

Section I

Notices of Development of Proposed Rules
and Negotiated Rulemaking**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES****Division of Food Safety**

RULE NO.:

RULE TITLE:

5K-5.014

Grading Services for Poultry

PURPOSE AND EFFECT: The rule amendment changes and clarifies the fee and cost schedule for poultry grading services provided by Department graders.

SUBJECT AREA TO BE ADDRESSED: The Florida Department of Agriculture and Consumer Services (DACS) provide voluntary grading services to food establishments that process poultry in accordance with US Department of Agriculture standards. The Department charges the poultry processor an hourly fee to recover the costs of this service. This rule amendment provides an incremental increase to the hourly fees charged to a processor to cover the costs incurred by DACS. Additionally, language is modified to clarify the current terminology used to distinguish between regular hours, overtime hours, holiday hours, regular shift differential and overtime shift differential.

RULEMAKING AUTHORITY: 570.07(23), 583.04 FS.

LAW IMPLEMENTED: 583.051, 583.052 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: Lee M. Cornman, Assistant Director, Division of Food Safety, 3125 Conner Boulevard, Mail Stop #C18, Tallahassee, FL 32399-1650; telephone: (850)245-5595

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5K-5.014 Grading Services for Poultry.

(1) Definitions. As used in this rule, the following definitions shall apply:

(a) Non-scheduled days ~~Days not previously scheduled or non-specified days~~ means days not scheduled in the application for service.

(b) Department means the Florida Department of Agriculture and Consumer Services.

(c) Non-resident location means a production site to which no full-time grader has been assigned, but the site has been previously approved for grading in accordance with an application for service.

(d) Full-time resident location means a production site to which a full-time grader has been assigned in accordance with an application for service requesting 40 or more hours of grading services per week.

(e) Part-time resident location means a production site where a part-time grader has been assigned to the site in accordance with an application for service requesting less than 40 hours of grading services per week.

(f) Regular shift differential means additional compensation of \$2.00 per hour added to a grader's regular hourly wage on a shift beginning after 3:00 p.m.

(g) Overtime shift differential means additional compensation of \$2.00 per hour added to a grader's overtime hourly wage on a shift beginning after 3:00 p.m.

(2) Pursuant to its authority under Section 583.052, Florida Statutes, to cooperate with and enter into agreements with various state and federal agencies, the department has entered a Cooperative Agreement with the United States Department of Agriculture for the providing of a voluntary cooperative poultry grading service.

(3) Under that agreement and to offset the cost of providing the services to the producer who orders them, the department establishes the following schedule:

(a) Grader's time per hour for:

1. <u>Regular Hours</u> Resident location	<u>\$39.50</u> 30.30
2. <u>Overtime Hours</u>	<u>\$43.50</u> 34.30
3. <u>Holiday Hours</u> Non-resident location	<u>\$59.25</u> 37.30
4. <u>Regular Shift Differential</u> Non specified days	<u>\$41.50</u> 37.30
5. <u>Overtime Shift Differential</u>	<u>\$45.50</u>

~~6.5.~~ In addition to the charge for the grader's time per hour, an additional charge of \$2.00 ~~1.40~~ per hour shall be charged to regular and overtime hours worked at a resident location on a shift beginning after 3:00 ~~4:00~~ p.m.

(b) Travel time and costs:

1. Time for travel to and from the grader's headquarters for grading services at a non-resident or part-time resident location, or on non-scheduled ~~specified~~ days at a resident location shall be charged at the same rate as grading services provided.

2. Mileage and per diem to and from the grader's headquarters for grading services at a non-resident or part-time resident location, or on non-scheduled ~~specified~~ days at a resident location shall be reimbursed at the prevailing rates provided in Section 112.061, Florida Statutes.

(4) Moneys due to the department for grading services provided to a producer who orders said services must be received within 30 days of the date of invoice.

(5) USDA volume charge on a per pound of poultry basis will be identified separately on each billing statement.

(6) For purposes of this rule, holiday hours means those hours of work performed during days identified by the State of Florida as official holiday days for state personnel.

PROPOSED EFFECTIVE DATE: July 1, 2010.

Rulemaking ~~Specific~~ Authority 570.07(23), 583.04 FS. Law Implemented 583.051, 583.052 FS. History—New 8-13-92, Formerly 5E-7.014, Amended 9-30-96, 9-5-01, 7-1-06, 7-1-10.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE NO.: RULE TITLE:

5K-6.010 Grading Services for Shell Eggs

PURPOSE AND EFFECT: The rule amendment changes the fee and cost schedule for shell egg grading services provided by Department graders.

SUBJECT AREA TO BE ADDRESSED: The Florida Department of Agriculture and Consumer Services (DACS) provides egg grading services to food establishments that process shell eggs in accordance with US Department of Agriculture standards. The Department charges the shell egg processor an hourly fee to recover the costs of this service. This rule amendment provides an incremental increase to the hourly fees charged to a processor to cover the costs incurred by DACS. Additionally, language is modified to clarify the current terminology used to distinguish between regular hours, overtime hours, holiday hours, regular shift differential and overtime shift differential.

RULEMAKING AUTHORITY: 570.07(23), 583.04 FS.

LAW IMPLEMENTED: 583.051, 583.052 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: Lee M. Cornman, Assistant Director, Division of Food Safety, 3125 Conner Boulevard, Mail Stop #C18, Tallahassee, FL 32399-1650; telephone: (850)245-5520

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5K-6.010 Grading Services for Shell Eggs.

(1) Definitions. As used in this rule, the following definitions shall apply:

(a) Non-scheduled days ~~Days not previously scheduled or non-specified days~~ means days not scheduled in the application for service.

(b) Department means the Florida Department of Agriculture and Consumer Services.

(c) Non-resident location means a production site to which no full-time grader has been assigned, but the site has been previously approved for grading in accordance with the application for service.

(d) Full-time resident location means a production site to which a full-time grader has been assigned in accordance with an application for service requesting 40 or more hours of grading services per week.

(e) Part-time resident location means a production site where a part-time grader has been assigned to the site in accordance with an application for service requesting less than 40 hours of grading services per week.

(f) Regular shift differential means additional compensation of \$2.00 per hour added to a grader's regular hourly wage on a shift beginning after 3:00 p.m.

(g) Overtime shift differential means additional compensation of \$2.00 per hour added to a grader's overtime hourly wage on a shift beginning after 3:00 p.m.

(2) Pursuant to its authority under Section 583.052, Florida Statutes, to cooperate with and enter into agreements with various state and federal agencies, the department has entered a Cooperative Agreement with the United States Department of Agriculture for the providing of a voluntary cooperative shell egg grading service.

(3) Under that agreement and to offset the cost of providing services to the producer who orders them, the department establishes the following schedule:

(a) Grader's time per hour for:

1. <u>Regular Hours</u> Resident location	<u>\$39.50</u> 30.30
2. Overtime <u>Hours</u>	<u>\$43.50</u> 34.30
3. <u>Holiday Hours</u> Non-resident location	<u>\$59.25</u> 37.30
4. <u>Regular Shift Differential</u>	
Non-specified days	<u>\$41.50</u> 37.30
5. <u>Overtime Shift Differential</u>	<u>\$45.50</u>

~~6.5.~~ In addition to the charge for the grader's time per hour, an additional charge of \$2.00 ~~1.40~~ per hour shall be charged to regular and overtime hours worked at a resident location on a shift beginning after 3:00 ~~1:00~~ p.m.

(b) Travel time and costs:

1. Time for travel to and from the grader's headquarters for grading services at a non-resident or part-time resident location, or on non-scheduled ~~specified~~ days at a resident location shall be charged at the same rate as grading services provided.

2. Mileage and per diem to and from the grader's headquarters for grading services at a non-resident or part-time resident location, or on non-scheduled ~~specified~~ days at a resident location shall be reimbursed at the prevailing rates provided in Section 112.061, F.S.

(4) Moneys due to the department for grading services provided to a producer who orders said services must be received within 30 days of the date of invoice.

(5) USDA volume charge on a per dozen basis will be identified separately on each billing statement.

(6) For purposes of this rule, holiday hours means those hours of work performed during days identified by the State of Florida as official holiday days for state personnel.

PROPOSED EFFECTIVE DATE: July 1, 2010.

Rulemaking Specific Authority 570.07(23), 583.04 FS. Law Implemented 583.051, 583.052 FS. History—New 8-13-92, Formerly 5E-8.010, Amended 9-30-96, 9-5-01, 10-1-06, 7-1-10.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-5.065
 RULE TITLE: The Educator Accomplished Practices

PURPOSE AND EFFECT: The purpose of this rule development is to review the existing essential practices of effective teachers and to propose revised practices.

SUBJECT AREA TO BE ADDRESSED: The Educator Accomplished Practices.

RULEMAKING AUTHORITY: 1004.04, 1004.85, 1012.225, 1012.56 FS.

LAW IMPLEMENTED: 1004.04, 1004.85, 1012.225, 1012.34, 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: Eileen McDaniel, Chief, Bureau of Educator Recruitment, Development and Retention, Department of Education, 325 West Gaines Street, Room 124, Tallahassee, Florida 32399-0400. 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

State Board of Education

RULE NO.: 6A-6.0789
 RULE TITLE: Definition of a Charter School Nonprofit Organization

PURPOSE AND EFFECT: The purpose of this rule development is to provide clarification on the organization and operation of charter schools. The effect is to adopt a rule which is clear to be followed by all operators and/or applicants of charter schools.

SUBJECT AREA TO BE ADDRESSED: Definition of nonprofit organization for purposes of charter school operation.

RULEMAKING AUTHORITY: 1002.33(26) FS.

LAW IMPLEMENTED: 1002.33(12)(i) 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: Adam Miller, Charter School Director, Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400. 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-6.0789 Definition of a Charter School Nonprofit Organization.

For the purposes of Section 1002.33, Florida Statutes, a nonprofit organization is defined as any corporation, trust, association, cooperative, or other organization that meets the following criteria:

- (1) Is qualified under Section 501 (c) 3 of the IRS code, or
- (2)(a) Is operated primarily for scientific, educational service, or charitable purpose in the public interest;
- (b) Is not organized primarily for profit;
- (c) Uses net proceeds to maintain, improve, or expand the operations of the organization; and
- (d) No part of its net earnings may lawfully benefit any private shareholder or individual.

Rulemaking Authority 1002.33(26) FS. Law Implemented 1002.33(12)(i) FS. History—New _____.

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."

PUBLIC SERVICE COMMISSION

RULE NO.: 25-4.034
 RULE TITLE: Tariffs

PURPOSE AND EFFECT: This rule would be amended in order to change references to tariff filings to schedule publication in conformance with 2009 amendments to Section 364.04, F.S., and to make related rule changes. Undocketed.

SUBJECT AREA TO BE ADDRESSED: Public Service Commission regulated telecommunications companies.

RULEMAKING AUTHORITY: 350.127(2) FS.

LAW IMPLEMENTED: 364.04, 364.051(5), 364.183 FS.

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

DATE AND TIME: Tuesday, March 30, 2010, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, FL

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: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6770. 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: Kathryn G.W. Cowdery, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 323-0850, (850)413-6216

PUBLIC SERVICE COMMISSION

RULE NOS.:	RULE TITLES:
25-24.470	Registration Required
25-24.485	Tariffs
25-24.560	Terms and Definitions
25-24.620	Service Requirements for Companies Providing Operator Services
25-24.721	Tariffs Not Required
25-24.820	Revocation of a Certificate
25-24.825	Price List
25-24.830	Consumer Information
25-24.835	Rules Incorporated
25-24.915	Tariffs or Price Lists
25-24.920	Standards for Prepaid Calling Services and Consumer Disclosure

PURPOSE AND EFFECT: These rules would be amended in order to change references to tariff filings to schedule publication in conformance with 2009 amendments to Section 364.04, F.S., and to make related rule changes. Undocketed.

SUBJECT AREA TO BE ADDRESSED: Public Service Commission regulated telecommunications companies.

RULEMAKING AUTHORITY: 350.127(2) FS.

LAW IMPLEMENTED: 364.01, 364.02, 364.03, 364.04, 364.051, 364.057, 364.08, 364.09, 364.10, 364.183, 364.19, 364.27, 364.33, 364.335, 364.337, 364.3381, 364.339, 364.345 FS., Chapter 95-403, Section 32, Laws of Florida.

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

DATE AND TIME: Tuesday, March 30, 2010, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, FL 32399-0850

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: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6770. 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: Kathryn G.W. Cowdery, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216

AGENCY FOR HEALTH CARE ADMINISTRATION**Health Facility and Agency Licensing**

RULE NOS.:	RULE TITLES:
59A-3.2085	Department and Services
59A-3.253	Investigations and License, Life Safety and Validation Inspections
59A-3.274	Anatomical Gifts, Routine Inquiry

PURPOSE AND EFFECT: The Agency proposes to revise the rules related to hospital standards and licensure. These revisions will revise existing rules to conform to current statutory requirements

SUBJECT AREA TO BE ADDRESSED: The revisions will conform rules to requirements of current statutes and the streamlined and consistent set of basic licensing requirements in Chapter 408, Part II, Florida Statutes.

RULEMAKING AUTHORITY: 395.0161(2), 395.1055, 765.522(4) FS.

LAW IMPLEMENTED: 395.003, 395.0161, 395.1055, 408.036, 765.512, 765.522, 408.0361 FS.

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

DATE AND TIME: March 25, 2010, 10:00 a.m.

PLACE: Agency for Health Care Administration, Building 3, Conference Room C, 2727 Mahan Drive, Tallahassee, FL 32308

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: Kaylyn Boles, Bureau of Health Facility Regulation, 2727 Mahan Drive, M.S. #28A, Tallahassee, FL 32308 or at (850)922-0791. 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: Kaylyn Boles, Bureau of Health Facility Regulation, 2727 Mahan Drive, M.S. #28A, Tallahassee, FL 32308 or at (850)922-0791. 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

RULE NO.: 61C-5.025 RULE TITLE: Hydraulic Supply Shut-off Valves

PURPOSE AND EFFECT: The purpose of the proposed rule development is to eliminate the life safety risk associated with hydraulic supply shut-off valves. The effect of the proposed rule development is to require replacement of hydraulic supply shut-off valves.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development will address the life safety risk associated with hydraulic supply shut-off valves.

RULEMAKING AUTHORITY: 399.10 FS.

LAW IMPLEMENTED: 399.001, 399.061 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, IF AVAILABLE, IS: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1011; Michelle.Comingore@dbpr.state.fl.us; (850)488-1133

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-15.016 RULE TITLE: Time for Payment of Civil Penalties

PURPOSE AND EFFECT: The Board proposes the rule amendment requiring licensees to pay penalties within 30 days of the Board's order. If the penalties are not paid within the required time, further disciplinary action will be imposed.

SUBJECT AREA TO BE ADDRESSED: Time for Payment of Civil Penalties.

RULEMAKING AUTHORITY: 476.064(4), 455.227(2), 476.204 FS.

LAW IMPLEMENTED: 455.227(2), 476.204 FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Robyn Barineau, Executive Director, Barbers' Board, 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

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-5.004 RULE TITLE: Final Orders

PURPOSE AND EFFECT: The purpose of this proposed rule change is to remove the requirement that the Chair sign all final orders.

SUBJECT AREA TO BE ADDRESSED: Final Orders.

RULEMAKING AUTHORITY: 468.606 FS.

LAW IMPLEMENTED: 455.225, 455.227, 468.621 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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G19-5.004 Final Orders.

(1) Final orders shall be effective upon filing with the Clerk of the Board.

~~(2) The Chair of the Board shall sign all final orders.~~

~~(2)(3)~~ Administrative fines shall be paid within thirty (30) days of the final order at the Board address listed in subsection 61G19-1.002(1), F.A.C.

~~(3)(4)~~ In cases where the Board imposes a civil penalty for violation of Chapter 455 or Part XIII of Chapter 468, F.S., or of the rules promulgated thereunder, the penalty shall be paid within thirty (30) days of its imposition by order of the Board, unless a later time for payment is specified in the Board's

Order. Moreover, unless otherwise addressed by the Board at hearings held pursuant to Section 120.57(2), F.S., whenever a fine is levied at said hearing the respondent who is fined shall have all certification to practice suspended with the imposition of the suspension being stayed for thirty (30) days. If the ordered fine is paid within said thirty (30) day period, the suspension imposed shall not take effect. Upon payment of the fine after the thirty (30) days, the suspension imposed shall be lifted. If the certificate holder does not pay the fine, within said period, then immediately upon expiration of the stay, he shall surrender his certificate(s) to an investigator of the Department of Business and Professional Regulation or shall mail said certificate(s) to the Board offices.

~~(4)(5)~~ Failure to pay the penalty within the time specified in this rule or in the Board's Order shall constitute grounds for disciplinary action against the certificate holder.

~~(5)(6)~~ An action against any certificate issued within the purview of the board affects all certificates issued by the board.

~~(6)(7)~~ The Board may reinstate a suspended certificate, or recertify a person whose certificate has been revoked, after review pursuant to Rule 61G19-5.005, F.A.C.

Rulemaking Specific Authority 468.606 FS. Law Implemented 120.59, 455.224, 455.227, 468.621 FS. History—New 5-23-94, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-6.0036
 RULE TITLE: Application for Certification Review Procedure

PURPOSE AND EFFECT: The purpose of this rule development is to consider whether additional classes of applications should be reviewed by the Application Review Committee and the Board.

SUBJECT AREA TO BE ADDRESSED: Application for Certification Review Procedure.

RULEMAKING AUTHORITY: 468.606 FS.

LAW IMPLEMENTED: 455.203, 468.606, 468.609 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, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

Florida Real Estate Appraisal Board

RULE NO.: 61J1-8.001
 RULE TITLE: Citation Authority

PURPOSE AND EFFECT: The Board proposes to review the existing language to determine whether or not to include the act specified by the Florida Legislature in 2009 at Section 455.227(1)(t), F.S., as a basis for the issuance of a citation.

SUBJECT AREA TO BE ADDRESSED: Citation Authority.

RULEMAKING AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 455.224, 455.275, 475.622(1), 475.6221(1), 475.624(14), (18) 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: Thomas O'Bryant, Jr., Deputy Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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:
62-304.300	St. Marks Basin TMDLs
62-304.325	Choctawhatchee River Basin TMDLs (Choctawhatchee River)
62-304.415	Lower St. Johns River Basin TMDLs
62-304.500	Ocklawaha Basin TMDLs
62-304.510	Upper St. Johns River TMDLs
62-304.520	Indian River Lagoon Basin TMDLs
62-304.625	Peace River Basin TMDLs
62-304.800	Caloosahatchee River Basin TMDLs
62-304.805	Charlotte Harbor Basin TMDLs

PURPOSE AND EFFECT: The Department is initiating rulemaking to establish Total Maximum Daily Loads (TMDLs) for waters in the following basins: St. Marks, Choctawhatchee Bay, Lower St. Johns River, Ocklawaha, Upper St. Johns, Indian River Lagoon, Peace River, Caloosahatchee River, and Charlotte Harbor. 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. Establishment of TMDLs is proceeding for waters within the above basins for which the verified list of impaired waters were previously adopted by Secretarial Order. 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.

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 basins (as indicated in the order adopting the verified list for the basin).

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.016, 403.062, 403.067 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: Jan Mandrup-Poulsen, Administrator, Watershed Evaluation and TMDL Section, 2600 Blair Stone Road, Mail Station 3555, Tallahassee, FL 32399-2400, telephone (850)245-8449

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

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: RULE TITLE:

64B2-13.004 Continuing Education

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to update language concerning continuing education for acupuncture.

SUBJECT AREA TO BE ADDRESSED: Continuing Education.

RULEMAKING AUTHORITY: 456.025(7), 460.408(3) FS.

LAW IMPLEMENTED: 456.013(6), 456.025(7), 456.036(10), 460.408 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-13.004 Continuing Education.

(1) through (2) No change.

(3) Each licensee certified in acupuncture by the Board shall obtain twelve (12) hours of Board approved acupuncture continuing education. These twelve (12) hours shall be obtained as part of the forty (40) hours required in each licensure biennium. Licensees certified in acupuncture must complete the hours required in subsection 64B2-13.004(2), F.A.C.

(3) through (13) renumbered (4) through (14) No change.

Rulemaking Authority 456.025(7), 460.408(3) FS. Law Implemented 456.013(6), 456.025(7), 456.036(10), 460.408 FS. History—New 1-10-80, Amended 11-25-80, 1-13-82, Formerly 21D-13.04, Amended 6-22-86, 7-5-87, 1-25-88, 10-17-90, 10-15-92, Formerly 21D-13.004, Amended 10-26-93, Formerly 61F2-13.004, Amended 3-16-95, 7-18-95, 6-11-96, Formerly 59N-13.004, Amended 6-24-98, 8-4-99, 7-11-02, 11-30-03, 4-17-05, 11-14-06, 11-13-07, 7-1-09, _____.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-4.001 Trainee Registration

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate an updated form.

SUBJECT AREA TO BE ADDRESSED: Trainee Registration.

RULEMAKING AUTHORITY: 483.805(4) FS.

LAW IMPLEMENTED: 483.809(3), 483.811(2), (3), (4), 483.825 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 Clinical Laboratory Personnel, 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 Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-5.008 Public Health Laboratory Personnel

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate an updated form.

SUBJECT AREA TO BE ADDRESSED: Public Health Laboratory Personnel.

RULEMAKING AUTHORITY: 483.805(4), FS.

LAW IMPLEMENTED: 483.812 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 Clinical Laboratory Personnel, 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 Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.:

RULE TITLE:

64B4-3.003

Examination for Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the requirements for examination for licensure.

SUBJECT AREA TO BE ADDRESSED: Examination for Licensure.

RULEMAKING AUTHORITY: 456.017, 491.004(5) FS.

LAW IMPLEMENTED: 456.017, 491.005 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: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B4-3.003 Examination for Licensure.

~~(1) An applicant for examination for licensure must apply to the Department no later than 120 days and submit supporting documentation necessary to determine eligibility no later than 90 days prior to the examination date, otherwise the applicant shall be scheduled for the next available examination. The application and examination fee must accompany the application.~~

~~(1)(2) An applicant who has completed all requirements for the examination and has been certified eligible by the board will be admitted to the examination for licensure.~~

~~(2)(3) THEORY AND PRACTICE.~~

~~(a) CLINICAL SOCIAL WORKERS.~~

~~4. The theory and practice examination for clinical social workers shall be the Clinical Level objective multiple choice examination developed by the Association of Social Work Boards (ASWB). The minimum passing score is the recommended cut-off score provided by the national vendor established according to a standard-setting method. Candidates' raw scores are converted to a scaled score. The passing score is a scaled score of 75.~~

~~2. An applicant for licensure as a clinical social worker is not required to take the theory and practice Part II of subparagraph 64B4 3.003(3)(a)1., F.A.C., of the licensure examination if the following conditions are met:~~

~~a. The applicant has taken within the last five years the national Clinical Level objective multiple choice ASWB examination; and~~

~~b. The applicant earned the national passing score on the Clinical Level objective multiple choice ASWB examination.~~

~~(b) MENTAL HEALTH COUNSELORS.~~

The National Clinical Mental Health Counseling Examination (NCMHCE) shall be a clinical simulation examination developed by the National Board for Certified Counselors (NBCC). All options are given a weight based upon the level of appropriateness for good client care. The minimum pass level shall be the recommended cut-off score provided by the NBCC and established according to a content-based modified Angoff procedure.

~~(c) MARRIAGE AND FAMILY THERAPISTS.~~

~~4. The marital and family therapy examination shall be an objective multiple choice examination developed by the Examination Advisory Committee of the Association of Marital and Family Therapy Regulatory Board (AMFTRB) and the Professional Examination Service. All items will be weighted equally in scoring the examination. The minimum passing score is the recommended cut-off score provided by the national vendor and established according to the Angoff procedure.~~

~~2. An applicant for licensure as a marriage and family therapist is not required to take the theory and practice of paragraph 64B4 3.003(3)(c), F.A.C., of the licensure examination if the following conditions are met:~~

~~a. The applicant has taken within the last five years the national examination developed by AMFTRB; and~~

~~b. The applicant earned the national passing score on the examination developed by the AMFTRB.~~

Rulemaking Specific Authority 456.017, 491.004(5) FS. Law Implemented 456.017, 491.005 FS. History—New 3-21-90, Amended 7-31-91, 3-10-92, 6-1-92, 1-27-93, Formerly 21CC-3.003, Amended 3-14-94, 7-20-94, Formerly 61F4-3.003, Amended 12-22-94, 9-18-95, 11-13-96, 6-1-97, Formerly 59P-3.003, Amended 8-8-99, 1-11-00, 7-2-00, 8-24-00, 10-15-02, 7-8-03,_____.

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: RULE TITLE:
64B4-4.005 Biennial Licensure Fee

PURPOSE AND EFFECT: The Board proposes the rule amendment to reduce the biennial licensure fee.

SUBJECT AREA TO BE ADDRESSED: Biennial Licensure Fee.

RULEMAKING AUTHORITY: 456.025(1), 491.004(5), 491.007(1) FS.

LAW IMPLEMENTED: 456.025(1), 491.007(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 IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B4-4.005 Biennial Licensure Fee.

The biennial licensure fee for a clinical social worker license, marriage and family therapist license and mental health counselor license shall be \$125 ~~\$150~~ each.

Rulemaking Specific Authority 456.025(1), 491.004(5), 491.007(1) FS. Law Implemented 456.025(1), 491.007(1) FS. History—New 4-3-89, Amended 2-25-90, 6-1-92, Formerly 21CC-4.005, Amended 1-9-94, Formerly 61F4-4.005, 59P-4.005, Amended 10-9-00, 9-6-04,_____.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: RULE TITLE:
64B10-14.002 Probable Cause Determination

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and to add new language to clarify probable cause determination.

SUBJECT AREA TO BE ADDRESSED: Probable cause determination.

RULEMAKING AUTHORITY: 456.073(1), 468.1685 FS.

LAW IMPLEMENTED: 456.073 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 Nursing Home Administrators/MQA, 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 Nursing Home Administrators

RULE NO.: RULE TITLE:
64B10-14.004 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and to add new language to clarify disciplinary guidelines.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines.

RULEMAKING AUTHORITY: 456.073(3), 456.079, 468.1685(1) FS.

LAW IMPLEMENTED: 456.072, 456.073(3), 456.079, 468.1685(4),(5),(6), 468.1755(1)(a),(j),(q) 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 Nursing Home Administrators'/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:
64B13-15.005 Designation of Administrative Violations; Major; Minor

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate new statutory violations into the guidelines.

SUBJECT AREA TO BE ADDRESSED: Designation of Administrative Violations; Major; Minor.

RULEMAKING AUTHORITY: 456.079 FS.

LAW IMPLEMENTED: 456.079 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-15.005 Designation of Administrative Violations; Major; Minor.

(1) No change.

(2) Violations of the following statutory and rule provisions are considered to be Major Administrative Violations:

(a) Paragraphs 456.072(1)(a), (b), (c), (e), (f), (g), (h), (i), (k), (m), (q), (r), (s), (w), (x), (cc), (ii), (jj), (kk), (ll), F.S., entitled "Grounds for Discipline; Penalties; Enforcement."

(b) through (m) No change.

(3) No change.

Rulemaking Specific Authority 456.079 FS. Law Implemented 456.079 FS. History--New 2-24-87, Formerly 21Q-15.005, 61F8-15.005, Amended 8-18-96, Formerly 59V-15.005, Amended 5-1-02, _____.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program

RULE NO.: 65E-12.110	RULE TITLE: Integrated Children's Crisis Stabilization Unit and Addictions Receiving Facility Demonstration Models
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PURPOSE AND EFFECT: The purpose of this rulemaking is to expand the scope of Rule 65E-12.110, F.A.C., to include integrated adult crisis stabilization unit and addictions receiving facility services (in addition to children's facilities), to update statutory references, to eliminate archaic language, and to modify certain provisions of the rule to enhance the quality of services in the facilities regulated by this rule.

SUBJECT AREA TO BE ADDRESSED: Mental health.

RULEMAKING AUTHORITY: 394.4612 FS.

LAW IMPLEMENTED: 394.4612 FS.

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

DATE AND TIME: Monday, March 29, 2010, 11:00 a.m.

PLACE: Florida Department of Children & Families, 1317 Winewood Blvd., Building 6, Conference Room A, Tallahassee, FL 32399-0700

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Joe Anson, Baker Act Policy Director, Adult Community Mental Health, Mental Health Program Office, (850)413-0932. 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: Joe Anson, Baker Act Policy Director, Adult Community Mental Health, Mental Health Program Office, (850)413-0932

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.: 68B-27.013 68B-27.014 68B-27.015 68B-27.016 68B-27.017 68B-27.018 68B-27.019 68B-27.020	RULE TITLES: Definitions Statewide Bag Limits on Oyster Harvesting Oyster Size Limit Oyster Harvest Monitoring Apalachicola Bay Oyster Harvesting Restrictions Statewide Harvesting Restrictions Seasons Applicability to Oysters on Leased Parcels
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PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule changes in the 2010 calendar year for oysters as a result of stock assessments, federal regulatory actions or other management and enforcement requirements

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mr. Mark Robson, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E, Station 201, Tallahassee, Florida 32301, (850)487-0554

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NO.: 69B-210.005 RULE TITLE: Unlawful Inducements, Generally

PURPOSE AND EFFECT: Section 626.9521(1), F.S., provides that no person shall engage in any trade practice which is defined in this part as an unfair method of competition or an unfair or deceptive act or practice involving the business of insurance. Section 626.9611(1), F.S., authorizes the Department to adopt reasonable rules as are necessary or proper to identify specific unfair methods of competition or unfair or deceptive acts or practices which are prohibited by Section 626.9541, F.S. The proposed rule defines the term "unlawful inducement" and also provides examples of acts and practices that are unlawful inducements to purchase insurance prohibited by Section 626.9541(1)(h), F.S.

SUBJECT AREA TO BE ADDRESSED: Examples of acts and practices that are unlawful inducements to purchase insurance prohibited by Section 626.9541(1)(h), F.S.

RULEMAKING AUTHORITY: 624.308 (1), 626.9611 FS.

LAW IMPLEMENTED: 626.112(8), 626.572, 626.611(11), 626.621(6), 626.9521, 626.9541(1)(h), (m), 626.9611 FS.

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

DATE AND TIME: March 22, 2010, 9:30 a.m.

PLACE: Room 116, Larson Building, 200 E. 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: Lorna Noren at (850)413-5634 or Lorna.Noren@MyFloridaCFO.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: THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE AND ON THE DEPARTMENT'S WEBSITE AT www.myfloridacfo.com/LegalServices/ruleHearing/.

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NO.: 69B-210.010 RULE TITLE: Unlawful Inducements, Title Insurance

PURPOSE AND EFFECT: Section 626.9521(1), F.S., provides that no person shall engage in any trade practice which is defined in this part as an unfair method of competition or an unfair or deceptive act or practice involving the business of insurance. Section 626.9611(1), F.S., authorizes the Department to adopt reasonable rules as are necessary or proper to identify specific unfair methods of competition or unfair or deceptive acts or practices which are prohibited by Section 626.9541, F.S. The proposed rule defines the term "unlawful inducement" and also provides examples of acts and practices that are unlawful inducements to purchase title insurance prohibited by Section 626.9541(1)(h), F.S.

SUBJECT AREA TO BE ADDRESSED: Examples of acts and practices that are unlawful inducements to purchase title insurance prohibited by Section 626.9541(1)(h), F.S.

RULEMAKING AUTHORITY: 624.308(1), 626.9611 FS.

LAW IMPLEMENTED: 626.112(8), 626.572, 626.611(11), 626.621(6), 626.8411, 626.8437(8), 626.844(5), 626.9521, 626.9541(1)(h), (m), 626.9611 FS.

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

DATE AND TIME: March 22, 2010, 2:30 p.m.

PLACE: Room 116, Larson Building, 200 E. 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: Lorna Noren at (850)413-5634 or Lorna.Noren@MyFloridaCFO.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: THE PRELIMINARY TEXT OF THE PROPOSED RULE

DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE AND ON THE DEPARTMENT'S WEBSITE AT www.myfloridacfo.com/LegalServices/ruleHearing/.

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: 69K-5.0024 RULE TITLE: Remittances to the Regulatory Trust Fund

PURPOSE AND EFFECT: To remove provisions forbidding licensees from obtaining trust fund amounts from a consumer.

SUBJECT AREA TO BE ADDRESSED: Remittances to the Regulatory Trust Fund.

RULEMAKING AUTHORITY: 497.103, 497.453(1) FS.

LAW IMPLEMENTED: 497.453(9) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: 69K-18.004 RULE TITLE: Intern Training Agencies

PURPOSE AND EFFECT: To permit training agencies to continue training interns when there is a change in ownership but not a change in staff.

SUBJECT AREA TO BE ADDRESSED: Continuation as training agency following a change in ownership.

RULEMAKING AUTHORITY: 497.103, 497.370, 497.35 FS.

LAW IMPLEMENTED: 497.370, 497.375 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: Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

RULE NO.: 69L-6.026 RULE TITLE: Periodic Reports

PURPOSE AND EFFECT: The purpose of the proposed rule is to establish procedures regarding the filing of periodic reports by employers that have been issued a Stop-Work Order for failure to comply with the coverage requirements of Chapter 440, F.S., and assessed a penalty in excess of \$50,000.00. As a condition of their release from a Stop-Work Order, subject employers must submit quarterly reports to the Department using new form DFS-F4-2018, "Bureau of Compliance Quarterly Report Form," to demonstrate their continuing compliance with the coverage requirements of Chapter 440, F.S.

SUBJECT AREA TO BE ADDRESSED: Reporting requirements for employers released from Stop-Work Orders where assessed penalties exceed \$50,000 for violation of the coverage requirements of Chapter 440, F.S.

RULEMAKING AUTHORITY: 440.107(7)(a), 440.591 FS.

LAW IMPLEMENTED: 440.107 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: Tuesday, March 30, 2010, 10:00 a.m.

PLACE: 104J Hartman Bldg., 2012 Capital Circle Southeast, 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: Tasha Carter, (850)413-1878. 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: Tasha Carter, Chief, Bureau of Compliance, Division of Workers' Compensation, Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399-4228, (850)413-1878

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: via the Division's website at <http://www.myfloridacfo.com/WC/>.