

Section I
Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE NO.: 5F-11.002 RULE TITLE: Standards of National Fire Protection Association Adopted

PURPOSE AND EFFECT: This rule revision is for the purpose of adopting the 2008 edition of National Fire Protection Association Standard No. 58, The LP-Gas Code. This code provides guidance for safety inspection and regulation relating to the storage, handling and use of liquefied petroleum gases in Florida.

SUBJECT AREA TO BE ADDRESSED: Safety codes relating to inspection, storage, distribution and handling of liquefied petroleum gases in Florida.

SPECIFIC AUTHORITY: 527.06 FS.

LAW IMPLEMENTED: 527.06 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: February 5, 2008, 9:00 a.m.

PLACE: George Eyster Auditorium, 3125 Conner Blvd., 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 7 days before the workshop/meeting by contacting: Vicki O'Neil, Bureau of LP Gas Inspection, 3125 Conner Blvd., Suite N, Tallahassee, Florida 32399-1650, phone: (850)921-8001. 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: Vicki O'Neil, Bureau of LP Gas Inspection, 3125 Conner Blvd., Suite N., Tallahassee, Florida 32399-1650, phone: (850)921-8001

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0784 RULE TITLE: Approval of Charter School Governance Training

PURPOSE AND EFFECT: The purpose of the rule development is to provide guidelines for approval of governance training. The effect will be consistency in rule and statute.

SUBJECT AREA TO BE ADDRESSED: Governance Training for Charter School Boards.

SPECIFIC AUTHORITY: 1002.33(9)(k) FS.

LAW IMPLEMENTED: 1002.33 FS.

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

DATE AND TIME: January 24, 2008, 10:00 a.m. – 12:00 Noon

PLACE: Florida Department of Education, 325 West Gaines Street, Room 1721/25, 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: Jenna Vetre at Jenna.Vetre@fldoe.org. 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: Lynn Abbott, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida, (850)245-9661; lynne.abbott@fldoe.org

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NO.: 9B-70.002 RULE TITLE: Commission Approval and Accreditation of Advanced Building Code Training Courses

PURPOSE AND EFFECT: To provide substantive elements of revocation of approval by the Commission to serve as a building code education course accreditor; specifically, define grounds for revocation of approval as a course accreditor and a preliminary investigatory process to be undertaken in advance of initiation of administrative proceedings. Additionally, at the December 11, 2007 workshop, the Florida Building Commission voted to review the impact of current requirements for revision to accredited courses to reflect updated editions of and amendments to the Florida Building Code and, if warranted, amend those requirements.

SUBJECT AREA TO BE ADDRESSED: Revocation of approval to serve as an accreditor of building code education courses; revision of accredited Building Code Training Courses to reflect current edition of the Florida Building Code and amendments thereto.

SPECIFIC AUTHORITY: 553.841(2) FS.

LAW IMPLEMENTED: 553.841 FS.

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

DATE AND TIME: January 29, 2008, 2:30 p.m., or as soon thereafter as the matter comes before the Commission in accordance with its agenda

PLACE: The Renaissance Resort, World Golf Village, 500 S. Legacy Trail, St. Augustine, Florida 32092

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 7 days before the workshop/meeting by contacting: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824. 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: Ila Jones, Community Program Administrator, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824

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

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."

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 Dentistry

RULE NO.: 64B5-15.030 RULE TITLE: One Time Fee

PURPOSE AND EFFECT: The Board proposes the rule amendment to correct the date for payment of the one-time fee of \$250.00 and to delete the reference to the written notice of the one-time fee requirement.

SUBJECT AREA TO BE ADDRESSED: One time fee.

SPECIFIC AUTHORITY: 456.025(4), 466.004(4), 466.015(1),(2) FS.

LAW IMPLEMENTED: 456.025(4) 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: Susan Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 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 State Fire Marshal

RULE NOS.:	RULE TITLES:
69A-37.0335	Qualification of New Employee
69A-37.034	High School Education Requirement
69A-37.036	Determination of Moral Character
69A-37.037	Firefighter Training Course Medical Examination
69A-37.0385	Termination of Employee
69A-37.039	Prescribed Forms for Training and Certification
69A-37.050	Types of Training Certificates Issued
69A-37.0527	Retention of Certification
69A-37.054	Out of State Training – Certificate of Compliance; Special Certificate of Compliance
69A-37.055	Minimum Curriculum Requirements for Training Firefighter Recruits or Firefighters
69A-37.056	Specifications for Certifiable Training
69A-37.057	Roster of Students
69A-37.058	Verification of Prescribed Training Hours

PURPOSE AND EFFECT: To remove references to the Firefighter I category and adopt the latest National Fire Protection Association standards for training.

SUBJECT AREA TO BE ADDRESSED: Firefighter I and updated training standards.

SPECIFIC AUTHORITY: 633.38(1)(a), 633.45(2)(a) FS.

LAW IMPLEMENTED: 633.34(4), 633.35, 633.35(2), 633.38, 633.45, 633.45(1)(a), (b), 633.45(2)(a),(i), 633.101(1) FS.

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

DATE AND TIME: Saturday, January 26, 2008, 9:30 a.m.

PLACE: Fire Rescue East Conference, (www.ffca.org), Prime Osborn Conference Center, Room 102, 1000 Water Street, Jacksonville, Florida 32204

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: Lesley Mendelson, (850)413-5004. 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: Lesley Mendelson, Department of Financial Services 200 East Gaines Street, Tallahassee, Florida 32399, (850)413-5004

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 Consumer Services

RULE NO.: 69J-2.003
 RULE TITLE: Mediation Procedures for Resolution of Disputed Personal Lines Insurance Claims Arising from the 2004 and 2005 Hurricanes and Tropical Storms

PURPOSE AND EFFECT: The proposed rule defines terms used in the rule and in Section 627.7015, F.S., and specifies the information that shall be submitted by an insured in order to initiate mediation. This amendment also makes clerical revisions to the existing rule, and addresses other matters relating to the mediation program governed by the rule.

SUBJECT AREA TO BE ADDRESSED: The definitions of “dispute” and “filed” and other changes relating to mediation procedures for resolution of disputed personal lines insurance claims.

SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 624.307, 627.7015 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: Thursday, January 29, 2008, 11:00 a.m.

PLACE: 116 Larson Building, 200 East Gaines 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 5 days before the workshop/meeting by contacting: Tom Valentine, (850)413-4140 or Tom.Valentine@fldfs.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: Tom Valentine, Assistant General Counsel, Department of Financial Services 200 East Gaines Street, Tallahassee, Florida 32399, (850)413-4140

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 Consumer Services

RULE NO.: 69J-7.004
 RULE TITLE: Participating Contractors – Application and Participation Agreement

PURPOSE AND EFFECT: Section 215.5586(2)(c), Florida Statutes contemplates the Department will establish “qualifications and certification requirements for mitigation contractors,” and indicates the “program shall create a process in which contractors agree to participate and homeowners select from a list of participating contractors.” Subsection (6) of 215.5586, Florida Statutes provides rulemaking authority to adopt rules governing mitigation contractors. This rule establishes an application and qualification process for contractors to participate and be listed as participating contractors. The rule also incorporates a standard agreement form by which contractors may agree to participate.

SUBJECT AREA TO BE ADDRESSED: Qualifications and procedures relating to contractors participating in the My Safe Florida Home Program.

SPECIFIC AUTHORITY: 215.5586(6) FS.

LAW IMPLEMENTED: 215.5586 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: Ellen Simon, Assistant General Counsel, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399, (850)413-4270

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69J-7.004 Participating Contractors – Application and Participation Agreement.

(1) Definitions.

As used in this rule the following abbreviations and definitions apply:

(a) “Applicant” means any person or entity applying to become a Participating Contractor.

(b) “Contractor license” means a license that is issued by a government agency based on taking and passing a competency test and/or meeting certain experience requirements, as required by local or state authorities under applicable Florida statute or local ordinance. The phrase “contractor license” as used herein does not refer to business or occupational licenses that are obtained by paying a fee or tax. A business or occupational license is insufficient to qualify any entity as a Participating Contractor. Only contractor licenses issued by Florida state or local government authorities are acceptable for Participating Contractor status in the My Safe Florida Home program.

(c) “CEI” means the Construction Estimating Institute, 5016 Calle Minorga, Sarasota, FL 34242, phone: 1(800)423-7058.

(d) “Department” means the Florida Department of Financial Services.

(e) “DBPR” means the Department of Business and Professional Regulation, operating under Chapter 455, Florida Statutes.

(f) “FCILB” means the Florida Construction Industry Licensing Board, operating under Chapter 489, Florida Statutes.

(g) “FLASH” refers to the Federal Alliance for Safe Homes, 1427 East Piedmont Drive, Suite 2, Tallahassee, FL 32308.

(h) “DBPR/FCILB license” refers to a contractor license issued by DBPR pursuant to authorization by the FCILB.

(i) “MSFH program” means the My Safe Florida Home program created by Section 215.5586, Florida Statutes.

(j) “Participating Contractor” means a contractor as contemplated by Section 215.5586(2)(c), Florida Statutes.

(k) “Grant” refers to a grant under Section 215.5586(2), Florida Statutes.

(2) Participating Contractor Categories.

(a) Persons desiring to be a Participating Contractor in the My Safe Florida Home program under Section 215.5586(2)(c), Florida Statutes, shall apply to the Department of Financial Services in one of the three categories listed below.

1. Category No. 1: INDIVIDUAL WITH DBPR/FCILB CONTRACTOR LICENSE. This applicant category is for an individual who will, in his or her own name, contract with homeowners, or who will contract with homeowners as a sole proprietor doing business under a fictitious name, and the work is to be performed under their certified or registered contractor license(s) issued by the DBPR/FCILB. See, Florida Statutes Section 489.119(1). (If the applicable DBPR/FCILB Contractor License has been issued to the applicant as an

individual, regardless of whether it is a state-certified or state-registered license, this is the category the applicant must use, even if the applicant also has a local contractor’s license.)

2. Category No. 2: ENTITY WITH A DBPR/FCILB CERTIFICATE OF AUTHORITY AS A CONTRACTING BUSINESS. This category is for a business entity (corporation, LLC, or partnership) which holds a Certificate of Authority to engage in contracting, issued by DBPR/FCILB. See, Florida Statutes Section 489.119(2).

3. Category No. 3: LOCAL CONTRACTOR LICENSE. This applicant category is for a contractor (individual person or other entity) who does not have a DBPR/FCILB license and who will perform mitigation work under a contractor’s license issued by a Florida county or city contractor licensing board or other local authority.

(b) References in this rule to “category” or “categories” means one or more of the three categories identified above, as the context requires, unless expressly indicated otherwise.

(c) The information required to be provided to the Department by an applicant for Participating Contractor status will vary according to the category applied for by the applicant. The information required to be provided, and instructions specific to each category, are set forth in Department form DFS-I4-1808 (effective _____), entitled “Participating Contractor On-line Application Form.” Interested persons may apply to be a Participating Contractor by filling out the form on-line, at the Contractor’s section of the Department’s My Safe Florida Home website at www.mysafefloridahome.com.

(3) General matters.

(a) Any decision by the Department to deny or terminate a person or entity’s status as a Participating Contractor is subject to hearing rights as may be provided under Section 120.569, Florida Statutes, and related provisions of Chapter 120, Florida Statutes.

(b) To be a Participating Contractor, the applicant must hold in good standing a contractor’s license issued by the FCILB, or by a Florida city or Florida county contractor licensing board or authority. Loss of such required licensing shall be grounds for termination of status as a Participating Contractor.

(c) An applicant possessing a state contractor’s license(s) issued by DBPR/FCILB, who or which has completed a Participating Contractor application in either category 1. or 2., does not need to complete an additional application under category 3, even if the applicant also holds a local contractor license that is not required to be registered with the FCILB.

(d) An applicant cannot be approved as a Participating Contractor until the Department verifies that the applicant’s contractor’s license is valid and in good standing. Subsequent to application for Participating Contractor status, the Department will contact the licensing authority that issued that

license to verify that said license was issued as indicated and is in good standing. An application submitted with inaccurate or incomplete information on the application may delay or prevent the applicant's approval as a Participating Contractor.

(e) The Department will terminate its Participation Agreement with a contractor in the following circumstances:

1. The contractor's licensure as a contractor is revoked or suspended by the contractor's licensing authority.

2. It is determined that the contractor made a material misrepresentation in their application to the Department for Participating Contractor status.

3. Failure to comply with the applicable Florida workers' compensation laws.

4. Displaying incompetency or misconduct in the practice or course of contracting with homeowners.

(f) Designation as a Participating Contractor does not eliminate, modify or expand the existing legal limitations relative to the types of work to be performed, or the geographical locations in which that work may be legally performed, under the Participating Contractor's then existing contractor's license(s).

(g) All work to be performed and materials to be used by a Participating Contractor under a My Safe Florida Home grant must comply with the Participation Agreement. All applicants for Participating Contractor status must agree to the Participation Agreement as set forth in this rule.

(h) The Department publicly lists all Participating Contractors on the Department's My Safe Florida Home website, at <http://www.mysafefloridahome.com/participatingcontractorsListSection.asp>. The Department lists only Participating Contractors on its website. The Department does not list on its website suppliers or manufacturers who are not also Participating Contractors.

(i) The Department does not endorse or recommend individual Participating Contractors or products. Participating Contractors shall not advertise or otherwise represent that they or their business is endorsed or recommended by the My Safe Florida Home program, the Department, or the State of Florida. No Participating Contractor or other business may use the logo of the Department or the My Safe Florida Home program.

(j) Upon approval, all Participating Contractors will be assigned a unique Participating Contractor number by the Department. This number can be found on the Department's website list of Participating Contractors.

(k) This rule does not apply to competitively bid contracts between the Department and Participating Contractors for work performed under grants to low income homeowners under Section 215.5586(2)(g), Florida Statutes.

(l) After an application is submitted by the Participating Contractor applicant through the Department's online system, the Department will review the application and verify contractor licensure data. The Department will then mail the applicant a letter, at the address of record shown in the

applicable licensing authority's records, which summarizes the information the applicant supplied, and indicates approval or denial of the application. Any approval is subject to successful completion of training required by this rule. Participating Contractor applicants approved subject to completion of required training, are not published as Participating Contractors on the Department's list of Participating Contractors until they have successfully completed the training required by this rule.

(m) Applicants or Participating Contractors who have questions about the Participating Contractor program, or want to change or delete their listing, should promptly email the Department to that effect at the following email address: ContractorInfo@fldfs.com. The full name and phone number, and Participating Contractor file number if one has been assigned, must be provided.

(4) Information Published on the Department's Online Participating Contractor List.

(a) Upon approval as a Participating Contractor and satisfaction of applicable training requirements specified in this rule, the Participating Contractor applicant will be included in the Department's online list of Participating Contractors. Information submitted in association with the Participating Contractor's application will be included in that online list, and potential customers will be able to view the following information:

1. The business name of the Participating Contractor (it is the Participating Contractor's responsibility to assure that the business name complies with any applicable licensing and fictitious name laws).

2. The Participating Contractor's website address, if any.

3. The Participating Contractor's telephone number(s).

4. The Participating Contractor's street address(es).

(5) Training.

(a) Prior to being accepted as a Participating Contractor, the contractor must complete the specialized training described in this subsection. The training must be successfully completed by the natural person holding the contractor's license shown on the Participating Contractor application form. Completion of the training by another natural person in the company does not satisfy the training requirement. There are two options, 1. and 2., below, for successfully completing the required training:

1. A. Free online courses offered by the "Construction Estimating Institute" (CEI). To proceed by this route, the Participating Contractor must go to the CEI website at <http://www.esteeming.org/mysafefloridahome/> and enter the Participating Contractor's business name and contractor license number. The Participating Contractor must successfully complete the course entitled "How Hurricanes Damage Homes," which includes an overview of the My Safe Florida Home program. The Participating Contractor must also complete at least one other free CEI course from among the

following three courses. The choice of course should be selected in accordance with the type of improvements the Participating Contractor plans to perform for participating homeowners.

(I) Strengthening Roofs.

(II) Protecting Openings (Windows, Doors and Garage Doors).

(III) Bracing Gable Ends.

b. At the end of each CEI online training course, the Participating Contractor must successfully complete a short, online test. The Participating Contractor must receive at least a 90% grade on the test in order to successfully complete the course. If the Participating Contractor receives less than a 90% grade, the Participating Contractor may immediately retake the test, or review the training material and take it at a later time.

c. Upon successful completion of the online CEI training, an email notification will be sent by CEI to the My Safe Florida Home program confirming the Participating Contractor's successful completion of the training.

2. If the Participating Contractor has completed the Blueprint for Safety Retrofit – an Introduction, DBPR/FCILB Course Number 0005849 provided by the Federal Alliance for Safe Homes (FLASH), at any time since Jan. 1, 2000, the Participating Contractor will be deemed to have satisfied the training requirement.

(b) The applicant must indicate on its application form whether the applicant has already obtained the required training from one of the two approved sources.

(c) If the applicant has not completed the required training, the applicant may nevertheless submit its application, but will not be approved as a Participating Contractor until:

1. The Construction Estimating Institute (CEI) emails the Department confirmation that the applicant has completed the CEI training (the CEI will automatically email confirmation to the Department as soon as the applicant takes and passes the required tests with a score of at least 90% correct); or

2. The applicant submits to the Department proof of having successfully completed the FLASH Blueprint for Safety course by providing the certificate of completion issued by the course provider, or records provided by the DBPR/FCILB to: My Safe Florida Home Program, Attention: Participating Contractor Coordinator, Larson Building 5th floor, 200 East Gaines St., Tallahassee FL 32399.

(6) Background Questions. An affirmative answer to any question in the "Background Questions" section of the Participating Contractor online application (form DFS-14-1808 (effective _____)), does not mean that the applicant is automatically barred from serving as a Participating Contractor, but an affirmative answer will require further inquiry by the Department before the applicant can be approved as a Participating Contractor. Any initial decision by the Department denying an application to the Participating Contractor program is subject to the provisions of Chapter 120, Florida Statutes.

(7) Participation Agreement. As a condition of being a Participating Contractor, all Participating Contractor applicants must agree to the terms and conditions of the "Participation Agreement" that is part of form DFS-14-1808 (effective _____).

(8) There is hereby adopted and incorporated by reference Department form DFS-14-1808 (effective _____), entitled "Participating Contractor On-line Application Form." Said form shall be used by interested persons to apply for Participating Contractor status, and sets forth the information required to be provided and instructions specific to each category of Participating Contractor applicant.

Specific Authority 215.5586(6) FS. Law implemented 215.5586(2)(g) FS. History--New _____.

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

RULE NO.:
69J-7.005

RULE TITLE:
My Safe Florida Home Program,
Forms For Use Regarding Grants

PURPOSE AND EFFECT: This rule adopts two forms for use by the My Safe Florida Home program in awarding grants to homeowners. Section 215.5586(2), Florida Statutes provides that homeowners meeting certain criteria may be awarded grants by the Department to upgrade their home against hurricane wind damage. Both low income and non-low income persons may receive grants, but low-income applicants are in part subject to different requirements. This rule adopts two forms by which grants are awarded by the Department to grant applicants. One form is for low-income homeowners, and the other form is for non-low-income homeowners). Each form is a set of three standard documents that are sent together as a package to each homeowner awarded a grant. The three documents that make up each form are: 1) Cover letter awarding the grant; 2) document stating the terms and conditions of the grant; and 3) reimbursement request documents to be used by the homeowner to obtain disbursement of grant funds when the improvements are completed.

SUBJECT AREA TO BE ADDRESSED: Forms and procedures for homeowners applying for grants under the My Safe Florida Home Program.

SPECIFIC AUTHORITY: 215.5586(6) FS.

LAW IMPLEMENTED: 215.5586 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: Wednesday, January 30, 2008, 10:00 a.m.

PLACE: 142 Larson Building, 200 East Gaines 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 5 days before the workshop/meeting by contacting: Ellen Simon, (850)413-4270 or Ellen.Simon@fldfs.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 IS: Ellen Simon, Assistant General Counsel, Department of Financial Services 200 East Gaines Street, Tallahassee, Florida 32399, (850)413-4270

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69J-7.005 My Safe Florida Home Program, Forms For Use Regarding Grants.

(1) The following forms are hereby adopted and incorporated by reference, for use in the My Safe Florida Home program under Section 215.5586, Florida Statutes:

(a) DFS-I4-1807, "LMI Grant Award Packet (low income)." (effective: _____).

(b) DFS-I4-1806, "Matching Grant Award Packet (non-low income)." (effective: _____).

(2) These forms may be obtained from the Department of Financial Services by request directed to the following address: My Safe Florida Home Program, Larson Building, 5th floor, 200 East Gaines Street, Tallahassee FL 32399-0333.

Specific Authority 215.5586(6) FS. Law Implemented 215.5586 FS. History--New _____.

**Section II
Proposed 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."

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-19.009
 RULE TITLE: Display of License
 PURPOSE AND EFFECT: The rule amendment sets forth the Department's criteria for the display of license or registration.
 SUMMARY: The rule amendment sets forth the Department's criteria for the display of license or registration.
 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.

SPECIFIC AUTHORITY: 476.064(4), 476.184(2) FS.

LAW IMPLEMENTED: 476.184(10) 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 RULE IS: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-19.009 Display of License.

(1) A current personal license shall be displayed at all times at the barber's place of employment in plain view of the work station. The license or registration on display shall be the original certificate or a duplicate issued by the Department and shall have attached a 2" by 2" photograph taken within the previous two years of the individual whose name appears on the certificate. The certificate with photograph attached shall be permanently laminated as of July 1, 2008. A photograph of the licensee, approximately two inches by two inches and less than two years old shall be attached to the displayed license.

(2) No change.

Specific Authority 476.064(4), 476.184(2) FS. Law Implemented 476.184(10) FS. History--New 4-27-86, Amended 8-31-88, 3-15-93, Formerly 21C-19.009, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Barbers' Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Barbers' Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 19, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 16, 2007

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 Nursing

RULE NO.: 64B9-15.009
 RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances