

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Marketing and Development

RULE NO.: 5H-1.009
 RULE TITLE: Documents Incorporated by Reference

PURPOSE AND EFFECT: To incorporated Department forms by reference.

SUBJECT AREA TO BE ADDRESSED: Division of Marketing and Development forms.

RULEMAKING AUTHORITY: 534.48, 535.02, 604.27 FS.

LAW IMPLEMENTED: 534.48, 535.01, 604.16, 604.18, 604.20, 604.21, 604.23, 604.33 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: Chris Green, Bureau Chief, 407 South Calhoun Street, M-38, Tallahassee, FL 32399 or (850)488-4101

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

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."

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: 40C-3.035
 RULE TITLE: Agreements

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to incorporate by reference the amended water well permitting delegation agreement between St. Johns River Water Management District (District) and the Florida Department of Health-Marion County Health Department (MCHD). The amendments to the agreement will clarify and update the responsibilities of both parties, including the use of electronic reporting submittals to the District by MCHD through the District's E-permitting system, the

compliance and enforcement responsibilities of each party, and the District's continued regulation of earth-coupled geothermal well systems. The amendments are also intended to bring more standardization to all the agreements with delegated entities.

SUBJECT AREA TO BE ADDRESSED: The proposed rule would incorporate by reference the District's amended water well permitting delegation agreement with the MCHD allowing for local regulation of the construction, repair, and abandonment of water wells unless these wells are in a Chapter 62-524, F.A.C., delineated area or part of an earth-coupled geothermal well system.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.046, 373.083, 373.308, 373.309 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: January 25, 2011, 10:00 a.m. – 12:00 Noon

PLACE: Conference Room 162, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177
 Members of the District's Governing Board may attend the scheduled Rule Development Workshop.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Wendy Gaylord, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)326-3026 or email address: wgaylord@sjrwmd.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40C-3.035 Agreements.

The Governing Board hereby incorporates by reference the following documents:

(1) through (15) No change.

(16) An agreement between Florida Department of Health-Marion County Health Department and St. Johns River Water Management District entitled Second Amended Water Well Permitting Delegation Agreement dated (effective date) May 20, 2008.

Rulemaking Specific Authority 373.044, 373.113, 373.171, FS. Law Implemented 373.046, 373.083, 373.308, 373.309, FS. History--New 10-14-84, Amended 12-5-85, Formerly 40C-3.035, 40C-3.0035. Amended 1-8-96, 4-21-96, 7-21-96, 12-22-96, 3-10-97, 1-3-00, 9-06-01, 6-25-02, 7-24-02, 1-11-06, 5-18-06, 5-24-07, 5-20-08,_____.

DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

RULE NO.: 60FF1-5.006
 RULE TITLE: Requirements for County Carry Forward Funds and Excess Funding

PURPOSE AND EFFECT: The Board proposes to review the rule to delete unnecessary language and add new language if necessary to modify the procedures for the requirements for county carry forward funds and excess funding.

SUBJECT AREA TO BE ADDRESSED: Requirements for county carry forward funds and excess funding.

RULEMAKING AUTHORITY: 365.172(6)(a)11. FS.

LAW IMPLEMENTED: 365.173(2)(c) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John C. Ford, Chair, E911 Board, 4030 Esplanade Way, Suite 160Q, Tallahassee, Florida 32399-0950

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-6.012
 RULE TITLE: Provisional Certificates

PURPOSE AND EFFECT: The purpose of this rule development is to consider whether amendments to the provisional licensure rule are necessary, including changing or deleting the provisional building code administrator license.

SUBJECT AREA TO BE ADDRESSED: Provisional Certificates.

RULEMAKING AUTHORITY: 468.606, 468.609(7) FS.

LAW IMPLEMENTED: 468.609 FS.

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

DATE AND TIME: February 16, 2011, 2:00 p.m., or as soon thereafter as can be heard

PLACE: Hampton Inn & Suites, Amelia Island, 19 South 2nd Street, Fernandina Beach, FL 32034

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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750. 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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-9.0025
 RULE TITLE: Reciprocity With Division of State Fire Marshal for Certain Continuing Education Hours

PURPOSE AND EFFECT: The purpose of this rule development is to consider adopting a rule to implement the provisions of Section 633.081(7), F.S., which requires the Division of State Fire Marshal and the Florida Building Code Administrators and Inspectors Board to enter into a reciprocity agreement to facilitate joint recognition of continuing education recertification hours for certificate holders licensed under Sections 468.609 and 633.081(2), F.S.

SUBJECT AREA TO BE ADDRESSED: Continuing Education.

RULEMAKING AUTHORITY: 468.606 FS.

LAW IMPLEMENTED: 633.081(7) FS.

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

DATE AND TIME: February 16, 2011, 3:00 p.m., or as soon thereafter as can be heard

PLACE: Hampton Inn & Suites, Amelia Island, 19 South 2nd Street, Fernandina Beach, FL 32034

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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750. 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: Robyn

Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

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 State Fire Marshal

RULE NO.: 69A-21.113
 RULE TITLE: Required Continuing Education

PURPOSE AND EFFECT: The legislature changed the continuing education requirements for licensed fire equipment dealers from 32 hours every four years upon renewal, to 16 hours every two years, and made the renewal period December 31 of each year instead of the anniversary date of initial licensure.

SUBJECT AREA TO BE ADDRESSED: All fire equipment licenseholders and permitholders, regardless of any previous continuing education due date, must provide proof of sixteen hours of continuing education for renewal on December 31, 2011 and every two-year period thereafter.

RULEMAKING AUTHORITY: 633.01, 633.061(4) FS.

LAW IMPLEMENTED: 633.061 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: Wednesday, January 19, 2011, 2:00 p.m.
 PLACE: Ocean Center, 101 North Atlantic Avenue, Room 102A, Daytona Beach, Florida 32118

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: Casia Sinco, Casia.Sinco@myfloridacfo.com, (850)413-3644. 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: Casia Sinco, Casia.Sinco@myfloridacfo.com, (850)413-3644

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

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NO.: 69O-137.004
 RULE TITLE: Reports of Information by Health Insurers Required

PURPOSE AND EFFECT: To update and revise the Gross Annual Premium (GAP) report (OIR-B2-1094). The workshop will have a demonstration of the new reporting requirements as well as an opportunity to make suggested improvements in the form.

SUBJECT AREA TO BE ADDRESSED: Health Insurer Reporting.

RULEMAKING AUTHORITY: 624.308(1), 627.9175 FS.

LAW IMPLEMENTED: 624.307(1), 627.9175 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: Dianne Williams-Cox, (850)413-5004, Office of Insurance Regulation, E-mail: Dianne.Williams-Cox@floiir.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 AGRICULTURE AND CONSUMER SERVICES

Division of Forestry

RULE NOS.: 5I-4.002, 5I-4.005, 5I-4.006, 5I-4.008
 RULE TITLES: Purpose and Definitions, Protection of Managed Lands, Recreational Activities and Facilities, Vendors; Authorizations; Fees

PURPOSE AND EFFECT: Modify the definition off-highway vehicle, and add two new definitions, modify two locations as the result of re-numbering for the new definitions, and add a new off-highway trail system as new recreational activity and facilities.

SUMMARY: This rulemaking adopts the revised definition of off-highway vehicles, adds two new definitions, modify two locations as a result of the new definitions, and adds a new location where off-highway vehicles can be operated on for Division of Forestry managed lands.