

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.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: 68B-5.006
 RULE TITLE: Recreational Divers Exempt from Licensing Requirement for Lionfish

PURPOSE AND EFFECT: The purpose of this rule amendment is to encourage removal of non-native lionfish from Florida waters by waiving the requirement of obtaining a recreational license for the harvest of lionfish by divers. For-hire vessels that transport divers for the purpose of targeting or harvesting lionfish would also be exempt from vessel recreational license requirements if other saltwater species are not harmed, harvested, or possessed by passengers, captain, or crew and lionfish are harvested in accordance with FWC rules. This rule amendment would specify allowable gears for harvest of lionfish pursuant to this license exemption.

The effect of this rule amendment would be to encourage removal of non-native lionfish from Florida waters by allowing divers without a recreational fishing license to target and recreationally harvest lionfish by spearfishing or using small nets without incidentally taking other species.

SUBJECT AREA TO BE ADDRESSED: Subject areas to be addressed by rule development include a license exemption for recreational harvest of lionfish by diving and allowable gears for harvest pursuant to this exemption.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.
 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: Mark Robson, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-0554

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

**Section II
 Proposed Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE NO.: 5K-5.014
 RULE TITLE: Grading Services for Poultry

PURPOSE AND EFFECT: The rule amendment changes the fee schedule for poultry grading services provided by the Florida Department of Agriculture and Consumer Services.

SUMMARY: The Florida Department of Agriculture and Consumer Services provides voluntary grading services to food establishments that process poultry in accordance with the cooperative agreement established between the US Department of Agriculture (USDA) and this agency as authorized under Section 583.052, Florida Statutes. Under the statement of work provided in this cooperative agreement, the Department shall charge fees to the poultry processor in order to collect all costs incurred by this agency associated with this service and administration of this program. Historically, rule language specific to the fee schedule was promulgated every three to five years to provide a multi-year revenue base to ensure coverage of current and projected program costs. The agency is now seeking a modification to this fee schedule to collect revenues needed to support all program costs for the current fiscal year (FY 2010/2011) only. Subsequently, the agency will assess the revenues needed each fiscal year and proceed with annual rule adoption of fee increases as needed to support all program costs.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an impact on small business. An SERC has not been prepared by the agency.

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: 570.07(23), 583.04 FS.

LAW IMPLEMENTED: 583.051, 583.052 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: March 25, 2011, 10:00 a.m. – 12:00 Noon
 PLACE: Eyster Auditorium, Conner Building, 3125 Conner Boulevard, Tallahassee, FL 32399-1650