

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-4.01792
RULE TITLE: Specialization Requirements for the Prekindergarten Disabilities Endorsement – Academic Class

PURPOSE AND EFFECT: The purpose of this rule development is to add certification in elementary education grade K-6 as an appropriate base coverage for certification in the prekindergarten disabilities endorsement. The effect is more flexibility for certification for teachers who want to serve the prekindergarten level of exceptional students.

SUBJECT AREA TO BE ADDRESSED: Certification of prekindergarten disabilities teachers.

SPECIFIC AUTHORITY: 1001.02(1)(n), 1012.55(1), 1012.56(13) FS.

LAW IMPLEMENTED: 1001.02, 1012.54, 1012.55, 1012.56 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: Beverly Gregory, Chief, Bureau of Educator Certification, 325 West Gaines Street, Room 201, Tallahassee, Florida 32399-0400, (850)245-0431

TO REQUEST A RULE DEVELOPMENT WORKSHOP, PLEASE CONTACT: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

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

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE NO.: 6E-5.001
RULE TITLE: Exempt Religious Colleges

PURPOSE AND EFFECT: The purpose of this rule development is to implement a uniform process, including an application form, by which the Commission will issue letters of exemptions to religious institutions under Section 1005.06(1)(f), F.S. The effect is to clarify the circumstances that will, and that will not, result in issuance of an exemption letter from the Commission.

SUBJECT AREA TO BE ADDRESSED: Religious colleges not under the jurisdiction or purview of the Commission.

SPECIFIC AUTHORITY: 1005.06, 1005.22(1)(d), 1005.22(1)(e) FS.

LAW IMPLEMENTED: 1005.06, 1005.22(1)(d) FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400

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

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NOS.:	RULE TITLES:
12D-9.101	Scope of These Uniform Rules of Procedure
12D-9.102	Definitions
12D-9.103	Duties of the Board
12D-9.104	Duties of the Clerk
12D-9.105	Authority and Duties of Special Magistrates
12D-9.106	Petition
12D-9.107	Representation of the Taxpayer
12D-9.108	Standards of Conduct
12D-9.109	Filing and Service
12D-9.110	Exchange of Evidence
12D-9.111	Notice of Hearing; Scheduling of Hearings; 4-Hour Rule; Presentation of Evidence; Testimony of Witnesses; Conducting Hearings by Electronic Media
12D-9.112	Disqualification or Recusal of Special Magistrates
12D-9.113	Ex Parte Communication Prohibition
12D-9.114	Recordation
12D-9.115	Final Decisions
12D-9.116	Further Judicial Proceedings

PURPOSE AND EFFECT: The purpose of these proposed rule changes and new and revised forms is to set forth administrative review procedures and standards for making board decisions and special magistrate recommended decisions including the value of property, the denial of exemptions, the denial of classifications and deferrals. Also, these rules and forms provide for certification by the Value Adjustment Board

that the Board complied with the requirements of Chapter 194, Florida Statutes, and Department rules, and procedures for complaints regarding noncompliance. Chapter 12D-10, Florida Administrative Code, is being substantially rewritten and additional rule sections may be added. The preliminary text of the proposed rules and forms will be available from the contact person listed below or from the Department’s website at: <http://dor.myflorida.com/dor/property/vabwb/vabws.html> on or about November 5, 2008. General comments, questions, or suggestions about the value adjustment board process may be submitted to the Department at VAB@dor.state.fl.us.

The effect of these proposed rule changes and new and revised forms is to set forth clear, equitable, and uniform administrative review procedures and standards for taxpayers who petition property tax matters to Value Adjustment Boards, including the value of property, the denial of exemptions, and the denial of classifications and deferrals.

SUBJECT AREA TO BE ADDRESSED: The subject of this workshop is the property tax value adjustment board process.

SPECIFIC AUTHORITY: 194.011(5), 194.034(1), 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: Chapter 2008-197, Laws of Florida, 193.122, 194.011, 194.015, 194.032, 194.034, 194.035, 194.036, 194.037, 194.301, 195.002, 195.096, 195.022, 196.011, 197.122, 200.069, 213.05 FS.

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

DATES AND TIMES: November 19, 2008 in Orlando, Florida, 10:00 a.m. and November 20, 2008 in Miami, Florida, 10:00 a.m.

PLACES: Orange County Extension Education Center Auditorium, 6021 South Conway Road, Orlando, Florida and Florida Department of Revenue Miami Service Center, 8175 N. W. 12th Street, Suite 119, Miami, 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 2 days before the workshop/meeting by contacting: Janice Forrester, (850)922-7945. 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: Janice Forrester, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)922-7945, e-mail address: ForrestJ@dor.state.fl.us

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

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NOS.:	RULE TITLES:
12D-10.0001	Property Taxpayer Rights and Responsibilities
12D-10.001	Composition of Value Adjustment Board
12D-10.0011	Definitions for Administrative Review of Just Valuations
12D-10.0012	Scope of Administrative Review of Just Valuations
12D-10.0013	Process of Administrative Review of Just Valuations
12D-10.002	Appointment and Employment of Special Magistrates
12D-10.003	Powers, Authority, Duties and Functions of Value Adjustment Board
12D-10.0032	Review and Adoption of Recommended Decisions of Special Magistrates by Value Adjustment Boards
12D-10.00331	Requirements for Decisions to Remand Assessments to Property Appraiser
12D-10.0035	Definitions for Administrative Review of Classifications, Exemptions and “Portability” Assessment Differences
12D-10.0036	Definitions for Administrative Review of Classifications, Exemptions and “Portability” Assessment Differences
12D-10.0037	Process of Administrative Review of Classifications, Exemptions and “Portability” Assessment Differences
12D-10.00395	Requirements for Decisions by Value Adjustment Boards and Recommended Decisions of Special Magistrates
12D-10.00396	Review and Adoption of Recommended Decisions of Special Magistrates by Value Adjustment Boards
12D-10.00397	Requirements for Decisions to Remand Classification Assessments to Property Appraiser

- 12D-10.00398 Requirements for Administrative Review of Classified Use Valuations
- 12D-10.004 Receipt of Taxpayer’s Petition to Be Acknowledged
- 12D-10.0044 Uniform Procedures for Hearings; Procedures for Information and Evidence Exchange Between the Petitioner and Property Appraiser, Consistent with Section 194.032, F.S.; Organizational Meeting; Uniform Procedures to be Available to Petitioners
- 12D-10.005 Duty of Clerk to Prepare and Transmit Record
- 12D-10.006 Public Notice of Findings and Results of Value Adjustment Board Certification of Assessment Rolls Before Commencement of Value Adjustment Board Hearings
- 12D-10.0065 Certification of Assessment Rolls After Completion of Value Adjustment Board Hearings
- 12D-10.007 Complaints; Form Required
- 12D-10.008 Notice of Non-Compliance by Department of Revenue
- 12D-10.009

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SPECIFIC AUTHORITY: 194.011(5), 194.034(1), 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: Chapter 2008-197, Laws of Florida, 193.122, 194.011, 194.015, 194.032, 194.034, 194.035, 194.036, 194.037, 194.301, 195.002, 195.096, 195.022, 196.011, 197.122, 200.069, 213.05 FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Janice Forrester, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)922-7945, e-mail address: ForrestJ@dor.state.fl.us

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BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NOS.:	RULE TITLES:
40B-9.011	Policy and Purpose
40B-9.021	Definitions
40B-9.041	Acquisition Procedures – Negotiations
40B-9.0411	Land Acquisition Procedures
40B-9.042	Inholding and Addition Property
40B-9.045	Acquisition Procedures – Condemnation
40B-9.0451	Land Condemnation Procedures

- 40B-9.065 Disclosure of Beneficial Interest
- 40B-9.081 Disposition of Surplus Land
- 40B-9.123 Additional Definitions
- 40B-9.125 Scope and Applicability
- 40B-9.126 Access to District Lands
- 40B-9.131 Public Use of District Lands
- 40B-9.1381 Prohibited Activities
- 40B-9.1411 Special Use Authorizations
- 40B-9.142 Easements
- 40B-9.145 Leases
- 40B-9.151 Closure of District Lands
- 40B-9.161 Violations
- 40B-9.320 Conflicting Rules

PURPOSE AND EFFECT: The purpose and effect of the proposed amendments is to update the administration of the land acquisition and management programs of the SRWMD consistent with Chapter 373, F.S., and other applicable provisions of the Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The proposed amendments concern the SRWMD's land acquisition and land management programs.

SPECIFIC AUTHORITY: 373.026, 373.044, 373.056, 373.083, 373.089, 373.093, 373.103, 373.113, 373.139, 373.1391, 373.59 FS.

LAW IMPLEMENTED: 259.105, 373.056, 373.089, 373.093, 373.096, 373.099, 373.139, 373.1391, 373.59 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: Robert Heeke, 9225 CR 49, Live Oak, FL 32060 rgh@srwmd.org or (386)362-1001

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.:	RULE TITLE:
40E-400.315	No Notice General Permit for Activities in Uplands

PURPOSE AND EFFECT: To delete the partial delegation to Collier County to review and issue environmental resource permits in uplands within the designated boundaries of delegation within Collier County for projects with less than 40 acres in total land area.

SUBJECT AREA TO BE ADDRESSED: No Notice General Permit for Activities in Uplands – Thresholds and Additional Conditions within Collier County.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.171, 403.813, 403.814 FS.

LAW IMPLEMENTED: 373.118, 373.413, 373.416, 373.426 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.

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: South Florida Water Management District Clerk, (800)432-2045, ext. 2087 or (561)682-2087. 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: Anita R. Bain, Division Director, Natural Resources Management, Environmental Resources Regulation Department, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, (800)432-2045, ext. 6866 or (561)682-6866, email: abain@sfwmd.gov. For procedural questions, contact Jan Sluth, Senior Paralegal, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, (800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-400.315 No Notice General Permit for Activities in Uplands.

(1) No change.

(2) through (2)(b) No change.

~~(e) Thresholds and Additional Conditions Within Collier County.~~

~~1. The project must have less than 40 acres total land area.~~

~~2. The project and surface water management system must have been approved by Collier County subsequent to September 17, 1980.~~

Specific Authority 373.044, 373.118, 373.171, 403.813, 403.814 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History—New 10-3-95, Amended 4-14-03,_____.

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE NOS.:	RULE TITLES:
60BB-3.0251	Definitions Relating to Emergency Unemployment Compensation

- 60BB-3.0252 Emergency Unemployment Compensation
- 60BB-3.0253 Emergency Unemployment Compensation Individual Accounts
- 60BB-3.0254 How to Apply for Emergency Unemployment Compensation
- 60BB-3.0255 Applicability of Emergency Unemployment Compensation Rules
- 60BB-3.029 Public Use Forms

PURPOSE AND EFFECT: The new rules and rule amendments set forth in this Notice of Proposed Rule Development implement the procedures and policy relating to the federally funded Emergency Unemployment Compensation Program created by Public Law 110-252 and implemented in Florida through an agreement between the Agency for Workforce Innovation and the United States Department of Labor.

SUBJECT AREA TO BE ADDRESSED: Unemployment Compensation Claims and Benefits.

SPECIFIC AUTHORITY: 443.1317(1)(b) FS.

LAW IMPLEMENTED: 443.036, 443.091, 443.101, 443.111, 443.151, 443.171(5), 43.1715(1), 443.191, 443.221(3) 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: John R. Perry, Assistant General Counsel, Agency for Workforce Innovation, Office of General Counsel, 107 East Madison Street, MSC #110, Tallahassee, Florida 32399-4128, (850)245-7150

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

60BB-3.0251 Definitions Relating to Emergency Unemployment Compensation.

(1) Emergency Unemployment Compensation: A federally funded program created by Public Law 110-252 and implemented in Florida through an agreement between the Agency for Workforce Innovation and the United States Department of Labor which provides up to 13 weeks of unemployment benefits to qualified individuals who have exhausted their rights to regular unemployment compensation on claims that were effective on or after May 2, 2006.

(2) Extended unemployment compensation: Benefits, including benefits payable to federal civilian employees and to ex-servicemembers under 5 U.S.C. ss. 8501-8525, that are payable to an individual under Section 443.1115, Florida Statutes.

(3) Qualifying benefit year: The benefit year established on a Florida claim for regular unemployment compensation which was effective on or after May 2, 2006, and is the basis of the individual's eligibility for emergency unemployment compensation.

(4) Regular unemployment compensation: Benefits payable to an individual under Chapter 443, Florida Statutes, including benefits payable to federal civilian employees and to ex servicemembers under 5 U.S.C. ss. 8501-8525, other than extended unemployment compensation under Section 443.1115, Florida Statutes.

Specific Authority 443.1317(1)(b) FS. Law Implemented 443.036, 443.221(3) FS. History--New _____.

60BB-3.0252 Emergency Unemployment Compensation

(1) Eligibility Conditions. Emergency Unemployment Compensation is available to individuals who:

(a) Have exhausted all rights to regular unemployment compensation on a Florida claim with a benefit year that ended on or after May 1, 2007;

(b) Have no rights to regular unemployment compensation or extended unemployment compensation under any other state or federal law;

(c) Are not receiving compensation with respect to such week under the unemployment compensation law of Canada; and

(d) Are legally authorized to work in the United States.

(2) Exhaustion of Benefits. For purposes of this rule, an individual has exhausted all rights to regular unemployment compensation when that individual:

(a) Has received all regular compensation available on the qualifying benefit year; or

(b) Had rights to regular unemployment compensation on the qualifying benefit year, but those rights were terminated because the benefit year ended.

(3) Amount Payable.

(a) The amount of emergency unemployment compensation payable to an individual for any week of total unemployment shall be equal to the amount of regular unemployment compensation payable during the individual's qualifying benefit year for a week of total unemployment.

(b) The maximum amount of emergency unemployment compensation payable to any individual will not exceed the amount established for such individual in the emergency unemployment compensation account described in Rule 60BB-3.0253, F.A.C.

(4) Applicable Law. The terms and conditions of the law under which the individual claimed and received regular unemployment compensation shall apply to claims for and payment of emergency unemployment compensation.

(5) False Statements or Misrepresentations. Any person who makes, or causes another to make, a false statement or representation of a material fact, or who knowingly fails, or causes another to fail, to disclose a material fact, with the result that any individual receives an amount of emergency unemployment compensation to which that individual was not entitled, shall be disqualified from receiving emergency unemployment compensation under this rule in accordance with Section 443.101(6), Florida Statutes.

(6) Overpayments. Any person who receives emergency unemployment compensation to which he is not entitled shall repay any such overpayment to the Agency for Workforce Innovation. The requirement to repay the overpayment will not be waived.

(a) The Agency may recoup any such overpayments by deducting 50 percent of the weekly benefit amount from any future payments until the overpayment is repaid in full.

(b) Recoupment of overpayments from future benefits may occur at any time during the 3-year period after the date the individual received the payment of the emergency unemployment compensation to which he was not entitled.

(c) No waiver of such recoupment may occur except as permitted by Section 443.151(6)(c), Florida Statutes.

(7) Finality of Determination Required. No repayment shall be required, and no deduction will be made, until the determination of overpayment becomes final. A determination is final when the individual has:

(a) Been given proper notice of the determination;

(b) Had an opportunity for a fair hearing before an appeals referee; and

(c) Waived or exhausted his legal remedies.

(8) Appeals of Overpayment Determinations. Any determination by the Agency under this rule shall be subject to review as prescribed in Chapter 60BB-5, Florida Administrative Code.

Specific Authority 443.1317(1)(b) FS. Law Implemented 443.091, 443.101, 443.111, 443.151(6), 443.221(3) FS. History—New _____.

60BB-3.0253 Emergency Unemployment Compensation Individual Accounts.

(1) For each eligible individual who files an application for emergency unemployment compensation, the Agency for Workforce Innovation will establish an emergency unemployment compensation account with respect to that individual's benefit year.

(2) The amount established in an account under subsection (1) of this rule shall be equal to the lesser of:

(a) 50 percent of the total amount of regular unemployment compensation payable to the individual during his or her benefit year, or

(b) 13 times the individual's average weekly benefit amount for the benefit year.

(3) An individual who has a balance remaining in his or her individual account as of March 28, 2009, shall continue to receive emergency unemployment compensation from such balance for any week beginning after that date for which he or she meets the eligibility requirements of this rule, except that no compensation shall be payable for any week beginning after June 30, 2009.

Specific Authority 443.1317(1)(b) FS. Law Implemented 443.111, 443.191, 443.221(3) FS. History—New _____.

60BB-3.0254 How to Apply for Emergency Unemployment Compensation.

(1) Method of Application. Individuals whose regular unemployment compensation benefits are exhausted or whose benefit year expires between July 6, 2008 and March 28, 2009, will receive notice regarding their eligibility for emergency unemployment compensation and will receive these benefits without filing an application as long as they comply with the continued claims reporting requirements set forth in Rule 60BB-3.015, Florida Administrative Code. All other individuals who wish to receive emergency unemployment compensation must submit an application for benefits to the Agency for Workforce Innovation. Applications must be filed by March 28, 2009. An application may be submitted:

(a) Online by using the Online Internet Unemployment Compensation Claim Application (07/08), or the Online Internet Unemployment Compensation Claim Application (Spanish version) (07/08), which are incorporated by reference in paragraphs 60BB-3.029(1)(fff) and (ggg), F.A.C., and which are available at www.fluidnow.com.

(b) In writing on one of the following forms, which are incorporated by reference in paragraphs 60BB-3.029(1)(l)-(m), Florida Administrative Code, and which are available at www.floridajobs.org/unemployment/uc_emp_claims.html:

(i) Form AWI-UC310EUC (Rev. 07/08);

(ii) Formulario AWI-UC310EUCS (Rev. 07/08), or

(iii) Form AWI-UCB310EUCC (Rev. 07/08); or

(c) By telephone at (800)204-2418.

(2) Submitting Written Applications. To submit a written application, the claimant must complete, as applicable, the Form AWI-UC310EUC (Rev. 07/08), Formulario AWI-UC310EUCS (Rev. 07/08), or the Form AWI-UCB310EUCC (Rev. 07/08), and either:

(a) Mail the completed form to the Agency for Workforce Innovation, Unemployment Compensation Records Unit, P. O. Drawer 5350, Tallahassee, Florida 32314-5350; or

(b) Fax the form to the Agency for Workforce Innovation, Unemployment Compensation Records Unit, (850)921-3938.

(3) Notice of Determination.

(a) Notice of the Agency's determination of a claimant's eligibility or ineligibility for emergency unemployment compensation will be mailed to the claimant on a Form AWI-UCB11 EUC (07/08).

(b) Notice of ineligibility will be mailed to the claimant on a Form AWI-UCB11-1 EUC (07/08) in all cases in which the claimant did not have a valid claim for regular unemployment compensation effective on or after May 2, 2006.

Specific Authority 443.1317(1)(b) FS. Law Implemented 443.091, 443.101, 443.111, 443.151, 443.221(3) FS. History–New

60BB-3.0255 Applicability of Emergency Unemployment Compensation Rules.

Emergency unemployment compensation is payable for weeks that begin on or after July 6, 2008. No new emergency unemployment accounts shall be established for weeks ending after March 28, 2009, and no emergency unemployment compensation shall be paid for weeks beginning after June 30, 2009.

Specific Authority 443.1317(1)(b) FS. Law Implemented 443.191, 443.221(3) FS. History–New

60BB-3.029 Public Use Forms.

(1) The following forms and instructions are used by the Agency for Workforce Innovation in its dealings with the public in the administration of the unemployment compensation program, and are incorporated by reference:

(a) AWI Form ERWC – “Employee’s or Employer’s Authorization and Request for Wage Records” (New 02/06), which is available at the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_emp_forms.html.

(b) AWI Form AWA-01 – “Notarized Authorization for Release of Records” (Rev. 03/05), which is available at the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_emp_forms.html.

(c) IB-1 – “Initial Interstate Claim” (Rev. 10/07), which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the “Florida Unemployment Compensation Claims Services/ Claim Book” link.

(d) IB-1(S) – “Initial Interstate Claim” (Spanish version) (Rev. 10/07), which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the link beginning with the phrase “Haga clic aqui para acceder”.

(e) IB-1(C) – “Initial Interstate Claim” (Creole version) (Rev. 10/07), which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the link beginning with the phrase “Chwazi sa a pou”.

(f) AWI Form UC-310 – “Unemployment Compensation Application for Services” (Rev. 10/07) which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the “Florida Unemployment Compensation Claims Services/ Claim Book” link.

(g) AWI Form UC-310(S) – “Unemployment Compensation Application for Services” (Spanish version) (Rev. 10/07) which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the link beginning with the phrase “Haga clic aqui para acceder”.

(h) AWI Form UC-310(C) – “Unemployment Compensation Application for Services” (Creole version) (Rev. 10/07) which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the link beginning with the phrase “Chwazi sa a pou”.

(i) AWI Form UC-310 Supplement (Rev. 10/07) which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the “Florida Unemployment Compensation Claims Services/Claim Book” link.

(j) AWI Form UC-310(S) Supplement (Rev. 10/07) which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the link beginning with the phrase “Haga clic aqui para acceder”.

(k) AWI Form UC-310(C) Supplement (Rev. 10/07) which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the link beginning with the phrase “Chwazi sa a pou”.

(l) Form AWI-UC310EUC (Rev. 07/08)

(m) Formulario AWI-UC310EUCS (Rev. 07/08)

(n) Form AWI-UCB310EUCC (Rev. 07/08)

(o)(+) AWI Form UCB/STC-3 – “Short Time Compensation Plan Application” (Rev. 11/01).

(p)(+) AWI Form UCB-9 (04/01).

(q)(+) AWI Form UCB-11 – “Wage Transcript and Determination” (Rev. 01/08).

(r) Form AWI-UCB11 EUC (07/08)

(s) Form AWI-UCB11 EUC Spanish/Creole Insert (09/08)

(t) Form AWI-UCB11-1 EUC (07/08)

(u) Form AWI-UCB11-1 EUC (Spanish Version) (07/08)

(v) Form AWI-UCB11-1 EUC (Creole Version) (07/08)

(w)(+) AWI Form UCB-34 (09/01).

(x)(+) AWI Form UCB-45 – “Notice of Determination” (Rev. 02/08).

(y)(+) AWI Form UCB-60 – “Weekly Claim Certification” (Rev. 02/03).

(z)(+) AWI Form UCB-60V (Rev. 06/04).

(aa)(+) AWI Form UCB-121E (01/07).

(bb)(+) Employer Notification Letter (01/07).

(cc)(+) AWI Form UCB-200 “Unemployment Compensation Fact-Finding Statement” (06/08).

(dd)(+) AWI Form UCB-200LD “Labor Dispute” (06/08).

(ee)(+) AWI Form UCB-201 (06/08).

(ff)(~~xx~~) AWI Form UCB-202 (06/08).
 (gg)(~~yy~~) AWI Form UCB-204 (06/08).
 (hh)(~~zz~~) AWI Form UCB-205 (06/08).
 (ii)(~~aaa~~) AWI Form UCB-205SIF (06/08).
 (jj)(~~bbb~~) AWI Form UCB-206 “Reporting Requirements” (06/08).
 (kk)(~~eee~~) AWI Form UCB-207 “Unemployment Compensation Fact-Finding Statement” (06/08).
 (ll)(~~ddd~~) AWI Form UCB-208 “Voluntary Leaving” (06/08).
 (mm)(~~eee~~) AWI Form UCB-209 “Employment Status” (06/08).
 (nn)(~~fff~~) AWI Form UCB-209L (06/08).
 (oo)(~~ggg~~) AWI Form UCB-209S “Suspension” (06/08).
 (pp)(~~hhh~~) AWI Form UCB-211 “School Attendance/Training” (06/08).
 (qq)(~~iii~~) AWI Form UCB-219 “Reemployment Services Eligibility Issues” (06/08).
 (rr)(~~jjj~~) AWI Form UCB-221 “Worker Profiling and Reemployment Services Assessment” (06/01).
 (ss)(~~kkk~~) AWI Form UCB-231 “Claimant’s Eligibility Review Questionnaire” (06/08).
 (tt)(~~lll~~) AWI Form UCB-412 – “Determination Notice of Unemployment Claim Filed” (Rev. 04/07).
 (uu)(~~mmm~~) Form AWI-UCW4VT (Rev. 10/07), which may be found by going to the Agency’s Internet site at: http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the “Florida Unemployment Compensation Claims Services / Claim Book” link.
 (vv)(~~nnn~~) Form AWI-UCW4VFL (S) (Rev. 10/07), which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the link beginning with the phrase “Haga clic aqui para acceder”.
 (ww)(~~ooo~~) Form AWI-UCW4VFL (C) (Rev. 10/07), which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the link beginning with the phrase “Chwazi sa a pou”.
 (xx)(~~ppp~~) Form AWI-UC20A (Rev. 10/07), which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_bri.html and clicking on the “Florida Unemployment Compensation Program/Benefit Rights” link.
 (yy)(~~qqq~~) Form AWI-UC20A (S) (Rev. 10/07), which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_bri.html and clicking on the link beginning with the phrase “Oprima aqui para recibir”.
 (zz)(~~rrr~~) Form AWI-UC20A (C) (Rev. 10/07), which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_bri.html and clicking on the link beginning with the phrase “Pou ou ka itilize”.

(zz)(~~sss~~) UC Bulletin 1E (Rev. 10/07), which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_bri.html and clicking on the “Florida Unemployment Compensation Program/Benefit Rights” link.

(aaa)(~~ttt~~) UC Bulletin 1S (Rev. 10/07), which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_bri.html and clicking on the link beginning with the phrase “Oprima aqui para recibir”.

(bbb)(~~uuu~~) UC Bulletin 1C (Rev. 10/07), which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_bri.html and clicking on the link beginning with the phrase “Pou ou ka itilize”.

(ccc)(~~vvv~~) UC100T (Rev. 10/07), which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the “Unemployment Compensation Claims Services/Claim Book” link.

(ddd)(~~www~~) UC100FL(S) (Rev. 10/07), which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the link beginning with the phrase “Haga clic aqui para acceder”.

(eee)(~~xxx~~) UC100FL(C) (Rev. 10/07), which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the link beginning with the phrase “Chwazi sa a pou”.

(fff)(~~yyy~~) Online Internet Unemployment Compensation Claim Application (07/08 ~~11/07~~), which is available at www.fluidnow.com.

(ggg)(~~zzz~~) Online Internet Unemployment Compensation Claim Application (Spanish version) (07/08 ~~11/07~~), which is available at www.fluidnow.com.

(hhh)(~~aaa~~) Continued Claims Detailed System Design, Appendix B: IVR Script (Interactive Voice Response Script) (January 23, 2008).

(iii)(~~bbb~~) Detail System Design, Appendix C (Interactive Voice Response Script) (January 23, 2008).

(jjj)(~~eee~~) AWI Form UCS-6061 “Independent Contractor Analysis” (Rev. 11/05).

(2) These forms may be obtained by:

(a) Writing to the Agency for Workforce Innovation, Unemployment Compensation Records Unit, P. O. Drawer 5750, Tallahassee, FL 32314-5750.

(b) Faxing a request to the Agency’s UC Records Unit at (850)921-3912.

(c) Calling the UC Records Unit at (850)921-3470.

Specific Authority 443.1317(1)(b) FS. Law Implemented 443.171(5), 443.1715(1), (2)(b)1., 443.221(3) FS. History—New 6-4-06, Amended 8-14-08, _____.

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

<p>RULE NOS.: 60BB-9.110 60BB-9.115 60BB-9.201</p>	<p>RULE TITLES: Performance Standards and Outcome Measures School Readiness Plan Requirements Early Learning Coalition Composition</p>
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PURPOSE AND EFFECT: The purpose of the proposed rule development is to establish performance standards and outcome measures for the school readiness program, criteria for approval of school readiness plans for submission to the Agency for Workforce Innovation for review and approval, and requirements for early learning coalition board membership.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development will address development performance standards and the use of outcome measures with regard to the school readiness program; criteria for submission, review, and approval of school readiness plans under Section 411.01, Florida Statutes; and the criteria for early learning coalition board membership and composition.

SPECIFIC AUTHORITY: 411.01(4)(d)8., 411.01(4)(e), 411.01(4)(l) FS.

LAW IMPLEMENTED: 411.01(2), 411.01(4)(d), 411.01(4)(d)8., 411.01(4)(j), 411.01(4)(l), 411.01(4)(o), 411.01(5)(a)4., 7., 411.01(5)(a)-(f), 411.01(6), 411.01(7)(a), 411.01(8) FS.

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

DATE AND TIME: Thursday, November 13, 2008, 8:30 a.m. – 10:00 a.m.

PLACE: Renaissance Orlando Hotel Airport, 5445 Forbes Place, Orlando, Florida 32812

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 72 hours before the workshop/meeting by contacting: Audrey Gatlen at (850)245-7160. 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: Kristin R. Harden, Assistant General Counsel, Agency for Workforce Innovation, Office of General Counsel, 107 East Madison Street, MSC #110, Tallahassee, Florida 32399-4128, (850)245-7150

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Expected to be available on the Agency’s website ten (10) days prior to the workshop at <http://www.floridajobs.org/earlylearning>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

<p>RULE NO.: 61-32.003</p>	<p>RULE TITLE: Guidelines for Issuing Citations for Unlicensed Practice of a Profession</p>
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PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to remove reference to a Notice and Order to Cease and Desist and to edit the rule for clarity.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in this rule is the method by which the Department issues citations for the unlicensed practice of a profession.

SPECIFIC AUTHORITY: 455.228(3)(a) FS.

LAW IMPLEMENTED: 455.224, 455.228 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: Patricia Nelson, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-0062

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before any hearing by contacting: Patricia Nelson, (850)488-0062. If you are hearing or speech impaired, please contact the Department using the Florida Dual Party Relay System which can be reached at 1(800)955-8700 (Voice) or 1(800)955-8771 (TTD).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

<p>RULE NOS.: 61C-5.001 61C-5.002 61C-5.006 61C-5.008 61C-5.013</p>	<p>RULE TITLES: Standards Adopted; Exclusions; and Conflicts Safety Inspections Elevator Fees; Construction and Alteration Permits; Annual Certificates of Operation; Delinquency Fee; Transfer of Ownership; Certificate Replacement Definitions Service Maintenance Contracts</p>
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PURPOSE AND EFFECT: The purpose and effect of this rule development is to clarify elevator safety requirements.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in this rule is elevator safety.

SPECIFIC AUTHORITY: 399.02, 399.03, 399.07(1), 399.10 FS.

LAW IMPLEMENTED: 399.01(17), 399.02, 399.03, 399.061, 399.07 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: Michelle Comingore, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-1133

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-18.005 RULE TITLE: Qualifications of Course Instructors

PURPOSE AND EFFECT: The Board proposes to review the rule to delete unnecessary language and add new language to clarify the qualifications of course instructors.

SUBJECT AREA TO BE ADDRESSED: Qualifications of course instructors.

SPECIFIC AUTHORITY: 489.108, 489.115 FS.

LAW IMPLEMENTED: 489.115 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: G. W. Harrell, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE NO.: 61G17-3.001 RULE TITLE: Experience

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to clarify experience requirement.

SUBJECT AREA TO BE ADDRESSED: Experience.

SPECIFIC AUTHORITY: 472.008 FS.

LAW IMPLEMENTED: 472.013 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: Rick Morrison, Executive Director, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE NO.: 61G17-9.005 RULE TITLE: Mediation

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to consider current applicability.

SUBJECT AREA TO BE ADDRESSED: Mediation.

SPECIFIC AUTHORITY: 455.2235 FS.

LAW IMPLEMENTED: 455.2235 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: Rick Morrison, Executive Director, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

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 ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.520 RULE TITLE: Indian River Lagoon TMDLs

PURPOSE AND EFFECT: The Department is initiating rulemaking to establish Total Maximum Daily Loads (TMDLs) for the main stem water segments of Indian River Lagoon and Banana River Lagoon in the Indian River Lagoon Basins Pursuant to Section 403.067(6), F.S., TMDLs must be adopted by the Secretary of the Department by rule. Chapter 62-304, F.A.C., was established as the rule chapter within which rules adopting TMDLs shall reside. The verified list for the Group 5 Indian River Lagoon basin was adopted by Secretarial Order in December 12, 2007. TMDL calculations and allocations for each waterbody or waterbody segment will be adopted by rule, by the Secretary of the Department, pursuant to Sections 120.536(1), 120.54, and 403.805, F.S. This rule has been given the following OGC case number: 08-2576 for Rule 62-304.520, F.A.C.

SUBJECT AREA TO BE ADDRESSED: TMDLs and their allocations will be established for the pollutants identified as causing the impairment for the impaired waters in the above listed basin (as indicated in the order adopting the verified list for the basin and by the direction of the Florida Legislature).

SPECIFIC AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.067 FS.

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

DATE AND TIME: Wednesday, November 19, 2008, 9:30 a.m.

PLACE: St. Johns River Water Management District, Palm Bay Service Center, Blue Cypress Meeting Room, 525 Community College Parkway, S.E., Palm Bay, FL 32909

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 48 hours before the workshop/meeting by contacting: Ms. Pat Waters at (850)245-8449. 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: Jan Mandrup-Poulsen, Environmental Administrator, Watershed Evaluation and TMDL Section, Florida Department of Environmental Protection, Mail Station 3555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.:	RULE TITLE:
64B5-2.014	Licensure Requirements for Applicants from Accredited Schools or Colleges

PURPOSE AND EFFECT: The Board proposes the rule amendment to add new language to clarify proof of training in cardiopulmonary resuscitation (CPR) and to renumber remaining items.

SUBJECT AREA TO BE ADDRESSED: Licensure requirements for applicants from accredited schools or colleges.

SPECIFIC AUTHORITY: 466.004 FS.

LAW IMPLEMENTED: 466.004 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: Sue 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 HEALTH

Board of Dentistry

RULE NO.:	RULE TITLE:
64B5-2.0144	Licensure Requirements for Dental Hygiene Applicants from Unaccredited Dental Schools or Colleges

PURPOSE AND EFFECT: The Board proposes the rule amendment to add language to clarify requirements for sitting for the Florida Dental Hygiene examination.

SUBJECT AREA TO BE ADDRESSED: Licensure requirements for dental hygiene applicants from unaccredited dental schools or colleges.

SPECIFIC AUTHORITY: 466.004, 466.007 466.067 FS.

LAW IMPLEMENTED: 466.007 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: Sue 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 HEALTH

Board of Dentistry

RULE NO.: 64B5-15.002 RULE TITLE: Application Fees

PURPOSE AND EFFECT: The Board proposes the rule amendment to add language for the cost of the application fee for a Health Access Dental License.

SUBJECT AREA TO BE ADDRESSED: Health Access Dental License Fee.

SPECIFIC AUTHORITY: 466.004(3) FS.

LAW IMPLEMENTED: 466.006(1) 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: Sue 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 HEALTH

Board of Dentistry

RULE NO.: 64B5-15.006 RULE TITLE: Licensure and Renewal Fees

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and add language to clarify the biennial renewal fee.

SUBJECT AREA TO BE ADDRESSED: Licensure and renewal fees.

SPECIFIC AUTHORITY: 456.013, 456.025, 466.013 FS.

LAW IMPLEMENTED: 456.013, 456.025, 466.013 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: Sue 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 HEALTH

Board of Dentistry

RULE NO.: 64B5-16.001 RULE TITLE: Definitions of Remediable Tasks and Supervision Levels

PURPOSE AND EFFECT: The Board proposes the rule amendment to add language to define the supervision level for any task delegable to dental hygienists.

SUBJECT AREA TO BE ADDRESSED: Definitions of remediable tasks and supervision levels.

SPECIFIC AUTHORITY: 466.004(4), 466.024(1), (3) FS.

LAW IMPLEMENTED: 466.024, 466.03(1), (12) 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: Sue 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 HEALTH

Board of Dentistry

RULE NO.: 64B5-16.002 RULE TITLE: Required Training

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete reference to the Dental Assisting National Board, Inc. (DANB) credential.

SUBJECT AREA TO BE ADDRESSED: Required training.

SPECIFIC AUTHORITY: 466.004, 466.024 FS.

LAW IMPLEMENTED: 466.023, 466.024 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: Sue 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 HEALTH

Board of Nursing

RULE NO.: 64B9-3.0085
 RULE TITLE: State Requirements Not Substantially Equivalent

PURPOSE AND EFFECT: To implement Section 464.009(2), F.S., by identifying a state that does not have licensure requirements substantially equivalent to Florida’s requirement.
 SUBJECT AREA TO BE ADDRESSED: State Requirements Not Substantially Equivalent.

SPECIFIC AUTHORITY: 464.009(2) FS.

LAW IMPLEMENTED: 464.009(2) 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: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-3.0085 State Requirements Not Substantially Equivalent.

The licensure requirements of the following states and territories are not presumed to be substantially equivalent to the licensure requirements in Florida:

New Mexico

Specific Authority 464.009(2) FS. Law Implemented 464.009(2) FS. History–New _____.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-8.009
 RULE TITLE: Payment of Fines

PURPOSE AND EFFECT: To extend time in which to pay fines.

SUBJECT AREA TO BE ADDRESSED: Payment of Fines.

SPECIFIC AUTHORITY: 4456.072(4), 464.006 FS.

LAW IMPLEMENTED: 456.072(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 IS: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-8.009 Payment of Fines.

Unless stated otherwise in the Final Order, fines and costs are payable within six months ~~sixty days~~ of the filing of the order.

Specific Authority 456.072(4), 464.006 FS. Law Implemented 456.072(4) FS. History–New 9-11-83, Formerly 21O-10.06, 21O-10.006, 61F7-8.009, 59S-8.009, Amended _____.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-6.001	General
64E-6.002	Definitions
64E-6.003	Permits
64E-6.004	Application for System Construction Permit
64E-6.005	Location and Installation
64E-6.006	Site Evaluation Criteria
64E-6.008	System Size Determinations
64E-6.009	Alternative Systems
64E-6.010	Septage and Food Establishment Sludge
64E-6.0101	Portable Restrooms and Holding Tanks
64E-6.011	Abandonment of Systems
64E-6.012	Standards for the Construction, Operation, and Maintenance of Aerobic Treatment Units
64E-6.013	Construction Materials and Standards for Treatment Receptacles
64E-6.014	Construction Standards for Drainfield Systems
64E-6.015	Permitting and Construction of Repairs
64E-6.0151	Additive Use
64E-6.016	U.S. Department of Agriculture Soil Textural Classification System
64E-6.017	Definitions
64E-6.018	System Location, Design and Maintenance Criteria
64E-6.0181	Cesspit and Undocumented System Replacement and Interim System Use
64E-6.0182	Coordinated Permitting
64E-6.019	Requirements for Registration
64E-6.020	Master Septic Tank Contractors
64E-6.021	Issuance of Registration Certificates and Renewal
64E-6.022	Standards of Practice and Disciplinary Guidelines
64E-6.023	Certification of Partnerships and Corporations

- 64E-6.025 Definitions
- 64E-6.026 Applications for Innovative System Permits and System Construction Permits
- 64E-6.027 Permits
- 64E-6.028 Location and Installation
- 64E-6.029 Monitoring
- 64E-6.0295 Innovative System Reclassification
- 64E-6.030 Fees

PURPOSE AND EFFECT: Develop rules to incorporate necessary technical changes and incorporate modifications proposed through the Technical Review and Advisory Panel.

SUBJECT AREA TO BE ADDRESSED: Areas to be discussed include but are not limited to: Onsite sewage treatment and disposal system design, permitting, construction, modification, repair and maintenance; Septic Tank Contractor registration and training standards; Septage treatment and disposal; and Performance-based treatment standards. All aspects of the rule are open for discussion by the Technical Review and Advisory Panel.

SPECIFIC AUTHORITY: 381.0011(4), (13), 381.0065(3)(a), 489.553(3), 489.557(1) FS.

LAW IMPLEMENTED: 381.0065, 381.0066, 381.0067, 381.0069, 386.041, 489.552, 489.553, 489.557 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: Gerald Briggs, Department of Health, Bureau of Onsite Sewage Programs, HSES, 4042 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713

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 Worker’s Compensation

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|------------|-----------------------------------------------------------|
| RULE NOS.: | RULE TITLES: |
| 69L-56.001 | Forms and Instructions |
| 69L-56.002 | Definitions |
| 69L-56.100 | Proof of Coverage (POC) Electronic Reporting Requirements |
| 69L-56.110 | Technical Requirements for POC EDI Transmissions |
| 69L-56.200 | Policy Cancellation or Non-Renewal Requirements |
| 69L-56.210 | Time Periods for Filing Electronic Policy Information |

- 69L-56.300 Claims EDI Reporting Requirements and Implementation Schedules
- 69L-56.301 Electronic First Report of Injury or Illness
- 69L-56.3012 Electronic Notice of Denial and Rescinded Denial
- 69L-56.3013 Electronic Periodic Claim Cost Reports
- 69L-56.304 Electronic Notice of Action or Change, Including Change in Claims Administration, Required by the Insurer’s Primary Implementation Schedule
- 69L-56.3045 Electronic Notice of Action or Change, Suspensions, and Reinstatement of Indemnity Benefits Required by Insurer’s Secondary Implementation Schedule
- 69L-56.307 Electronic Cancellation of Claim
- 69L-56.310 Technical Requirements for Claims EDI Transmissions
- 69L-56.330 Electronic Formats for Reporting the Employee’s 8th Day of Disability and the Claim Administrator’s Knowledge of 8th Day of Disability

PURPOSE AND EFFECT: Rule Chapter 69L-56, F.A.C., is being amended to incorporate by reference the revised Form DFS-F5-DWC-EDI-1, “EDI Trading Partner Profile”, and the revised Form DFS-F5-DWC-EDI-4, “Secure Socket Layer (SSL)/File Transfer Protocol (FTP) Instructions”. The revised Florida Division of Workers’ Compensation Proof of Coverage (POC) Electronic Data Interchange (EDI) Implementation Manual (1/01/08), which contains revisions to the Element Requirement Table and Edit Matrix, and requires insurer reporting of total payroll and number of employees, is also incorporated by reference. The rule is also being amended to incorporate by reference the revised national standard International Association of Industrial Accident Boards and Commissions (IAIABC) EDI Implementation Guide for Proof of Coverage Release 2.1 (6/01/07) and the IAIABC EDI Release 3 Implementation Guide for Claims (1/01/08). Rule 69L-56.205, F.A.C., is being added to specify the insurer requirements of reporting proof of coverage information to the Division of Workers’ Compensation for a professional employer organization or employee leasing company and its client companies. The proposed rule also adds a definition regarding the meaning of “Cancellation/Non-Renewal Effective Date”, which clarifies that such an event occurs at 12:01 a.m. on that Transaction Set Type Effective Date reported to the Division of Workers’ Compensation, or as derived by the Division of Workers’ Compensation as determined in Rule 69L-56.200, F.A.C. Additionally, the proposed rule deletes redundant language from Rule

69L-56.100, F.A.C., changes the title to fully reflect the scope of the rule, and makes clerical revisions where necessary. Rule 69L-56.330, F.A.C., which has become obsolete, is to be repealed concurrently with these proposed amendments.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment addresses Electronic Proof of Coverage filing requirements for Employee leasing companies reporting Claims EDI filings to the Division of Workers' Compensation, as well as revisions made to forms and the EDI Implementation Manual.

SPECIFIC AUTHORITY: 440.185(7), 440.42(3), 440.591, 440.593(5), 627.4133(4) FS.

LAW IMPLEMENTED: 440.185(7), (9), 440.42(3), 440.593, 627.4133(4) FS.

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

DATE AND TIME: Monday, November 17, 2008, 10:00 a.m. – 12:00 p.m.

PLACE: 104 J Hartman Bldg., 2012 Capital Circle S. E., 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: Linda Yon at (850)413-1702. 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: Linda Yon, EDI Coordinator, Bureau of Data Quality and Collection, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4226, phone (850)413-1702 or Linda.Yon@myfloridacfo.com

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

Section II Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

<p>RULE NO.: 6A-1.09441</p>	<p>RULE TITLE: Requirements for Programs and Courses Which are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation</p>
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PURPOSE AND EFFECT: The purpose of this rule amendment is to adopt a supplement to the 2008-2009 Course Code Directory and Instructional Personnel Assignments. This amendment is necessitated by the implementation requirements of 2008 legislation (Senate Bill 1908), which added flexibility for the high school graduation requirement in arts. Specified practical arts courses can now be used to meet the arts requirement for high school graduation, so the Course Code Directory must be amended to reflect this distinction.

SUMMARY: The rule is amended to adopt the 2008 supplement to the Course Code Directory and Instructional Personnel Assignments which contains 215 practical arts courses to meet the high school graduation requirements in the arts.

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: 1001.02(1), 1011.62(1)(r) FS.

LAW IMPLEMENTED: 1011.62(1) FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: December 2, 2008, 8:30 a.m.

PLACE: Orlando Airport Hyatt, Orlando, 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 10 days before the workshop/meeting by contacting: 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 IS: Mary Jane Tappen, Deputy Chancellor, Division of Public Schools, (850)245-0509

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09441 Requirements for Programs and Courses Which are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation.

For student membership in a program or course to generate funding through the Florida Education Finance Program and for the student to receive elective or required credit toward high school graduation for such a program or course, the following conditions shall be met:

(1) through (4) No change.

(5) The "Course Code Directory and Instructional Personnel Assignments 2008-2009" and Course Code Directory and Instructional Personnel Assignments 2008