

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.055 RULE TITLE:
Definitions of Terms Used in Career
and Technical Education and Adult
Programs

PURPOSE AND EFFECT: The purpose of this rule development is to remove obsolete language and to publish a revised version of Applied Technology and Adult Education Acronyms and Definitions, Second Edition.

SUBJECT AREA TO BE ADDRESSED: Career and Technical Education and Adult Education.

RULEMAKING AUTHORITY: 1001.03(12) FS.

LAW IMPLEMENTED: 229.551(1)(g), 233.068, 239.205, 1000.04(1), (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: Elsie Rogers, Division of Workforce Education, 325 West Gaines St., Tallahassee, FL 32399. 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:

6A-6.055 Definitions of Terms Used in Career and Technical Vocational Education and Adult Programs.

(1) Definitions of terms necessary for managing a uniform coordinated system of career and technical vocational education for all levels of the state system of public education shall be published by the Commissioner in a document titled, Definitions Relative to Career and Technical and Adult Education and may be obtained from the Department of Education's web site at <http://fldoe.org/workforce/> "Applied Technology and Adult Education Acronyms and Definitions, Second Edition". These definitions are hereby incorporated in this rule and made a part of the rules of the State Board.

(2) Student membership hour. A student membership hour is defined as one (1) student in membership for sixty (60) minutes exclusive of time for change of class when engaged in on-campus laboratory, shop or classroom instruction, or at an approved on-the-job training station to which he or she has

been assigned by proper authority, or away from school and engaged in an educational activity which constitutes a part of the school approved instructional program for that student.

(3) Maximum funding hours for cooperative education. In no case shall a secondary student enrolled in a secondary job preparatory program utilizing the cooperative education method of instruction or other types of programs incorporating on-the-job training be counted for more than twenty-five (25) clock hours per week of combined membership as prescribed by subsection 6A-6.055(2), F.A.C.

Rulemaking Specific Authority 1001.03(12) FS. Law Implemented 229.551(1)(g), 233.068, 239.205, 1000.04(1), (2) FS. History—Amended 8-9-68, 4-11-70, 9-17-72, Revised 4-19-74, Repromulgated 12-5-74, Amended 5-25-82, Formerly 6A-6.55, Amended 7-20-89, 9-28-99, _____.

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-9.021	Definitions
40B-9.123	Additional Definitions
40B-9.131	Public Use of District Lands
40B-9.1381	Prohibited Activities
40B-9.139	Fees
40B-9.1411	Special Use Authorizations

PURPOSE AND EFFECT: The purpose of rule development is to draft amendments to the above sections of Chapter 40B-9, Florida Administrative Code, to clarify language in the existing rule; incorporate a Public Use Guide by reference; and add language regarding specifically allowed and prohibited uses on District lands. The effect of rule development will be to incorporate the Public Use Guide by reference, which specifies the allowed uses on each District land, and to provide clarity for the public, the effect of a rule.

SUBJECT AREA TO BE ADDRESSED: This proposed rule development will clarify that District-authorized land management activities that introduce seed plants or animals are allowed; clarify the language regarding trail use for equestrian, hiking, and bicycling purposes; establish fees for certain uses of District lands; amend the signature requirements for Special Use Authorizations; clarify the conditions under which domestic animals are allowed on District lands; and incorporate the Public Use Guide.

RULEMAKING AUTHORITY: 373.083, 373.139, 373.1391 FS.

LAW IMPLEMENTED: 259.01, 373.056, 373.093, 373.096, 373.099, 373.103, 373.139, 373.1391, 373.1401, 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: Gwen Lord, Business Resource Specialist, Suwannee River Water Management District, 9225 C.R. 49, Live Oak, Florida 32060, (386)362-1001 or (800)226-1066 (FL only)

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-1.002
RULE TITLE: Delegation of Authority

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to incorporate by reference a Well Construction Permitting Agreement between the District and the Marion County Health Department, effective October 1, 2009, by which the District’s authority to regulate well construction in Marion County is delegated to the Marion County Health Department.

SUBJECT AREA TO BE ADDRESSED: Delegation of Authority.

RULEMAKING AUTHORITY: 373.044, 373.103, 373.113, 373.118, 373.219, 373.309 FS.

LAW IMPLEMENTED: 253.002, 373.103, 373.149, 373.219, 373.223, 373.224, 373.226, 373.308, 373.309 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: Martha A. Moore, Senior Attorney, Office of General Counsel, SWFWMD, 2379 Broad St., Brooksville, FL 34604-6899, (352)796-7211, ext. 4651

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-1.659
RULE TITLE: Forms and Instructions

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to include in the list of District forms the Water Use Permit Application Supplemental Form – Public Supply,

Form No. LEG-R.033.01 (9/09) and the Small General Water Use Permit Application Public Supply Attachment, Form No. LEG-R.045.00 (9/09), which are being adopted by the District. Amendments also delete from the list the Public Supply Supplemental Form – Southern Water Use Caution Area, Form No. LEG-R.012.00(4/09), which is being repealed.

SUBJECT AREA TO BE ADDRESSED: Water Use Permit Application Forms.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.149, 373.171, 373.337 FS.

LAW IMPLEMENTED: 373.0831(3), 373.116, 373.196(1), 373.1961(3), 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421, 668.50 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: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.: 40D-2.091, 40D-2.101
RULE TITLES: Publications and Forms Incorporated by Reference, Content of Application

PURPOSE AND EFFECT: The purpose of this rulemaking is to adopt and incorporate by reference a revised Water Use Permit Application Supplemental Form – Public Supply, Form No. LEG-R.033.01 (9/09) and a new Small General Water Use Permit Application Public Supply Attachment, Form No. LEG-R.045.00 (9/09), and to repeal the Public Supply Supplemental Form – Southern Water Use Caution Area, Form No. LEG-R.012.00(4/09). The effect will be to have more specialized application forms for public supply water uses that are intended to eliminate or reduce the necessity for submittal of additional information in order to complete a permit application. Updated and revised forms are being implemented in conjunction with the District’s expansion of its on-line permitting system.

SUBJECT AREA TO BE ADDRESSED: Water Use Permit Application Forms.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 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: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:
40D-4.042 Formal Determination of Wetlands
and Other Surface Waters

PURPOSE AND EFFECT: The purpose and effect of the proposed rule revision is to provide entities with existing formal determinations that expire between September 1, 2008 and January 1, 2012 the option to renew the formal determination for a duration of two (2) years without a fee.

SUBJECT AREA TO BE ADDRESSED: Formal determination of the boundaries of wetlands and other surface waters.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.421(2) FS.

LAW IMPLEMENTED: 373.421(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, IF AVAILABLE, IS: Annette Zielinski, Senior Administrative Assistant, 2379 Broad Street, Brooksville, FL 34604, (352)796-7211, extension 4651, or Annette.Zielinski@watermatters.org

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

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE NO.: RULE TITLE:
60BB-2.025 Reports Required of Liable
Employers; Filing of Reports by
Electronic Means

PURPOSE AND EFFECT: The rule amendments set forth in this Notice of Proposed Rule Development conform sections of Rule 60BB-2.025, F.A.C. to statutory amendments made by Legislature in 2009 to Section 443.1216, F.S. and incorporate the reporting format required by the Bureau of Labor Statistics of the United States Department of Labor for its Multiple Worksite Report for Professional Employer Organizations.

SUBJECT AREA TO BE ADDRESSED: Employee Leasing Company Reporting Requirements.

RULEMAKING AUTHORITY: 443.1216(1)(a)2.c. FS.

LAW IMPLEMENTED: 443.1216(1)(a)2. FS.

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

DATE AND TIME: November 10, 2009, 2:00 p.m. – 4:00 p.m.

PLACE: Agency for Workforce Innovation, 107 East Madison Street, Tallahassee, Florida 32399-4128; Conference Room G-022; or by dialing teleconference number 1(888)808-6959 and entering pass code 6724792#

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Karen Bishop, Assistant General Counsel, Agency for Workforce Innovation, Office of General Counsel, 107 East Madison Street, MSC #110, Tallahassee, Florida 32399-4128, (850)245-7150; rule text will also be available at: <http://www.floridajobs.org/Events/index.html>

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

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE NO.: RULE TITLE:
60BB-10.001 Emergency Contingency Fund for the
Temporary Assistance for Needy
Families Program

PURPOSE AND EFFECT: A new rule chapter is proposed to implement emergency assistance under the Temporary Assistance for Needy Families (TANF) Program. The United States Congress passed the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) to provide emergency assistance to qualifying states during the country’s economic downturn. Subtitle B of the Act creates the Emergency Contingency Fund for State Temporary Assistance for Needy Families Program (“Emergency Fund”), and authorizes states that have an increase in assistance caseloads

to request federal grant money in fiscal year 2009 and fiscal year 2010. The Emergency Fund provides grants equal to 80 percent of a state’s increased TANF and maintenance-of-effort expenditures on basic assistance, non-recurrent short-term benefits, and subsidized employment to help families unable to find jobs or to help families with low earnings during this difficult economic time. Florida is receiving grant money from the United States Department of Health and Human Services to, among other things, create subsidized employment projects. Participants must satisfy eligibility criteria to engage in the subsidized employment projects. Therefore, a need exists to adopt a new rule which sets forth these eligibility criteria.

SUBJECT AREA TO BE ADDRESSED: Eligibility criteria for subsidized employment under the Temporary Assistance for Needy Families Program.

RULEMAKING AUTHORITY: 445.004(1)(c) FS.

LAW IMPLEMENTED: 445.004, 445.024(1)(b), 445.024(1)(c) 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: James Landsberg, Deputy General Counsel, 107 East Madison Street, MSC 110, Tallahassee, Florida 32399-4128

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NOS.:	RULE TITLES:
61-35.0271	Real Estate: Application for Sales Associate Licensure
61-35.02711	Real Estate: Application for Broker Licensure
61-35.02712	Real Estate: Application for Real Estate Instructor Permit
61-35.02713	Real Estate: Application for School Chief Administrator
61-35.02714	Real Estate: Application for School Permit
61-35.02715	Real Estate: Real Estate School Change of Status Transactions
61-35.02716	Real Estate: Application for Real Estate Company
61-35.02717	Real Estate: Application for Branch Office
61-35.02718	Real Estate: Application for Additional School Location

61-35.02719	Real Estate: Sales Associate/Broker Sales Associate (SL/BL) Transactions
61-35.0272	Real Estate: Broker (BK) Transactions
61-35.02721	Real Estate: Real Estate Company Transactions
61-35.02722	Real Estate: Request for Multiple Permit(s) – Instructor or School Chief Administrator

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to create new, more efficient licensure application forms.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in this rule is licensure application forms.

RULEMAKING AUTHORITY: 20.165(8), 455.203, 455.213 FS.

LAW IMPLEMENTED: 455.271, 475.15, 475.161, 475.17, 475.175, 475.180, 475.181, 475.182, 475.183, 475.215, 475.23, 475.24, 559.79 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: Thomas O'Bryant, Jr., (407)481-5662. 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: Thomas O'Bryant, Jr., Director, Division of Real Estate, Department of Business and Professional Regulation, 400 W. Robinson Street, Orlando, Florida 32801, (407)481-5662

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

Board of Cosmetology

RULE NO.:	RULE TITLE:
61G5-31.001	Definitions

PURPOSE AND EFFECT: The purpose of the rule amendment is to define the term “manufactured materials” as it relate to hair wrapping.

SUBJECT AREA TO BE ADDRESSED: Definitions.

RULEMAKING AUTHORITY: 477.016 FS.
 LAW IMPLEMENTED: 477.013(10) 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: Robyn Barineau, Executive Director, Board of Cosmetology, P. O. Box 5377, Tallahassee, Florida 32314-5377
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NO.: RULE TITLE:
 61G5-32.001 Continuing Education
 PURPOSE AND EFFECT: The proposed rule amendment is to require that providers include publication dates for all reference and source materials in continuing education courses.
 SUBJECT AREA TO BE ADDRESSED: Continuing Education.
 RULEMAKING AUTHORITY: 455.2178, 455.2179, 455.219(3), 455.2228, 477.016, 477.019(7) FS.
 LAW IMPLEMENTED: 455.2178, 455.2179, 455.219(3), 455.2228, 477.019(7) 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: Robyn Barineau, Executive Director, Board of Cosmetology, P. O. Box 5377, Tallahassee, Florida 32314-5377
 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

Board of Pilot Commissioners

RULE NO.: RULE TITLE:
 61G14-19.001 Percentage of Gross Pilotage Assessed
 PURPOSE AND EFFECT: To change the rate the Department assesses the gross amount of pilotage earned.

SUBJECT AREA TO BE ADDRESSED: The Board proposes to change the rate the Department assesses the gross amount of pilotage earned.
 RULEMAKING AUTHORITY: 310.131, 310.185 FS.
 LAW IMPLEMENTED: 310.131 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: Robyn Barineau, Executive Director, Board of Pilot Commissioners, 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 Accountancy

RULE NOS.: RULE TITLES:
 61H1-20.0094 Standards for Accountants Services on Prospective Financial Statements
 61H1-20.0098 Standards for Valuation Services
 PURPOSE AND EFFECT: The Board proposes the promulgation of Rule 61H1-20.0094, F.A.C., to clarify standards for accountants services on prospective financial statements; and the Board proposes the substantial rewrite of Rule 61H1-20.0098, F.A.C., to update the title and modify standards for business valuations.
 SUBJECT AREA TO BE ADDRESSED: Standards for Accountants Services on Prospective Financial Statements; Standards for Business Valuations.
 RULEMAKING AUTHORITY: 473.304, 473.315 FS.
 LAW IMPLEMENTED: 473.315, 473.304 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: Veloria A. Kelly, Executive Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-20.0094 Standards for Accountants Services on Prospective Financial Statements.

“Standards for Accountants Services on Prospective Financial Statements” shall be deemed and construed to mean Statements on Standards Accountants Services on Prospective Financial Statements published by the American Institute of Certified Public Accountants in effect as of June 30, 2008, available from the AICPA’s Resource Online at www.cpa2biz.com or by telephonic request at 1(888)777-7077. A certified public accountant shall not permit his/her name to be used in conjunction with prospective financial statements unless he/she has complied with these standards and departures from these standards must be justified by those who do not follow them.

Rulemaking Authority 473.304, 473.315 FS. Law Implemented 473.315 FS. History–New _____.

61H1-20.0098 Standards for Business Valuations.

Certified public accountants performing business valuations for clients shall comply with the “Statement on Standards for Valuation Services No. 1,” as published by the American Institute of Certified Public Accountants, for engagements accepted after January 1, 2008. The Statement, hereby incorporated by reference, is dated June 2007 and is available from the AICPA’s resources online at <http://fvs.aicpa.org/Resources/Laws+Rules+Standards+and+Other+Related+Guidance/AICPA+Valuation+Standard+and+Implementation+Toolkit/> or call 1(888)777-7077. The rule does not encompass consulting engagements wherein a certified public accountant provides written or oral advisory services in which the client is informed in writing that the services provided were not performed in accordance with the “Statement on Standards for Valuation Services No. 1,” established by the AICPA.

Rulemaking Authority 473.304, 473.315 FS. Law Implemented 473.315 FS. History–New _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NOS.: RULE TITLES:
61H1-26.005 Address of Record

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to clarify language concerning the certified public accountant, to delete unnecessary language, and to clarify change of address procedures.

SUBJECT AREA TO BE ADDRESSED: Notification of Address Change.

RULEMAKING AUTHORITY: 473.304 FS.

LAW IMPLEMENTED: 473.304 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-26.005 Address of Record ~~Notification of Address Change.~~

(1) All Florida certified public accountants ~~licensees~~ are required to have their correct street address on file with the Board office as their address of record. A post office box may be used for a mailing address, but it must be in addition to the ~~street address of record~~.

(2) Any time a Florida certified public accountant ~~that a licensee~~ changes his/her ~~their~~ street address of record or mailing address, he/she ~~they~~ must notify the Board office in writing within thirty days.

Rulemaking ~~Specific~~ Authority 473.304 FS. Law Implemented 473.304 FS. History–New 12-2-92, Formerly 21A-26.005, Amended 7-23-06, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:
61H1-27.001 College or University Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendment to add New Zealand to a list of countries for approval for its college or university accounting programs.

SUBJECT AREA TO BE ADDRESSED: College or University Requirements.

RULEMAKING AUTHORITY: 473.304, 473.306 FS.

LAW IMPLEMENTED: 473.306 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: Veloria A. Kelly, Executive Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-27.001 College or University Requirements.

(1) An accredited college or university within the meaning of Section 473.306, F.S., is a four-year degree granting college or university in the State University System or other four-year degree granting educational institution accredited at the time applicant's degree was received by virtue of membership in one of the following regional accrediting agencies so listed:

(a) through (g) No change.

(h) Canadian, Mexican, Irish, ~~and~~ Australian, and New Zealand academic accounting programs approved by the provincial education bodies or the equivalent educational accreditation body for that country.

(2) through (3) No change.

Rulemaking Specific Authority 473.304, 473.306 FS. Law Implemented 473.306 FS. History—New 12-4-79, Amended 2-3-81, 3-21-84, 10-28-85, Formerly 21A-27.01, Amended 4-8-86, 9-1-87, 8-25-88, 12-28-89, 3-29-90, Formerly 21A-27.001, Amended 1-11-95, 5-11-03, 3-21-05, 4-9-06, 8-13-06,_____.

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 NOS.:	RULE TITLES:
62-210.200	Definitions
62-210.900	Forms and Instructions

PURPOSE AND EFFECT: The proposed rule development involves amendments to rule language in Chapter 62-210, F.A.C., to delete definitions and remove language referenced on department forms related to the vacated federal Clean Air Mercury Rule (CAMR). The amendments also clarify language on the Acid Rain Part application forms and reinstate the Acid Rain Phase II NOx Compliance Plan form which was inadvertently deleted in a previous rulemaking.

SUBJECT AREA TO BE ADDRESSED: The proposed rule updates the department's stationary source general requirements for electric power plants resulting from the vacatur of the federal mercury trading program (CAMR) and corrects and clarifies forms used by the department in implementing the federal Acid Rain Program.

RULEMAKING AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.061 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: Ms. Terri Long at (850)921-9556 or terri.long@dep.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

62-210.200 Definitions.

The following words and phrases when used in this chapter and in Chapters 62-212, 62-213, 62-214, 62-296 and 62-297, F.A.C., shall, unless the context clearly indicates otherwise, have the following meanings:

(1) through (24) No change.

(25) "Alternate Designated Representative".

(a) through (b) No change.

~~(c) For the purposes of the Hg Budget Trading Program, alternate designated representative shall mean "alternate Hg designated representative" as defined in 40 C.F.R. § 60.4102, adopted and incorporated by reference in Rule 62-204.800, F.A.C.~~

(26) through (88) No change.

(89) "Commence Operation" –

(a) through (b) No change.

~~(c) For the purposes of the Hg Budget Trading Program, commence operation shall mean "commence operation" as defined in 40 C.F.R. § 60.4102, adopted and incorporated by reference in Rule 62-204.800, F.A.C.~~

~~(c)(4) Otherwise, to set into operation any emissions unit for any purpose.~~

(90) through (112) No change.

(113) "Designated Representative" –

(a) through (b) No change.

~~(c) For the purposes of the Hg Budget Trading Program, designated representative shall mean "Hg designated representative" as defined in 40 C.F.R. § 60.4102, adopted and incorporated by reference in Rule 62-204.800, F.A.C.~~

(114) through (156) No change.

~~(157) "Hg" – The regulated air pollutant mercury.~~

~~(158) "Hg Allowance" – A limited authorization issued by the Department to emit one ounce of mercury during a control period of the specified calendar year for which the authorization is allocated, or of any calendar year thereafter, under the Hg Budget Trading Program.~~

~~(159) "Hg Budget Part" or "Hg Budget Permit" – DEP Form No. 62-210.900(1)(c), completed and certified by the designated representative and incorporated as a part of the Title V source permit or air construction permit. The Hg Budget Part shall specify the Hg Budget Trading Program requirements applicable to the Hg Budget source, to each Hg Budget unit at the source, and to the owners and operators and the designated representative of the Hg Budget source and each such Hg Budget unit.~~

~~(160) “Hg Budget Source”~~— A facility that includes one or more Hg Budget units.

~~(161) “Hg Budget Trading Program”~~— The program implemented at Rule ~~62-296.480, F.A.C., which, upon approval by the U.S. Environmental Protection Agency, requires Hg Budget units in Florida to participate in the multi state air pollution control and emission reduction program administered by the U.S. Environmental Protection Agency pursuant to 40 C.F.R. Part 60, Subpart HHHH, adopted and incorporated by reference in Rule 62-204.800, F.A.C.~~

~~(162) “Hg Budget Unit”~~— A unit that is subject to the Hg Budget Trading Program pursuant to 40 C.F.R. § 60.4104, adopted and incorporated by reference in Rule 62-204.800, F.A.C.

(163) through (336) renumbered (157) through (330) No change.

Rulemaking Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087, 403.8055 FS. History—Formerly 17-2.100, Amended 2-9-93, 11-28-93, Formerly 17-210.200, Amended 11-23-94, 4-18-95, 1-2-96, 3-13-96, 3-21-96, 8-15-96, 10-7-96, 10-15-96, 5-20-97, 11-13-97, 2-5-98, 2-11-99, 4-16-01, 2-19-03, 4-1-05, 7-6-05, 2-2-06, 4-1-06, 9-4-06, 9-6-06, 1-10-07, 5-9-07, 7-16-07, 3-16-08, 10-12-08, 6-29-09,_____.

62-210.900 Forms and Instructions.

The forms used by the Department in the stationary source control program are adopted and incorporated by reference in this section. The forms are listed by rule number, which is also the form number, with the subject, title and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by accessing the Division’s website at www.dep.state.fl.us/air. The requirement of subsection 62-4.050(2), F.A.C., to file application forms in quadruplicate is waived if an air permit application is submitted using the Department’s electronic application form.

(1) Application for Air Permit – Long Form, Form and Instructions (DEP Form No. 62-210.900(1), Effective 3-16-08).

(a) Acid Rain Part Application, Form and Instructions (DEP Form No. 62-210.900(1)(a), Effective 3-16-08).

1. through 2. No change.

3. Phase II NOx Compliance Plan, Form and Instructions (Effective _____).

(b) No change.

~~(e) Hg Budget Part, Form and Instructions (DEP Form No. 62-210.900(1)(e), Effective 3-16-08).~~

~~(c)(4) Acid Rain, and CAIR, and Hg Budget Retired Unit Exemption, Form and Instructions (DEP Form No. 62-210.900(1)(c)(4), Effective _____ 3-16-08).~~

(2) through (7) No change.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.061, 403.087, 403.815 FS. History—New 2-9-93, Amended 7-20-94, Formerly 17-210.900, Amended 11-23-94, 7-6-95, 3-21-96, 1-6-98, 2-11-99, 4-16-01, 6-21-01, 6-16-03, 2-2-06, 3-16-08, 7-3-08, 10-12-08,_____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-213.205	Annual Emissions Fee
62-213.420	Permit Applications
62-213.440	Permit Content
62-213.460	Permit Shield

PURPOSE AND EFFECT: The proposed rule development involves deletion of language related to the vacatur of the Federal Clean Air Mercury Rule (CAMR) as it relates to Florida’s air permitting program.

SUBJECT AREA TO BE ADDRESSED: The proposed rule addresses the elimination of the federal mercury trading provisions in operation permits for electric utilities.

RULEMAKING AUTHORITY: 403.061, 403.087, 403.0872 FS.

LAW IMPLEMENTED: 403.061, 403.087, 403.0872 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: Ms. Terri Long at (850)921-9556 or terri.long@dep.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

62-213.205 Annual Emissions Fee.

Each Title V source permitted to operate in this state must pay between January 15 and March 1 of each year, upon written notice as provided in the Title V permit, an annual emissions fee in an amount determined as set forth in subsection 62-213.205(1), F.A.C.

(1) Emissions Fee Calculation and Payment. Each Title V source must calculate the annual fee, based upon the source’s previous year’s emissions, by multiplying the applicable annual emissions fee factor times the tons of each regulated air pollutant (except carbon monoxide) allowed to be emitted per hour by specific condition of the source’s most recent certification, construction permit or operation permit, times the annual hours of operation allowed by specific condition; provided, however, that:

(a) through (d) No change.

(e) For any Title V source that emits less of any regulated air pollutant than allowed by specific condition, the annual fee calculation for such pollutant may, at a responsible official’s option, be based upon emissions determined as follows:

1. The Department will accept, for fee purposes, emissions determined by means of data from a certified continuous emissions monitor which, for other than an acid rain source, or CAIR source, ~~or Hg Budget source,~~ meets the certification and quality assurance requirements of Appendices B and F of 40 C.F.R. Part 60, or for an acid rain source, or CAIR source, ~~or Hg Budget source,~~ meets the certification and quality assurance requirements of 40 C.F.R. Part 75, which are adopted and incorporated by reference in Rule 62-204.800, F.A.C. Stack gas volumetric flow rates will be determined using, if available at the source, calibrated flowmeters with recorders that record data on a continuous basis. In the absence of a flowmeter, flow rates will be determined by the average flow rate for the three most recent stack tests that were conducted at 90 percent to 100 percent of the maximum allowable operating rate for the unit. If three such stack tests have not been conducted, the average of the latest two tests conducted at the 90 percent to 100 percent level will be used. If two or more such tests have not been conducted, the results of the latest test conducted at the 90 percent to 100 percent level shall be used. For purposes of this determination, a stack test shall consist of all test runs required under subsection 62-297.310(1), F.A.C. Flow rates as determined in this paragraph shall be used with continuous emission monitors to determine the mass emissions for fee purposes.

2. through 3. No change.

(f) through (k) No change.

(2) through (4) No change.

Rulemaking Specific Authority 403.061, 403.087 FS. Law Implemented 403.087, 403.0872 FS. History-New 12-21-92, Amended 11-25-93, Formerly 17-213.200, Amended 11-23-94, 1-1-96, 3-13-96, 6-25-96, 2-11-99, 1-3-01, 4-16-01, 6-2-02, 1-9-08, 3-16-08,_____.

62-213.420 Permit Applications.

(1) Duty to Apply. For each Title V source, the owner or operator shall submit a timely and complete permit application in compliance with the requirements of this section and subsections 62-4.050(1) through (3), F.A.C.

(a) Timely Application.

1. through 4. No change.

~~5. For purposes of the Hg Budget Part form (DEP form number 62-210.900(1)(e)), a timely application is one that is submitted as follows:~~

~~a. For a Hg Budget unit covered by a Title V permit prior to May 1, 2008, a certified Hg Budget Part form shall be submitted to the Department by May 1, 2008. The form shall be submitted as part of a Title V permit revision application.~~

~~b. For a Hg Budget unit not covered by a Title V permit prior to May 1, 2008, a certified Hg Budget Part form shall be submitted to the Department prior to the unit commencing operation. The form shall be incorporated into the Title V permit upon issuance of an initial, revised, or renewal Title V permit, whichever comes first.~~

~~e. A Hg Budget Part form shall be submitted simultaneously with any Title V permit renewal application for a Hg Budget source.~~

(b) Complete Application.

1. No change.

2. The application shall be deemed complete sixty days after receipt, unless the Department, within sixty days after receipt of a certified application for permit, permit revision or permit renewal, requests additional documentation or information needed to process the application. An applicant making timely and complete application for permit, or for permit renewal, shall continue to operate the source under the authority and provisions of any existing valid permit or Florida Electrical Power Plant Siting Certification, and in accordance with applicable requirements of the Acid Rain Program; and application requirements of the CAIR Program, and applicable requirements of the Hg Budget Trading Program, until the conclusion of proceedings associated with its permit application or until the new permit becomes effective, whichever is later, provided the applicant complies with all the provisions of subparagraphs 62-213.420(1)(b)3., F.A.C. Failure of the Department to request additional information within sixty days of receipt of a properly signed application shall not impair the Department's ability to request additional information pursuant to subparagraphs 62-213.420(1)(b)3., F.A.C.

3. through 5. No change

(2) through (6) No change.

~~(7) Hg Budget Part Form. For a source subject to the Hg Budget Program, there shall be included in the Title V permit application a certified Hg Budget Part form (DEP form number 62-210.900(1)(e)) that contains requirements concerning all Hg Budget units at the Hg Budget source for which the application is submitted, in the format prescribed by DEP form number 62-210.900(1)(d), F.A.C.~~

Rulemaking Specific Authority 403.061, 403.087 FS. Law Implemented 403.061, 403.0872 FS. History-New 11-28-93, Amended 4-17-94, Formerly 17-213.420, Amended 11-23-94, 4-2-95, 10-11-95, 3-13-96, 3-20-96, 6-25-96, 10-7-96, 11-13-97, 2-11-99, 7-15-99, 1-3-01, 4-16-01, 6-2-02, 3-16-08,_____.

62-213.440 Permit Content.

(1) Standard Permit Requirements. Each permit issued under this chapter shall incorporate all applicable requirements for the Title V source and for each method of operation proposed by the applicant and approved by the Department. Each such permit shall include all emission limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements, with citation to the Department's rule authority for each term or condition, and identification of any difference in form from the applicable requirement upon which the term or condition is based. However, when there are multiple, redundant, or conflicting applicable requirements, these

provisions can be reduced to a single streamlined term or condition that is the most stringent of the multiple applicable requirements. In addition, the Department shall label permit terms or conditions “not federally enforceable” consistent with 40 C.F.R. § 70.6(b)(2), adopted and incorporated by reference at Rule 62-204.800, F.A.C. Emissions units or pollutant-emitting activities within a Title V source determined to be insignificant pursuant to subsection 62-213.430(6), F.A.C., shall be identified. Whenever any condition or requirement of a Title V permit is added, changed, or deleted during the term of the permit, any such previous condition shall be documented with the permit for the duration of the term and any such new or changed condition shall include a condition effective date.

(a) through (b) No change.

(c) Emission Allowances. The Acid Rain Part of a Title V permit shall include a permit condition prohibiting emissions exceeding any allowances that the source lawfully holds under the Federal Acid Rain Program. The CAIR Part of a Title V permit shall include a permit condition prohibiting emissions exceeding any allowances that the source lawfully holds under the CAIR Program. ~~The Hg Budget Part of a Title V permit shall include a permit condition prohibiting emissions exceeding any allowances that the source lawfully holds under the Hg Budget Trading Program.~~ The source may not, however, use allowances as a defense to noncompliance with any other applicable requirement.

1. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the Federal Acid Rain Program; ~~or the CAIR Program, or the Hg Budget Trading Program,~~ provided that such increases do not require a permit revision pursuant to Rule 62-213.400, F.A.C. Each CAIR Part incorporates every allocation, transfer, or deduction of a CAIR NO_x or CAIR NO_x ozone season allowance to or from the compliance account of the CAIR source covered by the permit, upon recording by the Administrator. ~~Each Hg Budget Part incorporates every allocation, transfer, or deduction of a Hg allowance to or from the compliance account of the Hg Budget source covered by the permit, upon recording by the Administrator.~~

2. No limit shall be placed on the number of allowances held by the source under the Federal Acid Rain Program; ~~or the CAIR Program, or the Hg Budget Trading Program.~~

3. Allowances shall be accounted for under the Federal Acid Rain Program; ~~or the CAIR Program, or the Hg Budget Trading Program.~~

4. Each CAIR Part incorporates the definitions of terms under 40 C.F.R. § 96.102, 96.202, and 96.302, adopted and incorporated by reference at Rule 62-204.800, F.A.C. ~~Each Hg Budget Part incorporates the definitions of terms under 40 CFR 60.4102, adopted and incorporated by reference in Rule 62-204.800, F.A.C.~~

(d) No change.

(2) No change.

(3) Statement of Compliance.

(a) For each applicable requirement, the permit shall contain:

1. No change.

2. A requirement that the source submit a Statement of Compliance with all terms and conditions of the permit that includes all the provisions of 40 C.F.R. §70.6(c)(5)(iii), incorporated by reference at Rule 62-204.800, F.A.C. Such statements shall be accompanied by certification in accordance with subsection 62-213.420(4), F.A.C., for Title V requirements, and with Rule 62-214.350, F.A.C., for Acid Rain requirements, and with Rule 62-296.470, F.A.C., for CAIR Program requirements, ~~and with Rule 62-296.480, F.A.C, for Hg Budget Trading Program requirements.~~ Such statement shall be submitted (postmarked) to the Department and EPA:

a. through b. No change.

3. No change.

(b) No change.

(4) Periodic Monitoring.

(a) No change.

(b) Monitoring performed pursuant to any of the following satisfies periodic monitoring for that applicable requirement:

1. through 5. No change.

~~6. Hg Budget Trading Program requirements for which monitoring requirements are established pursuant to 40 CFR Part 75, adopted and incorporated by reference at Rule 62-204.800, F.A.C.~~

Rulemaking Specific Authority 403.061, 403.087 FS. Law Implemented 403.087, 403.0872 FS. History–New 11-28-93, Amended 4-17-94, Formerly 17-213.440, Amended 11-23-94, 4-18-95, 3-13-96, 3-20-96, 11-13-97, 4-7-98, 2-11-99, 7-15-99, 1-3-01, 4-16-01, 6-2-02, 3-16-08,_____.

62-213.460 Permit Shield.

Except as provided in this chapter, compliance with the terms and conditions of a permit issued pursuant to this chapter shall, as of the effective date of the permit, be deemed compliance with any applicable requirements in effect, provided that the source included such applicable requirements in the permit application. Nothing in this section or in any permit shall alter or affect the ability of EPA or the Department to deal with an emergency, the liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance, or the requirements of the Federal Acid Rain Program; ~~or the CAIR Program, or the Hg Budget Trading Program.~~

Rulemaking Specific Authority 403.061, 403.0872 FS. Law Implemented 403.087, 403.0872 FS. History–New 11-28-93, Formerly 17-213.460, Amended 11-23-94, 1-3-01, 3-16-08,_____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-214.320
RULE TITLE: Applications
PURPOSE AND EFFECT: The proposed rule development involves clarifying the requirement that an Acid Rain Part application be submitted at the time of renewal and correcting language listing required forms.
SUBJECT AREA TO BE ADDRESSED: The proposed rule clarifies and corrects provisions related to the department's implementation of the federal Acid Rain Program.
RULEMAKING AUTHORITY: 403.061, 403.087, 403.0872 FS.
LAW IMPLEMENTED: 403.061, 403.0872 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: Ms. Terri Long at (850)921-9556 or terri.long@dep.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

62-214.320 Applications.

The designated representative of any Title V source containing an Acid Rain unit shall submit to the Department a complete Acid Rain Part application no later than the applicable deadline of this section. The Acid Rain Part application shall be submitted pursuant to this chapter and to Rule 62-213.420, F.A.C. The designated representative of an Acid Rain Source has the option of filing the Acid Rain Part application as a separate document from the Title V Air Operation Permit application and requesting separate processing. The Department shall process the Acid Rain Part application pursuant to Chapter 62-213, F.A.C. The owners and operators of such source and any Acid Rain unit at the source shall not operate the source or unit without a Title V permit which includes an Acid Rain Part, except that a source having a valid air construction or operation permit or a site certification pursuant to the Florida Electrical Power Plant Siting Act and for which the designated representative has submitted a timely and complete initial Acid Rain Part application shall be deemed in compliance with the Federal Acid Rain Program requirements provided that the designated representative submits all timely supplemental information as provided at Rule 62-213.420, F.A.C., and provided the source operates in compliance with the terms and conditions of the Acid Rain Part application during the Department's processing of the application.

(1) Timeliness. The designated representative shall submit a complete Acid Rain Part application as set forth below and at each renewal:

(a) through (i) No change.

(2) Information Requirements for Applications. The designated representative shall submit a complete Acid Rain Part application using DEP Form No. 62-210.900(1)(a) and DEP Form Nos. 62-210.900(1)(a)1., ~~and 2.~~, and 3., as appropriate, and including the following:

(a) through (g) No change.

Rulemaking Specific Authority 403.061, 403.087, 403.0872 FS. Law Implemented 403.031, 403.061, 403.0872 FS. History--New 1-3-95, Amended 7-6-95, 12-10-97, 1-3-01, 4-16-01, 6-2-02, 3-16-08, _____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-296.412	Dry Cleaning Facilities
62-296.418	Bulk Gasoline Plants
62-296.500	Reasonably Available Control Technology (RACT) - Volatile Organic Compounds (VOC) and Nitrogen Oxides (NOx) Emitting Facilities

PURPOSE AND EFFECT: The proposed rule development involves amendments to Chapter 62-296, F.A.C., to eliminate obsolete language. The department is proposing to eliminate language in three rule sections that makes the rules applicable in ozone nonattainment areas. Florida no longer has any ozone nonattainment areas.

SUBJECT AREA TO BE ADDRESSED: The proposed rule addresses the departments stationary source emission standards.

RULEMAKING AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.061 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: Ms. Terri Long at (850)921-9556 or terri.long@dep.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

62-296.412 Dry Cleaning Facilities.

(1) through (3) No change.

(4) Petroleum solvent dry cleaning facilities; located in areas designated as ozone nonattainment ~~or~~ air quality maintenance areas for ozone under Rule 62-204.340, F.A.C., as

defined in Chapter 62-275, F.A.C., (including the respective metropolitan statistical areas) and facilities located in ozone attainment areas; with solvent consumption equal to or greater than 9,750 and 15,000 gallons per year, respectively, shall comply with the following:

- (a) through (d) No change.
- (5) No change.

Rulemaking Specific Authority 403.061, 403.8055 FS. Law Implemented 403.021, 403.031, 403.061, 403.087 FS. History—Formerly 17-2.600(12), 17-296.412, Amended 11-23-94, 4-18-95, 1-1-96, 3-13-96, 6-25-96, 10-7-96,_____.

62-296.418 Bulk Gasoline Plants.

(1) The owner or operator of a bulk gasoline plant that has begun operation prior to August 1, 2007, is located in an area designated as an a nonattainment area or air quality maintenance area for ozone under Rule 62-204.340, F.A.C., and has an average annual daily throughput of more than 2,000 gallons (7,570 liters) shall comply with the following requirements.

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

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087 FS. History—New 5-9-07, Amended_____.

62-296.500 Reasonably Available Control Technology (RACT) – Volatile Organic Compounds (VOC) and Nitrogen Oxides (NOx) Emitting Facilities.

(1) Applicability.

(a) The specific emission limiting standards and other requirements of Rules 62-296.500 through 62-296.516, F.A.C., shall apply to existing VOC-emitting facilities in all designated ozone ~~nonattainment~~ and air quality maintenance areas under Rule 62-204.340, F.A.C. In addition, the emission limiting standards of these rules shall apply to new and modified VOC-emitting facilities in all designated ozone ~~nonattainment~~ and air quality maintenance areas under Rule 62-204.340, F.A.C., except those new and modified VOC-emitting facilities which have been or would be subject to review pursuant to 40 C.F.R. § 52.21 or Rule 17-2.17 (repealed), 17-2.500 (transferred), 17-2.510 (transferred), 62-212.400 or 62-212.500, F.A.C.

- (b) No change.
- (2) through (6) No change.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.021, 403.031, 403.061, 403.087 FS. History—Formerly 17-2.650(1)-(1)(f), Amended 2-2-93, 3-17-94, Formerly 17-296.500, Amended 11-23-94, 1-1-96,_____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.:	RULE TITLE:
62-602.720	Inactive Status of License

PURPOSE AND EFFECT: Modifying existing rule language to align with Section 403.874, F.S.

SUBJECT AREA TO BE ADDRESSED: Will address minor changes to procedures for individuals with null and void licenses to reapply to the department to reacquire their license.

RULEMAKING AUTHORITY: 403.869 FS.

LAW IMPLEMENTED: 403.874 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: Mr. Ronald McCulley, Bureau of Water Facilities Funding, MS 3506, Department of Environmental Protection, 2600 Blair Stone Rd, Tallahassee, Florida 32399-2400; (850)245-8384 or email Ronald.mcculley@dep.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.:	RULE TITLE:
64B8-42.001	Licensure by Endorsement

PURPOSE AND EFFECT: The Board proposes the rule amendments to incorporate changes to the application forms.

SUBJECT AREA TO BE ADDRESSED: Licensure by Endorsement.

RULEMAKING AUTHORITY: 456.017(1), 468.507 FS.

LAW IMPLEMENTED: 456.027, 468.507, 468.509, 468.513 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: Allen Hall, Executive Director, Dietetics and Nutrition Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.:	RULE TITLE:
64B8-42.002	Licensure by Examination

PURPOSE AND EFFECT: The Board proposes the rule amendments to incorporate changes to the application forms.

SUBJECT AREA TO BE ADDRESSED: Licensure by Examination.

RULEMAKING AUTHORITY: 456.017(1), 468.507 FS.

LAW IMPLEMENTED: 456.027, 468.507, 468.509, 468.513 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: Allen Hall, Executive Director, Dietetics and Nutrition Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:
64B8-44.005 Citations

PURPOSE AND EFFECT: The proposed rule amendment will be to change the language so that continuing education and fines are due at the same time.

SUBJECT AREA TO BE ADDRESSED: Citations.

RULEMAKING AUTHORITY: 456.077, 468.507 FS.

LAW IMPLEMENTED: 456.077, 468.517, 468.518 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: Allen Hall, Executive Director, Dietetics and Nutrition Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: RULE TITLE:
64B18-16.005 Content of Residency Program –
 Reports

PURPOSE AND EFFECT: This amendment changes the name of the Council on Podiatry Education of the American Podiatric Medical Association to the Council on Podiatric Medical Education of the American Podiatric Medical Association.

SUBJECT AREA TO BE ADDRESSED: Organizational Name.

RULEMAKING AUTHORITY: 461.005, 461.014(4) FS.

LAW IMPLEMENTED: 456.072(1)(j), (k), (l), 461.013(1)(g), (h), (i), 461.014 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, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: RULE TITLE:
64B18-17.002 Board Approval of Continuing
 Education Programs

PURPOSE AND EFFECT: The Board proposes to amend the existing rule to replace the term “American Podiatry Medical Association” with American Podiatric Medical Association” and the term “Council on Podiatry Education” with “Council on Podiatric Medical Education.”

SUBJECT AREA TO BE ADDRESSED: Name of Organization.

RULEMAKING AUTHORITY: 456.013, 456.025(3), 461.005, 461.007(3) FS.

LAW IMPLEMENTED: 456.013, 456.025(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, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-17.003
 RULE TITLE: Continuing Education Programs Not Requiring Pre-Approval from the Board

PURPOSE AND EFFECT: The Board proposes to amend the existing rule to replace the term “American Podiatry Medical Association” with “American Podiatric Medical Association” and the term “Council on Podiatry Education” with “Council on Podiatric Medical Education.”

SUBJECT AREA TO BE ADDRESSED: Name of Organization.

RULEMAKING AUTHORITY: 456.013, 456.033(7), 461.005, 461.007 FS.

LAW IMPLEMENTED: 456.013, 456.033(1), 461.007 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: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-1.0015	Laboratory Certification Standards
64E-1.005	Records, Reports, and Contractual Agreements
64E-1.007	Fees and Certification Categories
64E-1.102	Certification Requirements
64E-1.104	On-Site Inspections
64E-1.105	Display of Certificate and Use of Certification
64E-1.106	Proficiency Testing Requirements
64E-1.107	Renewal of Annual Certification

PURPOSE AND EFFECT: The standards of The NELAC Institute (TNI Standards) incorporate the revised international standards for the competency of calibration and testing laboratories in ISO 17025. Thus, the updating of environmental testing laboratory certification criteria in Chapter 64E-1, F.A.C., to the most recent TNI Standards enhances the acceptability of reported test data as relevant for clients’ intended uses. The proposed effective date is consistent with the Florida Administrative Procedures Act and the desired implementation schedule of TNI. Other proposed amendments

are intended to better protect public health by requiring certified laboratories that detect unsafe levels of chemical and microbiological contaminants in Drinking Water to report those exceedances in a timely manner directly to the State regulatory authority. In addition, amendments to the application and licensing fees required for certification are proposed so that the department can adequately cover the operational expenses of the program as required by statute.

SUBJECT AREA TO BE ADDRESSED: Certification of drinking water and environmental testing laboratories, proficiency testing, reporting, fees and other criteria for laboratories to be certified.

RULEMAKING AUTHORITY: 403.0625(1), 403.863(1), 403.8635(3), 381.00591 FS.

LAW IMPLEMENTED: 403.0625(1), 403.0625(2), 403.863(1), 403.863(4), 403.8635(1), 403.8635(3), 381.00591 FS.

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

DATES AND TIMES: (1) Monday, November 2, 2009, 1:00 p.m.; (2) Tuesday, November 3, 2009, 1:00 p.m.; (3) Thursday, November 5, 2009, 10:00 a.m.; (4) Friday, November 6, 2009, 1:00 p.m.

PLACE: (1) Florida Department of Environmental Protection, Twin Towers, 2600 Blair Stone Road, Room 609, Tallahassee, FL; (2) Tampa Bay Water Board Room, 2575 Enterprise Road, Clearwater, FL; (3) A. G. Holley Hospital Auditorium, 1199 West Lantana Road, Lantana, FL; (4) Florida Department of Health, Bureau of Laboratories, Porter Auditorium, 1217 North Pearl Street, Jacksonville, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Stephen A. Arms, Florida Department of Health, Bureau of Laboratories, P. O. Box 210, Jacksonville, FL 32231, (904)791-1502, e-mail: steve_arms@doh.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

Division of Family Health Services

RULE NO.:	RULE TITLE:
64F-12.011	Wholesale Distribution of Prescription Drugs – Exceptions and Specific Distributions Authorized

PURPOSE AND EFFECT: The Department intends to review changes in this rule chapter for the purpose of better enabling the Department to provide for the movement of prescription drugs to areas, facilities and health care providers within the state to allow a more efficient response to natural disaster, communicable disease or other health care emergencies for

which the Department has responsibility to protect the public health. The Department intends to review this section, for the possibility of enacting rules that relate to addressing additional situations that constitute exceptions to the definition of the term “wholesale distribution” within the meaning of Chapter 499, part I, Florida Statutes. This also includes enacting “rules established by the department” within the meaning of Section 499.003(53)(b). Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Distribution of prescription drugs for the purpose of enabling the Department to prepare for and respond to health care emergencies.

RULEMAKING AUTHORITY: 499.003(53)(b), 499.012, 499.014, 499.03, 499.05 FS.

LAW IMPLEMENTED: 499.003(53)(b), 499.012, 499.014, 499.03, 499.05 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: Rebecca Poston, R. Ph., Executive Director, Drugs Devices and Cosmetics Program, 4052 Bald Cypress Way, Mail Bin #C04, Tallahassee, Florida 32399, (850)245-4292

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-1.205 **RULE TITLE:** Eligibility Determination Process

PURPOSE AND EFFECT: The proposed rule amendment amends the ACCESS Florida Application, CF-ES 2337, amends the interview requirements, incorporates forms that can be used in the eligibility determination process, and includes some wording changes and technical changes of a non-substantive nature improving the overall content of the rule.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment amends the general eligibility determination process.

RULEMAKING AUTHORITY: 409.919, 414.45 FS.

LAW IMPLEMENTED: 409.903, 409.904, 409.919, 410.033, 414.045, 414.095, 414.31 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: October 27, 2009, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Cindy Keil, ACCESS Florida Program Policy, 1317 Winewood Boulevard, Building 3, Tallahassee, Florida 32399-0700, (850)410-3291, cindy_keil@dcf.state.fl.us

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

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NOS.:	RULE TITLES:
69O-149.301	Scope
69O-149.302	Filing Requirements
69O-149.303	Form and Marketing Standards
69O-149.304	Rate Standards
69O-149.305	Records Maintenance and Reporting
69O-149.306	Violations and Penalties

PURPOSE AND EFFECT: The purpose of the workshop is to develop rules to implement the Cover Florida Health Care Access Program established pursuant to Section 408.9091, Florida Statutes. The rules will set forth filing requirements, standards for forms and marketing materials, standards for the development of rates, providing for maintaining specified records by entities and required reporting of information and a provision for violations and penalties.

SUBJECT AREA TO BE ADDRESSED: Cover Florida Health Care Access Program.

RULEMAKING AUTHORITY: 624.308, 408.9091(11) FS.

LAW IMPLEMENTED: 624.307(1), 408.9091(4)(c), 408.9091(5), 408.9091(6), 408.9091(8), 626.9541(1)(a), 626.9541(1)(g), 626.9601 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: October 28, 2009, 9:30 a.m.

PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by

contacting: Gerry Smith, Life and Health Product Review, Office of Insurance Regulation, E-mail Gerry.Smith@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Gerry.Smith@flor.com., Life and Health Product Review, Office of Insurance Regulation, E-mail Eric.Lingswiler@flor.com

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

AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY

Office of Information Security

RULE NOS.:	RULE TITLES:
71A-1.001	Purpose and Scope
71A-1.002	Definitions
71A-1.003	Agency Information Security Program
71A-1.004	Agency Information Technology Workers
71A-1.005	Agency Contracts, Providers, and Partners
71A-1.006	Confidential and Exempt Information
71A-1.007	Access Control
71A-1.008	Awareness and Training
71A-1.009	Audit and Accountability
71A-1.010	Certification, Accreditation, and Security Assessments
71A-1.011	Configuration Management
71A-1.012	Contingency Planning
71A-1.013	Identification and Authentication
71A-1.014	Incident Response
71A-1.015	Maintenance
71A-1.016	Media Protection
71A-1.017	Physical and Environmental Protection
71A-1.018	System and Application Security Planning
71A-1.019	Personnel Security and Acceptable Use
71A-1.020	Risk Assessment
71A-1.021	Systems, Applications and Services Acquisition and Development
71A-1.022	Systems and Communications Protection
71A-1.023	Systems and Information Integrity

PURPOSE AND EFFECT: The purpose of the proposed new rule Chapter 71A-1, F.A.C., to be known as the Florida Information Technology Resource Security Policies and Standards, is to:

1. Document a framework of information security policies and practices for state agencies in order to safeguard the confidentiality, integrity, and availability of Florida government data and information technology resources.
2. Define minimum standards to be used by state agencies to categorize information and information technology resources based on the objectives of providing appropriate levels of information security according to risk levels.
3. Define minimum management, operational and technical security controls to be used by state agencies to secure information and information technology resources.

Chapter 60DD-2, F.A.C. will be repealed; proposed Rule Chapter 71A-1, F.A.C., if adopted, is intended to replace Rule Chapter 60DD-2, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Information Security Policies and Standards.

RULEMAKING AUTHORITY: 282.318(5) FS.

LAW IMPLEMENTED: 282.318(5) FS.

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

DATE AND TIME: October 26, 2009, 9:00 a.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 152, 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 2 days before the workshop/meeting by contacting: The Agency for Enterprise Information Technology. 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: The Agency for Enterprise Information Technology, 4030 Esplanade Way, Suite 135, Tallahassee, FL 32399-0950, telephone (850)414-6771, e-mail address: Contactaeit@aeit.myflorida.com or on the AEIT website at the following link: <http://www.myflorida.com/myflorida/cabinet/aeit/index.php?pg=facsecrules>

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