

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF REVENUE

RULE NO.: 12-24.003
RULE TITLE: Requirements to File or to Pay Taxes by Electronic Means

PURPOSE AND EFFECT: Section 443.163(1), F.S., requires any person who prepared and reported the unemployment compensation tax returns (Form UCT-6, Employer’s Quarterly Reports) for 100 or more employers in any quarter during the preceding state fiscal year to file the tax returns by electronic means. The purpose of the proposed amendments to Rule 12-24.003, F.A.C. (Requirements to file or to Pay Taxes by Electronic Means), is to clarify the electronic reporting requirements for unemployment tax agents who prepare and report unemployment tax for 100 or more employers.

SUBJECT AREA TO BE ADDRESSED: The subject of this workshop is the clarification of the electronic reporting and remittance requirements for unemployment tax agents who prepare unemployment compensation tax quarterly reports for 100 or more employers.

RULEMAKING AUTHORITY: 202.26(3)(a), 206.485(1), 213.06(1), 213.755(8), (9), 220.21(2), (3) FS.

LAW IMPLEMENTED: 202.30, 206.485, 213.755, 220.21(2), (3), 443.1317, 443.163 FS.

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

DATE AND TIME: March 8, 2010, 10:00 a.m.

PLACE: Room 442, Carlton Building, 501 S. Calhoun 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 48 hours before the workshop/meeting by contacting: Larry Green at (850)922-4830. 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: Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT’S INTERNET SITE AT myflorida.com/dor/rules.

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.”

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-1.004
RULE TITLE: Certification Procedure

PURPOSE AND EFFECT: The agency is proposing to amend the rule that incorporates the licensure application to reference application forms being created under Section 408.806, F.S. and proposed Chapter 59A-35, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Revisions to the licensure applications that are incorporated by reference will be addressed. The Agency is adopting a licensure rule under Section 408.806, F.S., and this rule will be amended to align the requirements with those proposed in Chapter 59A-35, F.A.C.

RULEMAKING AUTHORITY: 765.541(2) FS.

LAW IMPLEMENTED: 765.541, 765.542, 765.544, 873.0, 408.806 FS.

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

DATE AND TIME: March 16, 2010, 2:00 p.m.

PLACE: Agency for Health Care Administration, Building 3, Conference Room C, 2727 Mahan Drive, 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: Dennis Hitchens Laboratory Unit, 2727 Mahan Drive, Building 1, Mail Stop 32, Tallahassee, Florida 32308, (850)487-3109. 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: Dennis Hitchens Laboratory Unit, 2727 Mahan Drive, Building 1, Mail Stop 32, Tallahassee, Florida 32308, (850)487-3109

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.:	RULE TITLES:
59A-18.001	Purpose
59A-18.002	Definitions
59A-18.004	Licensure Requirements, Procedures, and Fees
59A-18.005	Registration Policies
59A-18.006	Administrator
59A-18.007	Registered Nurse and Licensed Practical Nurse
59A-18.0081	Certified Nursing Assistant and Home Health Aide
59A-18.009	Homemakers or Companions
59A-18.010	Acceptance of Patients or Clients
59A-18.011	Medical Plan of Treatment
59A-18.012	Clinical Records
59A-18.013	Administration of Drugs and Biologicals
59A-18.015	Surveys and Inspections
59A-18.016	Penalties
59A-18.017	Supplemental Staffing for Health Care Facilities
59A-18.018	Emergency Management Plans

PURPOSE AND EFFECT: To update statutory references in the rule to conform to current statutes and remove items from rule that are now in statutes; to update administrator qualifications; and to remove the licensing application forms and background screening process rule items since they are in Chapter 59A-35, F.A.C., Health Care Licensing Procedures.

SUBJECT AREA TO BE ADDRESSED: Updating the rules to conform to current statutes; removing items in Chapter 59A-35, F.A.C., Health Care Licensing Procedures; and revising administrator qualifications

RULEMAKING AUTHORITY: 400.497, 400.506, 408, Part II FS.

LAW IMPLEMENTED: 400.497, 400.506 FS.

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

DATE AND TIME: Thursday, March 18, 2010, 1:00 p.m. – 3:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Anne Menard, (850)414-6010. 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: Anne Menard, Home Care Unit, Bureau of Health Facility Regulation, HQAHOMEHEALTH@ahca.myflorida.com or (850)414-6010

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE AT THE AGENCY WEB SITE: http://ahca.myflorida.com/licensing_cert.shtml, select “nurse registry”. Text will be available at this site by March 5, 2010.

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE NO.:	RULE TITLE:
60BB-9.500	Child Care Executive Partnership Program Eligibility and Registration

PURPOSE AND EFFECT: The purpose of the proposed rule development is to implement the authority of the Agency for Workforce Innovation to adopt rules related to the establishment of the Child Care Executive Partnership Program (CCEP Program).

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed by the proposed rules are the employer registration and family eligibility criteria and procedures for employer and employee participation in the CCEP Program within each participating early learning coalition’s county or multicounty service area.

RULEMAKING AUTHORITY: 411.0102 FS.

LAW IMPLEMENTED: 411.0102 FS.

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

DATE AND TIME: Monday, March 8, 2010, 3:00 p.m. – 4:30 p.m.

PLACE: Agency for Workforce Innovation, 107 E. Madison St., Tallahassee, Florida 32399-4128 and via WebEx for which instructions may be accessed at http://www.floridajobs.org/earlylearning/oe1_state_fed.html#proposedrules

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 3 days before the workshop/meeting by contacting: Audrey Gaten at (850)245-7160. 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: Kristin R. Harden, Assistant General Counsel, Agency for Workforce Innovation, 107 East Madison Street, MSC #110, Tallahassee, Florida 32399-4128, (850)245-7150

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ONLINE AT THE WEBSITE: http://www.floridajobs.org/earlylearning/oeel_state_fed.html#proposedrules

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-4.023
 RULE TITLE: Food Protection Manager Certification and Public Food Service Employee Training

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to specify acceptable methods of conducting employee training.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development addresses formats through which employee training may be conducted.

RULEMAKING AUTHORITY: 509.032, 509.039, 509.049 FS.

LAW IMPLEMENTED: 509.039, 509.049 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: Michelle Comingore, Operations Review Specialist, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011, (850)488-1133

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-6.009
 RULE TITLE: Veterinarians

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement Florida Statutes pertaining to the procedures for euthanizing greyhounds.

SUBJECT AREA TO BE ADDRESSED: This proposed rule amendment establishes procedures for euthanizing greyhounds.

RULEMAKING AUTHORITY: 120.80(4)(a), 550.155(1), 550.0251(3), (11), 550.2415(6)(b), (12) FS.

LAW IMPLEMENTED: 550.0251, 550.2415 FS.

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

DATE AND TIME: March 17, 2010, 10:00 a.m. – Noon

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary Polombo at (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: 61G15-22.011
 RULE TITLE: Board Approval of Continuing Education Providers

PURPOSE AND EFFECT: To delete outdated language.

SUBJECT AREA TO BE ADDRESSED: The Board proposes to delete outdated language.

RULEMAKING AUTHORITY: 455.213(6), 455.2178, 455.2179, 471.008, 471.017(3), 471.01 FS.

LAW IMPLEMENTED: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G15-22.011 Board Approval of Continuing Education Providers

(1) through (8) No change.

(9) The following providers shall be approved as providers ~~until May 31, 2009~~, and the Board shall accept their courses for continuing education credit:

(a) through (c) No change.

Rulemaking Authority 455.213(6), 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS. Law Implemented 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS. History—New 9-16-01, Amended 9-4-02, 12-21-03, 8-8-05, 6-11-06, 1-29-07, 6-3-07, 8-10-09,_____.

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

Division of Medical Quality Assurance

RULE NO.: RULE TITLE:

64B-9.001 Biennial Licensing

PURPOSE AND EFFECT: To incorporate by reference within this rule the forms to be used for renewing the licenses of non-profiled professions, profiled professions, and facilities.

SUBJECT AREA TO BE ADDRESSED: Biennial Licensing.

RULEMAKING AUTHORITY: 456.004(1) FS.

LAW IMPLEMENTED: 456.004(1), 456.013, 456.036(5), 456.039, 456.0391, 456.0635, 456.077 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: Lola Pouncey, Bureau Chief, 4052 Bald Cypress Way, Bin #C10, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO. RULE TITLE:

64B8-8.0011 Standard Terms Applicable to Orders

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address standard terms which are applicable to the Board's Orders.

SUBJECT AREA TO BE ADDRESSED: Review and revision of standard terms applicable to Board Orders.

RULEMAKING AUTHORITY: 458.309(1), 458.331(5) FS.

LAW IMPLEMENTED: 458.331(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:
64B8-9.0092 Approval of Physician Office Accrediting Organizations

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to add the Institute of Medical Quality (IMQ) to the Board's rule as an accrediting organization for office surgery.

SUBJECT AREA TO BE ADDRESSED: The addition of the IMQ as an accrediting organization for office surgery.

RULEMAKING AUTHORITY: 458.309(3) FS.

LAW IMPLEMENTED: 458.309(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-9.0092 Approval of Physician Office Accrediting Organizations.

(1) through (6) No change.

(7) Board approved accrediting organizations include the Institute of Medical Quality (IMQ), approved February 6, 2010. IMQ is approved, effective July 15, 2010, through July 14, 2011.

(7) through (9) renumbered (8) through (10) No change.

Rulemaking Specific Authority 458.309(3) FS. Law Implemented 458.309(3) FS. History—New 3-9-00, Amended 3-25-02, 12-28-04, 1-30-07,_____.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: 64B10-15.001
 RULE TITLE: Continuing Education for Licensure Renewal

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify the rule

SUBJECT AREA TO BE ADDRESSED: Continuing education for licensure renewal

RULEMAKING AUTHORITY: 456.033, 468.1685(1), 468.1715(3), 468.1725 FS.

LAW IMPLEMENTED: 456.013(6), 456.033, 468.1715(3), 468.1725 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: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-12.004
 RULE TITLE: Application Fee for Licensure by Endorsement

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify the licensure by endorsement application fee.

SUBJECT AREA TO BE ADDRESSED: Application for licensure by endorsement fee.

RULEMAKING AUTHORITY: 490.004(4) FS.

LAW IMPLEMENTED: 490.006(1) 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: Allen Hall, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-12.0041
 RULE TITLE: Initial Fee for Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify the fee for initial licensure.

SUBJECT AREA TO BE ADDRESSED: Initial fee for licensure.

RULEMAKING AUTHORITY: 456.013(2), 490.004(4) FS.

LAW IMPLEMENTED: 456.013(2), 490.005(1)(a), 490.006(1) 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: Allen Hall, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.: 64E-12.004, 64E-12.005
 RULE TITLES: Food Service: Tiers and Catering, Housing

PURPOSE AND EFFECT: The Department proposes rule amendments to update technical and food safety requirements, and to clarify existing rule standards. The effect of these changes will be to update the department's rules to reflect more recent standards that provide greater protection for the public against illness, injury and disease, and to provide greater clarity to existing rule language.

SUBJECT AREA TO BE ADDRESSED: Proposed changes will clarify existing rules update food safety, lighting and other physical plant requirements.

RULEMAKING AUTHORITY: 381.006(16) FS.

LAW IMPLEMENTED: 381.006(6), (16) FS.

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

DATE AND TIME: March 8, 2010, 1:00 p.m.

PLACE: Orange County Extension Education Center, 6021 South Conway Road, Auditorium Room, Orlando, FL 32812

DATE AND TIME: March 11, 2010, 9:00 a.m.

PLACE: Department of Health, 4042 Bald Cypress Way, Room 301, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tracy Perez, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1710, (850)245-4277

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

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-13.001	General
64E-13.004	Standards

PURPOSE AND EFFECT: The Department proposes rule amendments to incorporate recent technical and scientific advancements and to clarify existing rule standards. The effect of these changes will be to update department rules based on guidance from the Environmental Protection Agency, the University of Florida, and other scientifically related resource guidelines, and to provide greater clarity to existing rule language.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed are general school sanitation requirements, definitions, sanitary facilities, vector and pest control, animal health and safety, and dormitory and residential school facilities.

RULEMAKING AUTHORITY: 381.006 (16) FS.

LAW IMPLEMENTED: 381.006(6), (16) FS.

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

DATE AND TIME: March 5, 2010, 9:00 a.m.

PLACE: Department of Health, 4042 Bald Cypress Way, Room 301, Tallahassee, FL

DATE AND TIME: March 8, 2010, 8:30 a.m.

PLACE: Orange County Extension Education Center, 6021 S. Conway Rd., Auditorium Room, Orlando, FL 32812

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Robin Eychaner, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1710, (850)245-4277

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NOS.:	RULE TITLES:
69B-220.001	Pre-Qualification and Licensure of Emergency Adjusters
69B-220.051	Conduct of Public Adjusters
69B-220.201	Ethical Requirements

PURPOSE AND EFFECT: Section 626.878, F.S., requires adjusters to subscribe to the code of ethics specified in the rules of the Department. Such rules shall implement the provisions of Part VI of Chapter 626, F.S., and specify the terms and conditions of contracts, require practices necessary to ensure fair dealing, prohibit conflicts of interest, and ensure the preservation of the rights of the claimant to participate in the adjustment of claims. The purpose of the proposed amendments is to update the rules and incorporate recent legislative changes to Part VI of Chapter 626, F.S. The proposed amendments to Rule 69B-220.001, F.A.C., define when an "emergency" exists and provide the procedures to obtain an online emergency adjuster license from the Department. The proposed changes to Rule 69B-220.051, F.A.C., clarify the responsibilities and requirements of public adjusters and public adjuster apprentices, specify the terms and conditions of contracts, require the license number on advertisements, and prescribe practices to ensure fair dealing between public adjusters and claimants. The proposed changes to Rule 69B-220.201, F.A.C., update the code of ethics for all adjusters and clarify the responsibilities and requirements of all adjusters.

SUBJECT AREA TO BE ADDRESSED: (1) Procedures for obtaining an online license as an emergency adjuster; (2) Conduct of public adjusters and public adjuster apprentices; and (3) Ethical requirements for all adjusters and special requirements for public adjusters.

RULEMAKING AUTHORITY: 624.308(1), 626.878, 626.9611(1) FS.

LAW IMPLEMENTED: 624.307(1), 624.501(12), 626.015, 626.112, 626.611, 626.621, 626.852(2), 626.854, 626.8541, 626.855, 626.856, 626.858, 626.8584, 626.859, 626.864, 626.865(2), 626.8695(4), 626.8698, 626.870, 626.8736, 626.874, 626.877, 626.878, 626.8795, 626.8796, 626.9521, 626.9541(1)(b), (i) FS.

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

DATE AND TIME: March 10, 2010, 10:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by

contacting: Eric Purvis, (850)413-5659 or Eric.Purvis@myfloridacfo.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: Eric A. Purvis, Financial Administrator, Division of Agent and Agency Services, Room 412C, Larson Building, 200 E. Gaines Street, Tallahassee, FL 32399-0320, (850)413-5659

THE DEPARTMENT’S WEBSITE AT www.myfloridacfo.com/LegalServices/ruleHearing/

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 AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

RULE NOS.:	RULE TITLES:
5M-12.001	Purpose
5M-12.002	Definitions
5M-12.003	Eligible Agricultural Operations
5M-12.004	Plan Development and Revision
5M-12.005	Notice of Intent to Implement
5M-12.006	BMP Record Keeping
5M-12.007	Presumption of Compliance
5M-12.008	Access to Properties

PURPOSE AND EFFECT: The purpose of this rule is to effect agricultural nonpoint source pollutant reduction in Florida through the implementation of conservation plans on specified operations to ensure that agricultural discharges have minimal individual or cumulative adverse impacts to state water resources.

SUMMARY: This rulemaking establishes a procedure for specified agricultural operations to submit a Notice of Intent to implement a conservation plan, which contains agricultural water quality and quantity best management practices (BMPs) applicable to the operation covered by the NOI. Submittal of the NOI to the Florida Department of Agriculture and Consumer Services and implementation of identified BMPs that have been verified effective by the Florida Department of Environmental Protection provides a presumption of compliance with state water quality standards and release from the provisions of Section 376.307(5), Florida Statutes, for those pollutants addressed by the practices. This rulemaking also provides that records maintained by the participant confirming the implementation of BMPs are subject to inspection.

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.

RULEMAKING AUTHORITY: 403.067(7)(c)2., (13)(b), 570.07(23), 570.085 FS.

LAW IMPLEMENTED: 403.067(7)(c)2., (13)(b), 570.07(23), 570.085 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 RULES IS: Bill Bartnick, Environmental Administrator, Office of Agricultural Water Policy, 1203 Governors Square Blvd., Suite 200, Tallahassee, Florida 32301, (850)617-1705 or FAX (850)617-1701

THE FULL TEXT OF THE PROPOSED RULES IS:

CONSERVATION PLANS FOR SPECIFIED AGRICULTURAL OPERATIONS

5M-12.001 Purpose.

The purpose of this rule is to effect, under incentive-based programs, agricultural nonpoint source pollutant reduction in Florida through the implementation of approved conservation plans containing best management practices (BMPs) that have been verified to be effective by the Florida Department of Environmental Protection (FDEP).

Rulemaking Authority 403.067(7)(c)2., (13)(b), 570.07(23), 570.085 FS. Law Implemented 403.067(7)(c)2., (13)(b), 570.07(23), 570.085 FS. History—New _____.

5M-12.002 Definitions.

(1) “Conservation plan” means a record of the decisions and supporting information for treatment of a unit of land or water, which meets the requirements of Rule 5M-12.004, F.A.C.

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

(3) “Land use” means the producer’s intended use of the land for agricultural purposes.

(4) “Technical service provider” means an individual or entity certified by the United States Department of Agriculture Natural Resources Conservation Service (USDA/NRCS) and placed on its approved list to provide technical services to program participants.

Rulemaking Authority 403.067(7)(c)2., (13)(b), 570.07(23), 570.085 FS. Law Implemented 403.067(7)(c)2., (13)(b), 570.07(23), 570.085 FS. History—New _____.