Division of Professions, P. O. Box 5377, Tallahassee, FL 32314-5377

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G16-2.005 Procedures for Signing and Sealing Geological Papers, Reports or Other Documents.

(1) through (3) No change.

(4) Geological papers, reports or other documents which are required to be signed, dated and sealed under the provisions of Chapter 492, F.S. and which are transmitted, submitted or issued by means of electronic files, may be signed and sealed by creating a "signature" file that contains the professional geologist's name and license number, a brief overall description of the geological papers, reports or other documents in question and a list of the electronic files to be sealed. ~~Each file in the list shall be identified by its file name utilizing relative Uniform Resource Locators (URL) syntax described in the Internet Architecture Board's Request for Comments (RFC) 1738, December 1994, which is hereby adopted and incorporated by reference by the Board and can be obtained from the Internet Website: <http://www.isiedu/in-notes/rfc1738.txt>. Each file shall have an authentication code defined as an SHA-1 message digest described in Federal Information Processing Standard Publication 180-1 "Secure Hash Standard," 1995 April 17, which is hereby adopted and~~

~~incorporated by reference by the Board and can be obtained from the Internet Website: <http://www.itl.nist.gov/fipspubs/fip180-1.htm>. A report shall be created that contains the professional geologist's name and license number, a brief overall description of the geological papers, reports or other documents in question and the authentication code of the signature file. This report shall be printed and physically signed, dated and sealed by the professional geologist who prepared or issued the geological papers, reports or other documents. The signature file is defined as sealed if its authentication code matches the authentication code on the printed and physically signed, dated and sealed report. Each electronic file listed in a sealed signature file is defined as sealed if the listed authentication code matches the file's computed authentication code.~~

Specific Authority ~~282.75~~, 492.104, 492.107, 668.003, 668.006 FS. Law Implemented ~~282.75~~, 492.107, 668.003, 668.006 FS. History—New 2-9-00, Amended 3-5-01,_____.

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 HEALTH

Board of Optometry

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

PURPOSE AND EFFECT: To adopt the updated revisions recommended by the Topical Optical Pharmaceutical Agents Committee.

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

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

LAW IMPLEMENTED: 463.0055 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-18.002 Formulary of Topical Ocular Pharmaceutical Agents.

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

- (1) through (3) No change.
- (4) ANTIBACTERIAL
 - (a) through (j) No change.
 - (k) Levofloxacin – ~~1.5 to 0.05%~~;
 - (l) Gatifloxacin – 0.3%;
 - (m) Moxifloxacin – 0.5%;
 - (n) Sodium sulfacetamide – 10.0% (alone and in combination);
 - (o) Azithromycin – 1% ~~;~~ and
 - ~~(p) Levofloxacin – 1.5%.~~
- (5) NON-STEROIDAL AND STEROIDAL ANTI-INFLAMMATORY AGENTS
 - (a) through (m) No change.
 - (n) Nopafenac – 0.1% ~~;~~ and
 - ~~(o) Brimonidine tartrate – 0.1%.~~
- (6) ANTIHISTAMINES, MAST CELL STABILIZERS AND ANTI-ALLERGY AGENTS
 - (a) through (d) No change.
 - ~~(e) Ketotifen fumarate – 0.025%;~~
 - ~~(f)(g) Azelastine HCl – 0.05%;~~
 - ~~(f)(g) Pemirolast potassium – 0.1%; and~~
 - ~~(g)(h) Epinastine HCl – 0.05%.~~
 - (7) through (9) No change.

Specific Authority 463.005, 463.0055(2)(a) FS. Law Implemented 463.0055 FS. History–New 3-30-87, Amended 4-5-88, 5-7-90, Formerly 21-18.002, Amended 5-10-92, 1-29-93, Formerly 21Q-18.002, Amended 8-31-93, 7-30-94, Formerly 61F8-18.002, Amended 2-11-96, 4-21-96, 1-12-97, 6-8-97, Formerly 59V-18.002, Amended 6-15-00, 6-7-05, 6-10-06, 6-26-08, 10-16-08, _____.

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE NO.: 64F-20.002
 RULE TITLE: Criteria for Distributing Monies
 PURPOSE AND EFFECT: The Department proposes to amend paragraphs 64F-20.002(1)(d), (e) (including form DH3230) and subsection (5), F.A.C. The amendment to paragraph (1)(d) modifies the type of financial management training. The change to paragraph (1)(e) removes the publication date in the rule since the form’s effective date is already included on the form and incorporates additional questions regarding rape crisis center demographic information

and victim services on form DH3230. Subsection (5) removes the 5 percent administrative cap for both rape crisis centers and the statewide non-profit association due to the recent amendment of Section 794.055(3)(b), Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Financial management training, demographic information for rape crisis centers, victim services and administrative cost.

SPECIFIC AUTHORITY: 794.056(2) FS.

LAW IMPLEMENTED: 794.055, 794.056 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64F-20.002 Criteria for Distributing Monies.

(1) The statewide non-profit association shall distribute funds provided that a rape crisis center satisfies the following criteria:

(a) through (c) No change.

(d) The rape crisis center must attend financial management training for not-for-profit organizations offered by the state or another entity every two years;

(e) A rape crisis center must complete and submit a rape crisis trust fund survey from, #DH 3230, ____/08 ~~7/07~~ to the Florida Department of Health, Sexual Violence Prevention Program on or before March 31st of each year. The Rape Crisis Trust Fund Survey as published May 18, 2007 is incorporated by reference and a copy of the form may be obtained from <http://www.doh.state.fl.us/Family/svpp/index.html> or writing to the Florida Department of Health, Sexual Violence Prevention Program, 4052 Bald Cypress Way, BIN #A-13, Tallahassee, Florida 32399-1723; and

(2) through (4) No change.

(5) Distribution – The statewide nonprofit association shall distribute a minimum of 80 percent of their Trust Fund monies to certified rape crisis centers ~~RCCs and each RCC shall use no more than 5 percent of its funding for administrative purposes.~~ The statewide non-profit association shall use no more than 15 percent of their funds for statewide initiatives ~~and no more than 5 percent for administrative costs.~~

Specific Authority 794.056(2) FS. Law Implemented 794.056 FS. History–New 9-27-07, Amended _____.