

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.: 14-15
 RULE NO.: 14-15.0081
 RULE CHAPTER TITLE: Incorporation by Reference
 RULE TITLE: Toll Facilities Description and Toll Rate Schedule

PURPOSE AND EFFECT: The purpose of this notice of rule development is to set a toll rate schedule for a proposed interchange at Pace Road and Polk Parkway. Section 338.155(1), Florida Statutes, does not permit the use of the State’s toll facilities without paying a toll.

SUBJECT AREA TO BE ADDRESSED: The Florida Department of Transportation, Florida’s Turnpike Enterprise is proposing to construct a SunPass-Only interchange in the area near Pace Road and the Polk Parkway in Polk County. Tolls are proposed to be collected from vehicles accessing to and from the north. This interchange is located approximately at Milepost 23 and is two miles north of the Eastern Toll Plaza and one mile south of the Interstate 4 interchange.

SPECIFIC AUTHORITY: 334.044(2), 338.155(1) FS.

LAW IMPLEMENTED: 338.222, 338.231, 338.155 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 IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-15.0081 Toll Facilities Description and Toll Rate Schedule.

The Toll Facilities Description and Toll Rate Schedule, adopted November 15, 1987, and amended on February 8, 1988, August 1, 1988, February 2, 1989, May 10, 1989, July 1, 1991, August 1, 1991, November 6, 1991, July 11, 1993, November 28, 1993, September 18, 1994, June 6, 1995, July 9, 1995, January 1, 1996, March 31, 1996, April 28, 1996, June 2, 1996, July 28, 1996, September 23, 1997, November 24, 1997, February 12, 1998, June 30, 1998, July 29, 1998, January 6, 1999, February 9, 1999, April 29, 1999, June 21, 1999, September 4, 2001, March 26, 2002, April 10, 2003, October 1, 2003, December 11, 2003, March 7, 2004, May 20, 2004, November 1, 2005, and February 5, 2006, and _____, is

hereby incorporated by this rule and made a part of the rules of the Department. Copies of this Department of Transportation Toll Facilities Description and Toll Rate Schedule and any amendments thereto are available at no more than cost.

Specific Authority 334.044(2), 338.155(1) FS. Law Implemented 338.222, 338.231, 338.155 FS. History–New 11-15-87, Amended 2-8-88, 8-1-88, 2-2-89, 5-10-89, 7-1-91, 8-1-91, 11-6-91, 7-11-93, 11-28-93, 9-18-94, 6-6-95, 7-9-95, 1-1-96, 3-31-96, 4-28-96, 6-2-96, 7-28-96, 9-23-97, 11-24-97, 2-12-98, 6-30-98, 7-29-98, 1-6-99, 2-9-99, 4-29-99, 6-21-99, 9-4-01, 3-26-02, 4-10-03, 10-1-03, 12-11-03, 3-7-04, 5-20-04, 11-1-05, 2-5-06, _____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

PUBLIC SERVICE COMMISSION

UNDOCKETED

RULE NO.: 25-30.4325
 RULE TITLE: Water Treatment Plant Used and Useful Calculation

PURPOSE AND EFFECT: To codify the Commission’s practice in calculating used and useful percentages for water treatment plants in rate proceedings.

SUBJECT AREA TO BE ADDRESSED: Water treatment plant used and useful determinations.

SPECIFIC AUTHORITY: 350.127(2), 367.121 FS.

LAW IMPLEMENTED: 367.081(2), (3) FS.

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

DATE AND TIME: July 26, 2006, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 182, 4075 Esplanade Way, Tallahassee, Florida

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850)413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Troy Rendell, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, (850) 413-6934

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-30.4325 Water Treatment Plant Used and Useful Calculation.

(1) Definitions.

(a) A water treatment system includes all facilities necessary to produce, treat, and deliver potable water to a transmission and distribution system. This may include a storage component if utilized by the utility.

(b) Peak demand includes the utility's maximum hour or day demand, excluding excessive unaccounted for water, plus an allowance for fire flow based on local requirements and a growth allowance based on the requirements in Rule 25-30.431, F.A.C.

(c) Excessive unaccounted for water (EUW) is water produced in excess of 10 percent of the accounted for usage, including water sold, water used for flushing or fire fighting, and water lost through line breaks.

(2) Except as provided in subsection (7), the used and usefulness of a water treatment system shall be based on a total system analysis unless one or more components of the system is oversized in anticipation of future growth.

(3) The used and usefulness of a water treatment system shall include a determination as to the prudence of the investment and consideration of economies of scale if any component is oversized.

(4) The used and useful calculation of a water treatment system is determined by dividing the peak demand by the firm reliable capacity of the water treatment system.

(5) Peak demand is based on a peak hour for systems with no storage capacity and a peak day for systems with storage capacity.

(a) Peak hour demand, expressed in gallons per minute, shall be calculated as follows:

1. The single maximum day (SMD) in the test year, if there is no anomaly on that day such as a fire or line break, less excessive unaccounted for water divided by 1440 minutes in a day times two $[(SMD-EUW)/1,440 \times 2]$, or

2. The average of the 5 highest days (AFD) within a 30-day period in the test year less excessive unaccounted for water divided by 1440 minutes in a day times two $[(AFD-EUW)/1,440 \times 2]$, or

3. If the actual maximum day flow data is not available, 1.1 gallons per minute per equivalent residential connection $(1.1 \times ERC)$.

(b) Peak day demand, expressed in gallons per day, shall include:

1. The single maximum day in the test year, if there is no anomaly on that day such as a fire or line break, less excessive unaccounted for water (SMD-EUW), or

2. The average of the 5 highest days within a 30-day period in the test year less excessive unaccounted for water (AFD-EUW), or

3. If the actual maximum day flow data is not available, 787.5 gallons per day per equivalent residential connection $(787.5 \times ERC)$.

(6) The firm reliable capacity of a water treatment system is equivalent to the pumping capacity of the wells, excluding the largest well for those systems with more than one well, unless the pumping capacity is restricted by a limiting factor such as the treatment capacity. In which case, the firm reliable capacity is the capacity of the limiting component of the water treatment system.

(a) Firm reliable capacity is expressed in gallons per minute for systems with no storage capacity and in gallons per day, based on 12 hours of pumping, for systems with storage capacity.

(b) If a water treatment system using only aeration or disinfection includes a storage facility, the usable storage capacity shall be included in the firm reliable capacity.

(7) If a water treatment system using a treatment process other than, or in addition to, aeration or disinfection includes a storage facility, the used and usefulness of the storage facility will be determined separately from the water treatment system. For a water treatment system using a treatment process other than aeration or disinfection, storage capacity equaling the peak demand shall be considered 100 percent used and useful. In the calculation of the used and useful percentage of the storage facility, fire flow shall be added to the peak demand.

(8) A water treatment system is considered 100 percent used and useful if:

(a) The system is the minimum size necessary to adequately serve existing customers plus an allowance for growth and fire flow; or

(b) The service territory the system is designed to serve is mature or built out and there is no potential for expansion of the service territory; or

(c) The system is served by a single well.

(9) In determining whether an adjustment to plant and operating expenses for excessive unaccounted for water will be included in the used and useful calculation, the Commission will consider whether the reason for excessive unaccounted for water during the test period has been identified and whether a solution to correct the problem has been implemented, or whether the solution is not economically feasible.

(10) In determining the used and useful amount, the Commission will also consider whether flows have decreased due to conservation or a reduction in the number of customers.

Specific Authority 350.127(2), 367.121 FS. Law Implemented 367.081(2), (3) FS. History—New _____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER NO.: RULE CHAPTER TITLE:

40D-3 Regulation of Wells
 RULE NOS.: RULE TITLES:
 40D-3.101 Content of Application
 40D-3.411 Well Completion Report
 40D-3.531 Abandoned Well Plugging

PURPOSE AND EFFECT: Rules 40D-3.101, 40D-3.411, and 40D-3.531, F.A.C., address requirements for permitting and constructing water wells. The rules reference forms used to permit wells and document well construction and abandonment. Several forms were updated subsequent to the adoption of these rules. The District proposes to amend the rules to reference the current forms. The proposed amendment of Rule 40D-3.531, F.A.C., also reorganizes the rule to clarify the permitting requirements for well abandonment and to clarify how a referenced form should be used. The reorganization does not substantively change the rule.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments will update references to forms used in the permitting and construction of water wells. Rule 40D-3.531, F.A.C., will also be reorganized to clarify permitting requirements and form usage.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171, 373.309, 373.337 FS.

LAW IMPLEMENTED: 373.109, 373.206, 373.207, 373.209, 373.306, 373.308, 373.309, 373.313, 373.316 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: Margaret M. Craig, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651. The District does not discriminate on the basis of disability. Anyone requiring reasonable accommodation should contact Dianne Lee at (352)796-7211, ext. 4658; TDD only: 1(800)231-6103

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40D-3.101 Content of Application.

(1) Applications for permits required by this Chapter shall be submitted to the District. All permit applicants shall submit the forms entitled; “State of Florida Permit Application to Construct, Repair, Modify or Abandon Well”, adopted by reference in subsection 40D-1.659(4), F.A.C. form number 41-10-410(1)REV.4/95. Except for replacement and domestic wells, all applications to construct a well within the Most

Impacted Area of the Eastern Tampa Bay Water Use Caution Area, as set forth in Section 7.2.8.A and Figure 7.2-2, of the Basis of Review for Water Use Permit Applications, adopted by reference described in Rule 40D-2.091, F.A.C., shall include the form entitled “Well Verification For All Non-Domestic Wells Located in the Most Impacted Area of the Eastern Tampa Bay Water Use Caution Area”, adopted by reference in subsection 40D-1.659(7), F.A.C. form number 42-10-005 (2/94).

(2) through (3) No change.

Specific Authority 373.044, 373.113, 373.171, 373.309, 373.337 FS. Law Implemented 373.109, 373.308, 373.309, 373.313, 373.316 FS. History–Readopted 10-5-74, Formerly 16J-3.07, Amended 7-1-90, 9-30-91, 12-31-92, 4-11-94, 10-19-95,_____.

40D-3.411 Well Completion Report.

(1) Well completion reports are required for the construction, repair, modification or abandonment of all wells. The District’s receipt of a well completion report raises the rebuttable presumption that all work under the permit has been completed or has ceased.

(a) The water well contractor shall submit to the District the form entitled; “Well Completion Report;”, adopted by reference in subsection 40D-1.659(5), F.A.C., form number 41-10-410(2)REV. 8/96, within 30 days of the expiration of the permit.

(b) through (d) No change.

(2) No change.

Specific Authority 373.044, 373.113, 373.171, 373.309, 373.337 FS. Law Implemented 373.308, 373.309, 373.313 FS. History–Readopted 10-5-74, Amended 10-24-76, Formerly 16J-3.09, 16J-3.14, Amended 7-1-90, 9-30-91, 12-31-92, 10-19-95, 1-1-01,_____.

40D-3.531 Abandoned Well Plugging.

(1) The form entitled “State of Florida Permit Application to Construct, Repair, Modify or Abandon Well”, adopted by reference in subsection 40D-1.659(4), F.A.C., shall be submitted to the District prior to the abandonment of any well, including an incomplete well.

~~(2)(4)~~ All abandoned wells as defined by subsection Section 373.303(1), F.S., and subsection 40D-3.021(1), F.A.C., abandoned artesian wells as defined by subsection Section 373.203(1), F.S., and incomplete wells as defined by subsection 40D-3.021(17), F.A.C., shall be plugged in accordance with subsection (3)(2) of this rule and Rule 40D-3.517, F.A.C., unless they can be repaired in accordance with this Chapter.

(2) through (3) renumbered (3) through (4) No change.

~~(5)(4)~~ The A “Well Grouting/Abandonment Form”, adopted by reference in subsection 40D-1.659(6), F.A.C., will be used to document the well abandonment District form number 04.10R-026 (9/02) is incorporated herein by reference.

~~(5) An abandonment permit is required for the abandonment of any well including an incomplete well.~~

Specific Authority 373.044, 373.113, 373.171, 373.309, 373.337 FS. Law Implemented 373.206, 373.207, 373.209, 373.306, 373.308, 373.309 FS. History—New 7-1-90, Amended 9-30-91, 12-31-92, 7-2-98, 9-26-02,_____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER NO.: RULE CHAPTER TITLE:

40E-2 Consumptive Use

PURPOSE AND EFFECT: To develop minimum flows and levels (MFLs) pursuant to Section 373.042, F.S., for Florida Bay. The MFL rule will identify the point at which significant harm would occur due to withdrawals and a recovery or prevention strategy.

SUBJECT AREA TO BE ADDRESSED: Minimum flows and levels in Florida Bay.

SPECIFIC AUTHORITY: 120.54(5), 120.60, 373.042, 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 120.54(5), 120.60, 373.023, 373.042, 373.0421, 373.103, 373.185, 373.203, 373.216-.249, 373.50 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATE AND TIME: July 13, 2006, 10:00 a.m. – 12:00 Noon

PLACE: South Florida Water Management District, Miami Field Station, 9001 N.W. 58th Street, Miami, Florida 33178

DATE AND TIME: July 19, 2006, 10:00 a.m. – 12:00 Noon

PLACE: Key Largo Public Library, 101485 Overseas Highway, Key Largo, FL 33037

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk's Office, at (561)682-2087 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Murray Miller, Senior Environmental Scientist, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6789 or (561)682-6789 (email: mmiller@sfwmd.gov), or Cecile Piverotto, Senior Specialist Attorney, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6343 or (561)682-6343 (email: cpiverot@sfwmd.gov). For procedural issues, Jan Sluth, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, extension 6299, or (561)682-6299, email: jsluth@sfwmd.gov.

THE PRELIMINARY PROPOSED RULE TEXT WILL BE AVAILABLE AT THE WORKSHOPS AND WILL BE AVAILABLE ON JULY 13, 2006, ON THE DISTRICT'S WEBSITE AT <http://www.sfwmd.gov/org/wsl/mfl/flbay/index.html>. To access this page, click on the "rule development" link located on the left hand side of the page. A copy may also be obtained by contacting Jan Sluth at the address, phone or email address provided above.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER NO.: RULE CHAPTER TITLE:

40E-2 Consumptive Use

PURPOSE AND EFFECT: To identify conditions for permit issuance for consumptive use permits for allocating water from the regional system, including Everglades, Water Conservation Areas, and the Biscayne Aquifer.

SUBJECT AREA TO BE ADDRESSED: Allocation of water from the regional system.

SPECIFIC AUTHORITY: 120.54(5), 120.60, 373.042, 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 120.54(5), 120.60, 373.023, 373.042, 373.0421, 373.103, 373.185, 373.203, 373.216-.249, 373.50 FS.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATE AND TIME: July 13, 2006, 1:30 p.m. – 3:30 p.m.

PLACE: South Florida Water Management District, Miami Field Station, 9001 N.W. 58th Street, Miami, Florida 33178

DATE AND TIME: July 14, 2006, 1:30 p.m. – 3:30 p.m.

PLACE: Clayton E. Hutchinson Agricultural Services Center, Exhibit Hall B, 559 North Military Trail, West Palm Beach, Florida 33415

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk's Office, at (561)682-2087 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Scott Burns, Director, Water Supply Policy Implementation, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6817 or (561)682-6817 (email: sburns@sfwmd.gov), or Cecile Ross, Senior Specialist Attorney, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6343 or (561)682-6343 (email: cross@sfwmd.gov). For procedural

issues, Jan Sluth, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, extension 6299, or (561)682-6299, email: jsluth@sfwmd.gov.

THE PRELIMINARY PROPOSED RULE TEXT WILL BE AVAILABLE ON JULY 6, 2006 AT <http://my.sfwmd.gov/permitting>. Once you access this page, click on "rule development" located on the right hand side of the page then LEC Regional Water Availability. A copy may also be obtained by contacting Jan Sluth at the address, phone or email address provided above.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER NO.: RULE CHAPTER TITLE:

40E-8 Minimum Flows and Levels

PURPOSE AND EFFECT: To develop minimum flows and levels (MFLs) pursuant to Section 373.042, F.S., for Florida Bay. The MFL rule will identify the point at which significant harm would occur due to withdrawals and a recovery or prevention strategy.

SUBJECT AREA TO BE ADDRESSED: Minimum flows and levels in Florida Bay.

SPECIFIC AUTHORITY: §§9, 10 P.L. 83-358, 120.54(5), 120.60, 373.042, 373.044, 373.113, 373.119, 373.129, 373.136, 373.171 FS.

LAW IMPLEMENTED: 120.54(5), 120.60, 373.016, 373.036, 373.0361, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATE AND TIME: July 13, 2006, 10:00 a.m. – 12:00 Noon

PLACE: South Florida Water Management District, Miami Field Station, 9001 N.W. 58th Street, Miami, Florida 33178

DATE AND TIME: July 19, 2006, 10:00 a.m. – 12:00 Noon

PLACE: Key Largo Public Library, 101485 Overseas Highway, Key Largo, FL 33037

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk's Office, at (561)682-2087 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Murray Miller, Senior Environmental Scientist, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6789 or (561)682-6789 (email: mmiller@sfwmd.gov, or Cecile Piverotto, Senior Specialist Attorney,

Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6343 or (561)682-6343 (email: cpiverot@sfwmd.gov). For procedural issues, Jan Sluth, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, extension 6299, or (561)682-6299, email: jsluth@sfwmd.gov.

THE PRELIMINARY PROPOSED RULE TEXT WILL BE AVAILABLE AT THE WORKSHOPS AND WILL BE AVAILABLE ON JULY 13, 2006, ON THE DISTRICT'S WEBSITE AT <http://www.sfwmd.gov/org/wsl/mfl/flbay/index.html>. To access this page, click on the "rule development" link located on the left hand side of the page. A copy may also be obtained by contacting Jan Sluth at the address, phone or email address provided above.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER NO.: RULE CHAPTER TITLE:

40E-8 Minimum Flows and Levels

PURPOSE AND EFFECT: To identify conditions for permit issuance for consumptive use permits for allocating water from the regional system, including Everglades, Water Conservation Areas, and the Biscayne Aquifer.

SUBJECT AREA TO BE ADDRESSED: Allocation of water from the regional system.

SPECIFIC AUTHORITY: §§ 9, 10 P.L. 83-358, 120.54(5), 120.60, 373.042, 373.044, 373.113, 373.119, 373.129, 373.136, 373.171 FS.

LAW IMPLEMENTED: 120.54(5), 120.60, 373.016, 373.036, 373.0361, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246 FS.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATE AND TIME: July 13, 2006, 1:30 p.m. – 3:30 p.m.

PLACE: South Florida Water Management District, Miami Field Station, 9001 N.W. 58th Street, Miami, Florida 33178

DATE AND TIME: July 14, 2006, 1:30 p.m. – 3:30 p.m.

PLACE: Clayton E. Hutchinson Agricultural Services Center, Exhibit Hall B, 559 North Military Trail, West Palm Beach, Florida 33415

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk's Office, at (561)682-2087 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Scott Burns, Director, Water Supply Policy Implementation, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6817 or (561)682-6817 (email: sburns@sfwmd.gov, or Cecile Ross, Senior Specialist Attorney, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6343 or (561)682-6343 (email: cross@sfwmd.gov). For procedural issues, Jan Sluth, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, extension 6299, or (561)682-6299, email: jsluth@sfwmd.gov.

THE PRELIMINARY PROPOSED RULE TEXT WILL BE AVAILABLE ON JULY 6, 2006 AT <http://my.sfwmd.gov/permitting>. Once you access this page, click on "rule development" located on the right hand side of the page then LEC Regional Water Availability. A copy may also be obtained by contacting Jan Sluth at the address, phone or email address provided above.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER NO.: RULE CHAPTER TITLE:

40E-20 General Water Use Permits

PURPOSE AND EFFECT: To develop minimum flows and levels (MFLs) pursuant to Section 373.042, F.S., for Florida Bay. The MFL rule will identify the point at which significant harm would occur due to withdrawals and a recovery or prevention strategy.

SUBJECT AREA TO BE ADDRESSED: Minimum flows and levels in Florida Bay.

SPECIFIC AUTHORITY: 120.54(5), 120.60, 373.042, 373.044, 373.083, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 120.54(5), 120.60, 373.042, 373.0421, 373.083, 373.103, 373.118, 373.219, 373.223, 373.229, 373.236, 373.239 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

DATE AND TIME: July 13, 2006, 10:00 a.m. – 12:00 Noon

PLACE: South Florida Water Management District, Miami Field Station, 9001 N.W. 58th Street, Miami, Florida 33178

DATE AND TIME: July 19, 2006, 10:00 a.m. – 12:00 Noon

PLACE: Key Largo Public Library, 101485 Overseas Highway, Key Largo, FL 33037

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Florida Water Management District Clerk's Office, at (561)682-2087 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Murray Miller, Senior Environmental Scientist, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6789 or (561)682-6789 (email: mmiller@sfwmd.gov, or Cecile Piverotto, Senior Specialist Attorney, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6343 or (561)682-6343 (email: cpiverot@sfwmd.gov). For procedural issues, Jan Sluth, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, extension 6299, or (561)682-6299, email: jsluth@sfwmd.gov.

THE PRELIMINARY PROPOSED RULE TEXT WILL BE AVAILABLE AT THE WORKSHOPS AND WILL BE AVAILABLE ON JULY 13, 2006, ON THE DISTRICT'S WEBSITE AT <http://www.sfwmd.gov/org/wsl/mfl/flbay/index.html>. To access this page, click on the "rule development" link located on the left hand side of the page. A copy may also be obtained by contacting Jan Sluth at the address, phone or email address provided above.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER NO.: RULE CHAPTER TITLE:

40E-20 General Water Use Permits

PURPOSE AND EFFECT: To identify conditions for permit issuance for consumptive use permits for allocating water from the regional system, including Everglades, Water Conservation Areas, and the Biscayne Aquifer.

SUBJECT AREA TO BE ADDRESSED: Allocation of water from the regional system.

SPECIFIC AUTHORITY: 120.54(5), 120.60, 373.042, 373.044, 373.083, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 120.54(5), 120.60, 373.042, 373.0421, 373.083, 373.103, 373.118, 373.219, 373.223, 373.229, 373.236, 373.239 FS.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATE AND TIME: July 13, 2006, 1:30 p.m. – 3:30 p.m.

PLACE: South Florida Water Management District, Miami Field Station, 9001 N.W. 58th Street, Miami, Florida 33178

DATE AND TIME: July 14, 2006, 1:30 p.m. – 3:30 p.m.

PLACE: Clayton E. Hutchinson Agricultural Services Center, Exhibit Hall B, 559 North Military Trail, West Palm Beach, Florida 33415

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk's Office, at (561)682-2087 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Scott Burns, Director, Water Supply Policy Implementation, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6817 or (561)682-6817 (email: sburns@sfwmd.gov, or Cecile Ross, Senior Specialist Attorney, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6343 or (561)682-6343 (email: cross@sfwmd.gov). For procedural issues, Jan Sluth, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, extension 6299, or (561)682-6299, email: jsluth@sfwmd.gov.

THE PRELIMINARY PROPOSED RULE TEXT WILL BE AVAILABLE ON JULY 6, 2006 AT <http://my.sfwmd.gov/permitting>. Once you access this page, click on "rule development" located on the right hand side of the page then LEC Regional Water Availability. A copy may also be obtained by contacting Jan Sluth at the address, phone or email address provided above.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER NO.: RULE CHAPTER TITLE:
40E-21 Water Shortage Plan

PURPOSE AND EFFECT: To develop minimum flows and levels (MFLs) pursuant to Section 373.042, F.S., for Florida Bay. The MFL rule will identify the point at which significant harm would occur due to withdrawals and a recovery or prevention strategy.

SUBJECT AREA TO BE ADDRESSED: Minimum flows and levels in Florida Bay.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.026, 373.042, 373.0421, 373.103, 373.119, 373.175, 373.246, 373.603, 373.609 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATE AND TIME: July 13, 2006, 10:00 a.m. – 12:00 Noon

PLACE: South Florida Water Management District, Miami Field Station, 9001 N.W. 58th Street, Miami, Florida 33178

DATE AND TIME: July 19, 2006, 10:00 a.m. – 12:00 Noon

PLACE: Key Largo Public Library, 101485 Overseas Highway, Key Largo, FL 33037

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk's Office, at (561)682-2087 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Murray Miller, Senior Environmental Scientist, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6789 or (561)682-6789 (email: mmiller@sfwmd.gov, or Cecile Piverotto, Senior Specialist Attorney, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6343 or (561)682-6343 (email: cpiverot@sfwmd.gov). For procedural issues, Jan Sluth, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, extension 6299, or (561)682-6299, email: jsluth@sfwmd.gov.

THE PRELIMINARY TEXT OF THE PROPOSED RULE WILL BE AVAILABLE AT THE WORKSHOPS AND WILL BE AVAILABLE ON JULY 13, 2006, ON THE DISTRICT'S WEBSITE AT <http://www.sfwmd.gov/org/wsl/mfl/flbay/index.html>. To access this page, click on the "rule development" link located on the left hand side of the page. A copy may also be obtained by contacting Jan Sluth at the address, phone or email address provided above.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:
61J1-2.001 Fees

PURPOSE AND EFFECT: The Florida Real Estate Appraisal Board is removing the rule's existing fingerprint processing fee language and is replacing it with new electronic fingerprint processing fee language to implement the electronic fingerprint requirement of Section 475.615(3), Florida Statutes, which becomes effective on July 1, 2006

SUBJECT AREA TO BE ADDRESSED: Fees.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 215.34, 215.405, 455.217, 455.2281, 475.6147, 475.615, 475.618, 475.619, 475.630 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: Michael E. Murphy, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: 61J1-2.004 RULE TITLE: Exemption of Spouses of Members of Armed Forces from Renewal Provisions

PURPOSE AND EFFECT: The Florida Real Estate Appraisal Board is revising Rule 61J1-2.004, F.A.C., to comply with the Appraisal Qualifications Board’s new continuing education criteria adopted on or about March 22, 2006.

SUBJECT AREA TO BE ADDRESSED: Exemption of Spouses of Members of Armed Forces from Renewal Provisions.

SPECIFIC AUTHORITY: 455.02, 475.614 FS.

LAW IMPLEMENTED: 455.02 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: Michael E. Murphy, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: 61J1-2.0045 RULE TITLE: Exemption of Members of Armed Forces from Renewal Provisions

PURPOSE AND EFFECT: The Florida Real Estate Appraisal Board is creating new Rule 61J1-2.0045, F.A.C., to comply with the Appraisal Qualifications Board’s new continuing education criteria adopted on May 5, 2006.

SUBJECT AREA TO BE ADDRESSED: Exemption of Members of Armed Forces from Renewal provisions.

SPECIFIC AUTHORITY: 455.02, 475.614, 475.615(2) FS.

LAW IMPLEMENTED: 455.02 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: Michael E. Murphy, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: 61J1-3.001 RULE TITLE: Application by Individuals

PURPOSE AND EFFECT: The Florida Real Estate Appraisal Board is adopting rules to implement the electronic fingerprint requirement of Section 475.615(3) of the Florida Statutes, which becomes effective on July 1, 2006.

SUBJECT AREA TO BE ADDRESSED: Application by Individuals.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.613, 475.615, 475.617, 475.624 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: Michael E. Murphy, Acting Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF JUVENILE JUSTICE

Residential Services

RULE CHAPTER NO.: 63E-6
 RULE CHAPTER TITLE: Sheriff's Training and Respect (STAR) Programs

RULE NOS.: 63E-6.001
 RULE TITLES: Purpose and Scope
 63E-6.002 Definitions
 63E-6.003 Admission Criteria
 63E-6.004 Admission Procedures
 63E-6.005 Program Orientation
 63E-6.006 Program Components
 63E-6.007 Behavior Management
 63E-6.008 Operational Inspections
 63E-6.009 Staff Training Requirements
 63E-6.010 Youth Release or Transfer

PURPOSE AND EFFECT: The proposed rule establishes pre-admission, operational, training, evaluation and release requirements governing Sheriff's Training and Respect (STAR) programs.

SUBJECT AREA TO BE ADDRESSED: Standards and monitoring for Sheriff's Training and Respect programs.

SPECIFIC AUTHORITY: 20.316, 985.3091, 985.405 FS.

LAW IMPLEMENTED: 985.3091 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATE AND TIME: Friday, July 7, 2006, 10:00 a.m. – 12:00 p.m.

PLACE: DJJ Headquarters, Knight Building, Room 108, 2737 Centerview Dr., Tallahassee, Florida

DATE AND TIME: Monday, July 10, 2006, 1:00 p.m. – 3:00 p.m.

PLACE: Atrium Centre, 4801 S. University Drive, Suite 110, Davie, Florida

DATE AND TIME: Tuesday, July 11, 2006, 9:00 a.m. – 11:00 a.m.

PLACE: DJJ Residential Services Central Region Office, 4524 Oak Fair Blvd., Ste. 200, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Clyde Benedix, 2737 Centerview Drive, Ste. 312-I, Tallahassee, FL 32399-3100, e-mail clayde.benedix@djj.state.fl.us.

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

DEPARTMENT OF JUVENILE JUSTICE

Staff Training

RULE CHAPTER NO.:	63H-1	RULE CHAPTER TITLE:	Protective Action Response
RULE NOS.:	63H-1.001	RULE TITLES:	Purpose and Scope
	63H-1.002		Definitions
	63H-1.003		Authorized Levels of Response
	63H-1.004		Authorized Techniques
	63H-1.005		Authorized Mechanical Restraints
	63H-1.006		Supervision of Youth in Mechanical Restraints
	63H-1.007		Documentation and Retention of Records
	63H-1.008		Medical Requirements for Training
	63H-1.009		Certification
	63H-1.010		Cross-Over Training
	63H-1.011		Rehired Employee Training
	63H-1.012		Annual Training Requirement
	63H-1.013		Testing Requirements
	63H-1.014		Training Instructor Qualifications
	63H-1.015		Training Instructor Certification Renewal
	63H-1.016		Law Enforcement Operations and Partnerships Other Than Those Governed by Chapter 63E, F.A.C.

PURPOSE AND EFFECT: The rule establishes a statewide framework to implement procedures and train staff in the use of verbal and physical intervention techniques and mechanical restraints.

SUBJECT AREA TO BE ADDRESSED: Staff training requirements in state and contracted juvenile delinquency programs.

SPECIFIC AUTHORITY: 20.316, 985.405, 985.4055 FS.

LAW IMPLEMENTED: 985.3091, 985.4055 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATE AND TIME: Friday, July 7, 2006, 10:00 a.m. – 12:00 p.m.

PLACE: DJJ Headquarters, Knight Building, Room 108, 2737 Centerview Dr., Tallahassee, Florida

DATE AND TIME: Monday, July 10, 2006, 1:00 p.m. – 3:00 p.m.

PLACE: Atrium Centre, 4801 S. University Drive, Suite 110, Davie, Florida

DATE AND TIME: Tuesday, July 11, 2006, 9:00 a.m. – 11:00 a.m.

PLACE: DJJ Residential Services Central Region Office, 4524 Oak Fair Blvd., Ste. 200, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Clyde Benedix, 2737 Centerview Drive, Ste. 312-I, Tallahassee, FL 32399-3100, e-mail clyde.benedix@djj.state.fl.us.

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-30.003
 RULE TITLE: Physician Assistant Licensure
 PURPOSE AND EFFECT: The proposed rule amendment is intended to remove the word “notarized” from the statement requirement.

SUBJECT AREA TO BE ADDRESSED: Removal of the word “notarized” from the statement requirement.

SPECIFIC AUTHORITY: 456.013, 456.031(2), 456.033(6), 458.309, 458.347 FS.

LAW IMPLEMENTED: 456.013, 456.017, 456.031, 456.033, 458.347 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, 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:

- 64B8-30.003 Physician Assistant Licensure.
- (1) through (2) No change.
- (3) The applicant must submit ~~notarized~~ statements containing the following information:
 - (a) through (c) No change.
 - (4) through (5) No change.

Specific Authority 456.013, 456.031(2), 456.033(6), 458.309, 458.347 FS. Law Implemented 456.013, 456.017, 456.031, 456.033, 458.347 FS. History—New 4-28-76, Amended 11-15-78, 10-23-80, 12-4-85, Formerly 21M-17.03, Amended 5-13-87, 11-15-88, 11-15-90, 1-9-92, 5-6-93, Formerly 21M-17.003, Amended 9-21-93, Formerly 61F6-17.003, Amended 9-8-94, 11-30-94, 10-25-95, 3-25-96, Formerly 59R-30.003, Amended 6-7-98, 8-19-99, 5-28-00, 3-3-02, 5-19-03, 10-19-03, 11-17-03, 9-5-05, 12-12-05, _____.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-6.004
 RULE TITLE: Retired Licensure Status
 PURPOSE AND EFFECT: The purpose and effect is to establish requirements for changing from an active licensure status to a retired licensure status and from a retired licensure status to an active licensure status.

SUBJECT AREA TO BE ADDRESSED: Changing between active and retired licensure status.

SPECIFIC AUTHORITY: 456.036(10), (15) FS.

LAW IMPLEMENTED: 456.036(2), (4)(b), (10), (12), (15) 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: Joe Baker, Jr., Acting Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-6.004 Retired Licensure Status.

(1) A licensee wishing to change to retired licensure status during the renewal period must pay the retired license fee. If the change to retired licensure status is outside the renewal period, the change of status fee shall also be paid.

(2) If the licensee holds a Florida retired license eligible for reactivation, the licensee may return the license to active status upon submission of a complete application to the Department, payment of the appropriate fees and compliance with the provisions of Section 456.036(12), F.S.

(3) Any licensee applying for an active status license who has been on retired licensure status for 5 years or more, or if licensed elsewhere and has not been actively practicing nursing during the past 5 years, shall as a condition of licensure demonstrate that he or she is able to practice with the care and skill sufficient to protect the health, safety and welfare of the public by obtaining a passing score on the licensure examination appropriate to the licensure level of the licensee, and

(a) For registered nurses or licensed practical nurses, completing a nursing refresher course with clinical component appropriate to the licensure level of the licensee. The refresher course must be given at a Board-approved program, and must include at least 60 hours of classroom instruction and 96 hours of clinical experience in medical/surgical nursing and any specialty area of practice of the licensee.

(b) For certified nursing assistants, completing a Board-approved training program.

Specific Authority 456.036(10), (15) FS. Law Implemented 456.036(2), (4)(b), (10), (12), (15) FS. History–New _____.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-7.001
 RULE TITLE: Fees

PURPOSE AND EFFECT: The purpose and effect is to establish an initial retired status license fee.

SUBJECT AREA TO BE ADDRESSED: Fees.

SPECIFIC AUTHORITY: 456.013(2), 456.017, 456.025, 456.036, 464.006, 464.014(1) FS.

LAW IMPLEMENTED: 119.07(1)(a), 456.013(2), 456.017(1)(c), 456.025, 456.036, 464.008, 464.009, 464.012, 464.013, 464.014 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: Joe Baker, Jr., Acting Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-7.001 Fees.

The following fees are prescribed by the Board.

(1) through (15) No change.

(16) The initial retired status license fee shall be fifty dollars (\$50.00).

Specific Authority 456.013(2), 456.017, 456.025, 456.036, 464.006, 464.014(1) FS. Law Implemented 119.07(1)(a), 456.013(2), 456.017(1)(c), 456.025, 456.036, 464.008, 464.009, 464.012, 464.013, 464.014 FS. History–New 9-12-79, Amended 3-5-81, 12-28-82, 11-17-83, Formerly 21O-15.01, Amended 9-23-86, 2-5-87, 10-21-87, 11-19-89, 3-13-90, 1-1-92, 6-24-93, Formerly 21O-15.001, 61F7-7.001, Amended 9-13-94, 11-6-94, 4-12-95, Formerly 59S-7.001, Amended 8-18-98, 11-2-98, 6-20-00, 7-7-02, 9-26-05, _____.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-6.003
 RULE TITLE: Physician Assistant Licensure

PURPOSE AND EFFECT: The proposed rule amendment is intended to remove the word “notarized” from the statement requirement.

SUBJECT AREA TO BE ADDRESSED: Removal of the word “notarized” from the statement requirement.

SPECIFIC AUTHORITY: 459.005, 459.022 FS.

LAW IMPLEMENTED: 120.53(1)(a), 456.013, 456.031, 456.033, 459.022 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: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B15-6.003 Physician Assistant Licensure.

(1) through (3) No change.

(4) The applicant must submit ~~notarized~~ statements containing the following information:

(a) through (c) No change.

(5) No change.

Specific Authority ~~458.347(7)~~, 459.005, 459.022 FS. Law Implemented 120.53(1)(a), 456.013, 456.031, 456.033, 459.022 FS. History–New 10-18-77, Formerly 21R-6.03, Amended 10-28-87, 4-21-88, 4-18-89, 9-26-90, 5-20-91, 10-28-91, 3-16-92, Formerly 21R-6.003, Amended 11-4-93, 3-29-94, Formerly 61F9-6.003, Amended 2-1-95, Formerly 59W-6.003, Amended 6-7-98, 3-10-02, 2-23-04, _____.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

RULE NOS.:	RULE TITLES:
65-2.045	Hearing Request
65-2.056	Basis of Hearings
65-2.057	Conduct of Hearing
65-2.058	Appearances

PURPOSE AND EFFECT: The proposed rule amendments address procedural guidelines for administrative hearings that are conducted within the Department of Children and Family Services for federally funded public assistance programs.

SUBJECT AREA TO BE ADDRESSED: The rule amendments are to clarify the rule language in areas of authorized representatives, the de novo nature of the hearing, align the confidentiality requirements with federal requirements, remove language that is duplicative of language of the uniform rules, and remove the language that provides for class action hearings.

SPECIFIC AUTHORITY: 409.285 FS.

LAW IMPLEMENTED: 409.285 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: July 10, 2006, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 100, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: John Pritchard, Chief of Appeal Hearings, telephone (850)488-1429

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-37.002	Definitions
67-37.005	Local Housing Assistance Plans
67-37.006	Review of Local Housing Assistance Plans and Amendments
67-37.007	Uses of and Restrictions Upon SHIP Local Housing Distribution Funds for Local Housing Assistance Plans
67-37.008	Local Housing Assistance Trust Fund
67-37.010	Local Affordable Housing Incentive Strategies
67-37.011	Interlocal Entities

PURPOSE AND EFFECT: This Rule establishes the procedures by which the Florida Housing Finance Corporation shall administer the State Housing Initiatives Partnership (SHIP) Program which provides funds to local governments as an incentive to create partnerships to produce and preserve affordable housing. Revisions to the Rule are required to implement technical and clarifying changes. The adoption of these revisions will increase the efficiency and effectiveness of local program service delivery and will provide greater clarification of the program.

SUBJECT AREA TO BE ADDRESSED: The Rule Development Workshops will be held to receive comments and suggestions from interested persons relative to program requirements as specified in Rule Chapter 67-37, Florida Administrative Code.

SPECIFIC AUTHORITY: 420.907 FS.

LAW IMPLEMENTED: 420.9071, 420.9072, 420.9073, 420.9075, 420.9076, 420.9078, 420.9079 FS.

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

DATE AND TIME: July 10, 2006, 11:30 a.m.

PLACE: Florida Housing Finance Corporation, Seltzer Room, Sixth Floor, 227 North Bronough Street, Tallahassee, Florida 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Robert Dearduff, SHIP Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON Florida Housing Finance Corporation's web site, www.floridahousing.org. Any person requiring special accommodations at this workshop because of a disability or physical impairment should contact Darlene Raker at (850)488-4197. If you are hearing or speech impaired, please use the Florida Dual Party Relay system which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-38.002	Definitions
67-38.0026	General Program Requirements and Restrictions
67-38.003	Application Submission Procedures
67-38.004	Incomplete Applications and Rejection Criteria
67-38.005	Application Evaluation and Award Guidelines
67-38.007	Terms and Conditions of the Loan
67-38.008	Eligible Uses for the Loan
67-38.010	Credit Underwriting Procedures
67-38.011	Fees
67-38.014	Disbursement Procedures

PURPOSE AND EFFECT: The purpose of Rule Chapter 67-38, Florida Administrative Code (F.A.C.), is to establish the procedures by which the Florida Housing Finance Corporation shall administer and implement the Predevelopment Loan Program which provides technical assistance and funding for predevelopment expenses to non-profit developers of affordable housing for low to moderate income households.

SUBJECT AREA TO BE ADDRESSED: The Rule Development Workshop will be held to receive comments and suggestions from interested persons relative to general program requirements, application procedures and loan terms for the Predevelopment Loan Program, as specified in Rule Chapter 67-38, F.A.C.

SPECIFIC AUTHORITY: 420.528 FS.

LAW IMPLEMENTED: 420.507, 420.521-.529 FS.

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

DATE AND TIME: July 10, 2006, 9:30 a.m.

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, 6th Floor, Seltzer Room, Tallahassee, FL 32301

Please note that if a written request for the workshop is not received by Close Of Business July, 6, 2006, the workshop will not be held.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Keantha Belton, Special Programs Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329, (850)488-4197

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

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

RULE NOS.:	RULE TITLES:
5B-57.001	Definitions
5B-57.002	Purpose
5B-57.007	Noxious Weed List
5B-57.011	Biomass Planting

PURPOSE AND EFFECT: The purpose of these rule amendments is to provide definitions for biomass permit and biomass planting, and contiguous, to add the language for biomass plantings within the purpose of Rule 5B-57.002, F.A.C., to add the following plants to the Noxious Weed List; *Abrus precatorius*, *Ardisia elliptica*, *Casuarina equisetifolia*, *Casuarina glauca*, *Colubrina asiatica*, *Leucaena leucocephala*, and *Scaevola taccada* and to provide specific requirements for issuing biomass permits. The effects of the amendments will make the Rules consistent with the provisions of Section 581.083(4), F.S., provide the authority for regulating several new plants known to be invasive noxious weeds and outlining specific procedures for obtaining permits to produce biomass plantings.

SUMMARY: To control the introduction into, or movement within this state of biomass plantings and to establish procedures under which the field release of such are permitted. Such procedures will assist in confirming that introductions and field releases are conducted in a manner which provides for public and environmental protection.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 570.07(13), (23), 581.031(1) FS.

LAW IMPLEMENTED: 581.031(1), (4), (5), (6), (7), 581.083, 581.101, 581.141 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: Richard Gaskalla, Director, Department of Agriculture and Consumer Services, Division of Plant Industry, Room A116, 1911 S.W. 34th Street, Gainesville, Florida 32608, (352)372-3505

THE FULL TEXT OF THE PROPOSED RULES IS:

5B-57.001 Definitions.

For the purpose of this rule chapter, the following definitions shall apply:

(1) through (3) No change.

(4) Biomass permit. A permit issued by the department authorizing a biomass planting.

(5) Biomass planting. The cultivation of a nonnative plant, including a genetically engineered plant for purposes of fuel production or purposes other than agriculture in plantings greater in size than two acres.

(7) Contiguous. Two or more plantings of non-native plants with a common boundary or a parcel of land that has been separated or divided into more than one planting of non-native plants whether separated or divided by a roadway or any other area not under cultivation with non-native plants.

(4) through (16) renumbered (6) through (17) No change.

Specific Authority 570.07(13), (23) FS. Law Implemented 581.031(4), (5), (6), 581.083, 581.091 FS. History--New 7-27-93, Amended 4-18-04,_____.

5B-57.002 Purpose.

The purpose of this rule chapter is to control the introduction into, or movement or spread within this state of any plant pest, noxious weed, or arthropod, and to establish procedures under which the field release of plant pests, noxious weeds, arthropods, and biological control agents or biomass plantings are permitted. Such procedures will assist in confirming that introductions and field releases are conducted in a manner which provides for public and environmental protection.

Specific Authority 570.07(13), (23) FS. Law Implemented 581.031(4), (5), (6), 581.083, 581.091 FS. History--New 7-27-93, Amended_____.

5B-57.007 Noxious Weed List.

(1) Parasitic Weeds.

(a) *Aeginetia* spp. (*Aeginetia*).

(b) *Alectra* spp. (*Alectra*).

(c) *Cuscuta* spp. Only the native Florida species are excluded from this list. These include:

1. *C. americana*.

2. *C. compacta*.

3. *C. exaltata*.