# Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

# DEPARTMENT OF EDUCATION

## **State Board of Education**

RULE NO.:	RULE TITLE:
6A-1.09941	State Uniform Transfer of High
	School Credits

PURPOSE AND EFFECT: The purpose and effect of this rule development is to update Rule 6A-1.09941, F.A.C., to reflect changes from the 2010 Legislative Session. Section 1008.22(9)(b), Florida Statutes, was revised to add that if a student transfers into a high school, the school principal shall determine whether the student must take an end-of-course (EOC) assessment in a course for which the student has credit that was earned from the previous school.

SUBJECT AREA TO BE ADDRESSED: Transfer of High School Credits.

RULEMAKING AUTHORITY: 1003.25(3) FS.

LAW IMPLEMENTED: 1003.25(3), 1008.22(9) 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: Teresa Sweet, Chief, Bureau of Curriculum and Instruction, 325 West Gaines St., Room 432, Tallahassee, FL 32399, (850)245-9032 To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to https://app1.fldoe.org/rules/default.aspx.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Available at https://app1.fldoe.org/rules/ default.aspx.

# DEPARTMENT OF EDUCATION

#### **State Board of Education**

RULE NO.:	RULE TITLE:
6A-1.099811	Differentiated Accountability State
	System of School Improvement

PURPOSE AND EFFECT: The purpose and effect of the rule development is to revise the entrance and exit criteria for the school categories, the support strategies and district improvement plans so that the Department of Education may more precisely tailor the assistance provided to districts, provide flexibility to districts and set forth with more specificity the actions required by school districts to demonstrate improvement. SUBJECT AREA TO BE ADDRESSED: Accountability for schools, including the categorization criteria, the intervention and support strategies, school improvement plans, the method and criteria for progressing and exiting from the school improvement categories, and revising and incorporating forms. RULEMAKING AUTHORITY: 1001.02(1), 1008.33 FS.

LAW IMPLEMENTED: 1006.40(2), 1008.33 FS.

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

DATE AND TIME: March 21, 2011, 2:00 p.m. (EST)

PLACE: Participation will be telephonic. The call in number is toll-free 1(866)372-5781, Conference Code: 47216233

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dr. Diana Bourisaw, Deputy Chancellor, School Improvement and Student Achievement, Department of Education, (850)245-0509

THE PRELIMINARY TEXT OF THE PROPOSED RULE will be available for review on March 17, 2011 at the following location: https://app1.fldoe.org/rules/default.aspx

# DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

#### Division of Pari-Mutuel Wagering

RULE NO.:	RULE TITLE:
61D-14.042	Accounting and Occurrence Meter
	Specifications

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement Florida Statutes pertaining to the regulation of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The amendment to Rule 61D-14.042, F.A.C., revises subsection (1) by removing the requirement that the meters measuring total credits in and out of a slot machine be electro-mechanical only.

RULEMAKING AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(c), (d), (e), (g) 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 28, 2011, 9:00 a.m. – 12:00 Noon

PLACE: Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, North Broward Regional Service Center, 1400 West Commercial Blvd., Suite 195, 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 Service, 1(800)955-8771 Florida Relay (TDD) 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.: RULE TITLE: 5K-5.014

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.

OF SUMMARY OF STATEMENT **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