

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

Section II Proposed Rules

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

| | |
|------------|--|
| RULE NO.: | RULE TITLE: |
| 11B-30.007 | Application for the State Officer Certification Examination and Notification Process |

PURPOSE AND EFFECT: The State Officer Certification Examination fee is being increased to provide additional revenue to the Criminal Justice Standards and Training Trust Fund. If additional revenue is not collected, the current \$67 per officer allocation to the state's training centers for training the state's certified law enforcement, correctional and correctional probation officers will be reduced. The fee was last increased in 2001.

SUMMARY: Increase State Officer Certification Examination fee as set by the Criminal Justice Standards and Training Commission and authorized by Section 943.1397(3), F.S. The proposed effective date is January 1, 2011.

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

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 943.03(4), 943.12(1) FS.

LAW IMPLEMENTED: 943.12(17), 943.1397(3) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Wednesday, September 1, 2010, 10:00 a.m.

PLACE: Florida Department of Law Enforcement (FDLE), Criminal Justice Professionalism Program, 2331 Phillips Road, 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: Donna Hunt at (850)410-8615, or donnahunt@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308. If you are

hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Donna Hunt at (850)410-8615, or donnahunt@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

11B-30.007 Application for the State Officer Certification Examination and Notification Process.

(1) Application to take the State Officer Certification Examination (SOCE) shall be made by submitting:

(a) An Application for State Officer Certification Examination form CJSTC-500 to the Florida Department of Law Enforcement, Office of Finance and Accounting, Post Office Box 1489, Tallahassee, Florida 32302-1489. All applications shall be accompanied by a cashier's check, money order, or public agency instrument in the amount of ~~\$150~~ ~~\$100~~ made payable to the Criminal Justice Standards and Training Trust Fund; or

(b) An on-line application electronically, via the internet, at <http://www4.fdle.state.fl.us/examregister>. All on-line applications shall be accompanied by payment of the ~~\$150~~ ~~\$100~~ examination fee using a credit card or debit card.

(c) No change.

(2) through (6) No change.

PROPOSED EFFECTIVE DATE: January 1, 2011.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(17), 943.1397(3) FS. History—New 1-10-94, Amended 1-2-97, 7-7-99, 7-29-01, 11-5-02, 11-30-04, 3-21-07, 6-9-08, 9-28-09, 1-1-11.

NAME OF PERSON ORIGINATING PROPOSED RULE: Donna Hunt at (850)410-8615, or donnahunt@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 29, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 11, 2010

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-501.401
RULE TITLE: Admissible Reading Material

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify that staff shall remove any improper packing material from admissible reading material before providing the contents to the receiving inmate.

SUMMARY: The proposed rule clarifies that staff shall remove any improper packing material from admissible reading material before providing the contents to the receiving inmate.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small business. A SERC has not been prepared by the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 944.09, 944.11 FS.

LAW IMPLEMENTED: 944.11 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kendra Lee Jowers, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-501.401 Admissible Reading Material.

(1) through (25) No change.

(26) No packaging other than standard envelopes shall be given to inmates. The following types of packaging shall be removed by staff before providing the contents to the inmate: boxes, padded envelopes, envelopes that include metal parts, multilayer packaging, bubble wrap, packing peanuts, or other forms of extra packaging.

Rulemaking Authority 944.09, 944.11 FS. Law Implemented 944.11 FS. History—New 10-8-76, Amended 3-3-81, 9-24-81, Formerly 33-3.12, Amended 6-9-87, 3-11-91, 12-17-91, 3-30-94, 11-2-94, 5-10-98, 10-20-98, Formerly 33-3.012, Amended 3-21-00, 8-10-00, 10-13-02, 7-2-03, 12-30-04, 9-5-05, 8-1-06, 6-16-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: George Sapp, Deputy Secretary of Institutions

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Franchatta Barber, Assistant Secretary of Reentry.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 4, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 18, 2010

COMMISSION ON ETHICS

RULE NO.: 34-7.010
RULE TITLE: List of Forms and Instructions

PURPOSE AND EFFECT: The purpose of the proposed amendment is to make revisions to various financial disclosure forms that are adopted by reference in Rule 34-7.010, Florida Administrative Code. The filing year on all of the forms will be changed to 2010. Additionally, where there were statutory changes to those who are required to file, those changes are reflected in the forms.

SUMMARY: CE Form 1 (Statement of Financial Interests), CE Form 6 (Full and Public Disclosure of Financial Interests), CE Form 1F (Final Statement of Financial Interests), CE Form 6F (Final Full and Public Disclosure of Financial Interests), CE Form 1X (Amendment to Form 1 Statement of Financial Interests), and CE Form 6X (Amendment to Full and Public Disclosure of Financial Interests), are affected by this rulemaking.

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

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: Art. II, Sec. 8(i), Fla. Const., 112.3144, 112.3145, 112.3147, 112.3215(14), 112.322(9) FS.

LAW IMPLEMENTED: 112.313(9), (12), 112.3143, 112.3144, 112.3145, 112.3148, 112.3149, 112.3215 FS., Art. II, Sec. 8(a), (f), (h), Fla. Const.

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

DATE AND TIME: September 3, 2010, 8:30 a.m.

PLACE: Senate Office Building, Room 37S, 404 South Monroe Street, 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 2 days before the workshop/meeting by contacting: Julia Cobb Costas, Assistant General Counsel, Florida Commission on Ethics, telephone: (850)488-7864. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julia Cobb Costas, Assistant General Counsel, Florida Commission on Ethics, telephone: (850)488-7864

THE FULL TEXT OF THE PROPOSED RULE IS:

34-7.010 List of Forms and Instructions.

(1) The following forms and instructions are adopted by reference and are used by the Commission in its dealings with the public:

(a) Form 1, Statement of Financial Interests. To be utilized by state officers, local officers, candidates for state or local office and specified state employees for compliance with Sections 112.3145(2) and (3), F.S. Effective 1/2011 ~~4/2010~~.

(b) No change.

(c) Form 6, Full and Public Disclosure of Financial Interests. To be utilized by all elected constitutional officers, candidates for such offices, other statewide elected officers, and others as prescribed by law for compliance with Article II, Section 8(a) and (h), Florida Constitution, as specified in Chapter 34-8, F.A.C., of these rules. Effective 1/2011 ~~4/2010~~.

(d) through (k) No change.

(l) Form 1F, Final Statement of Financial Interests. To be filed within 60 days of leaving public office or employment. Effective 1/2011 ~~4/2010~~.

(m) Form 6F, Final Full and Public Disclosure of Financial Interests. To be filed within 60 days of leaving public office. Effective 1/2011 ~~4/2010~~.

(n) Form 1X, Amendment to Form 1 Statement of Financial Interests. To be used to amend a previously filed CE Form 1. Effective 1/2011 ~~4/2010~~.

(o) Form 6X, Amendment to Full and Public Disclosure of Financial Interests. To be used to amend a previously filed CE Form 6. Effective 1/2011 ~~4/2010~~.

(2) Any of the above forms and instructions may be obtained without cost upon request to the Florida Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709 and may also be downloaded from the Commission's website: www.ethics.state.fl.us.

PROPOSED EFFECTIVE DATE JANUARY 1, 2011

Rulemaking Authority Art. II, Sec. 8(i), Fla. Const., 112.3144, 112.3145, 112.3147, 112.3215(14), 112.322(9) FS. Law Implemented Art. II, Sec. 8(a), (f), (h), Fla. Const., 112.313(9), (12), 112.3143, 112.3144, 112.3145, 112.3148, 112.3149, 112.3215 FS. History—New 4-11-76, Formerly 34-7.10 through 7.22, 8.10, Amended 2-23-77, 4-7-77, 5-17-77, 10-20-77, 2-25-79, 1-29-80, 4-29-81, 1-12-82, 3-25-82, 2-21-83, Formerly 34-7.10, Amended 7-10-88, 3-4-91, 10-6-91, 10-29-91, 12-22-91, 7-5-92, 10-15-92, 12-6-92, 11-10-93, 12-27-93, 11-21-94, 2-16-95, 12-26-95, 1-27-97, 1-1-98, 1-1-99, 1-1-00, 1-1-00, 12-4-00, 12-21-00, 10-14-01, 11-22-01, 1-1-02, 1-1-03, 1-1-04, 1-1-05, 1-1-06, 6-15-06, 1-1-07, 1-1-10, 1-1-11.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Julia Cobb Costas, Assistant General Counsel, Florida Commission on Ethics, telephone: (850)488-7864

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Philip C. Claypool, Executive Director and General Counsel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 16, 2010

DEPARTMENT OF ELDER AFFAIRS**Federal Aging Programs**

RULE NOS.:

58A-5.0181

RULE TITLES:

Admission Procedures,

Appropriateness of Placement and
Continued Residency Criteria

Medication Practices

58A-5.0185

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment to Rule 58A-5.0181, F.A.C., are to remove references of Adult Family-Care Homes (AFCHs) from the rule language and the health assessment form incorporated by reference in the rule. The form is currently entitled, "AHCA Form 1823, Resident Health Assessment for Assisted Living Facilities and Adult Family-Care Homes, April 2010." The amendment will change the rule language and form to read, "AHCA Form 1823, Resident Health Assessment for Assisted Living Facilities." The purpose and effect of the proposed rule amendment to Rule 58A-5.0185, F.A.C., are to require that a licensed nurse must have an order from a licensed health care provider when dispensing over-the-counter (OTC) products.

SUMMARY: Rule 58A-5.0181, F.A.C., amends language to remove references of Adult Family-Care Homes (AFCHs) from the rule language and the health assessment form incorporated by reference in the rule. Rule 58A-5.0185, F.A.C., amends rule language to require that OTC products administered by a licensed nurse must have an order from a licensed health care provider.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The proposed rule amendments will not have an impact on small employers as defined in Section 288.703, F.S., or small cities or counties as defined in Section 120.52, F.S.; therefore, a statement of estimated regulatory cost has not been prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 429.07, 429.256, 429.41 FS.

LAW IMPLEMENTED: 429.07, 429.255, 429.256, 429.26, 429.41 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: September 1, 2010, 10:00 a.m. – 11:00 a.m. EST.

PLACE: Department of Elder Affairs, Conference Room 225F, 4040 Esplanade Way, Tallahassee, Florida 32399-7000

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; telephone number: (850)414-2113; Email address: crocethj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; telephone number: (850)414-2113; Email address: crocethj@elderaffairs.org

THE FULL TEXT OF THE PROPOSED RULE IS:

58A-5.0181 Admission Procedures, Appropriateness of Placement and Continued Residency Criteria.

(1) No change.

(2) **HEALTH ASSESSMENT.** As part of the admission criteria, an individual must undergo a face-to-face medical examination completed by a licensed health care provider, as specified in either paragraph (a) or (b) of this subsection.

(a) No change.

(b) A medical examination completed after the resident's admission to the facility within 30 calendar days of the admission date. The examination must be recorded on AHCA Form 1823, Resident Health Assessment ~~For Assisted Living Facilities, and Adult Family Care Homes,~~ April 2010. The form is hereby incorporated by reference. A faxed copy of the completed form is acceptable. A copy of AHCA Form 1823 may be obtained from the Agency Central Office or its website at www.fdhc.state.fl.us/MCHQ/Long_Term_Care/Assisted_living/pdf/AHCA_Form_1823%.pdf. The form must be completed as follows:

1. through 2. No change.

3. ALF providers may continue to use AHCA Form 1823, April 2010, for up to six months after the effective date of this rule amendment. After that date, providers must use AHCA Form 1823, _____, 2010.

(c) through (g) No change.

(3) through (5) No change.

Rulemaking Authority 429.07, 429.41 FS. Law Implemented 429.07, 429.26, 429.41 FS. History—New 9-17-84, Formerly 10A-5.181, Amended 10-20-86, 6-21-88, 8-15-90, 9-30-92, Formerly 10A-5.0181, Amended 10-30-95, 6-2-96, 10-17-99, 7-30-06, 10-9-06, 4-15-10, _____.

58A-5.0185 Medication Practices.

Pursuant to Sections 429.255 and 429.256, F.S., and this rule, licensed facilities may assist with the self-administration or administration of medications to residents in a facility. A resident may not be compelled to take medications but may be counseled in accordance with this rule.

(1) through (7) No change.

(8) **OVER THE COUNTER (OTC) PRODUCTS.** For purposes of this subsection, the term OTC includes, but is not limited to, OTC medications, vitamins, nutritional supplements and nutraceuticals, hereafter referred to as OTC products, which can be sold without a prescription.

(a) through (c) No change.

(d) A facility cannot require a licensed health care provider's order for all OTC products when a resident self-administers his or her own medications, or when staff provides assistance with self-administration ~~or administration~~ of medications pursuant to Section 429.256, F.S. A licensed health care provider's order is required when a licensed nurse provides assistance with self-administration or administration of medications, which includes OTC products. When such an order for an OTC product exists, only the requirements of paragraphs (b) and (c) of this subsection are required.

Rulemaking Authority 429.256, 429.41 FS. Law Implemented 429.255, 429.256, 429.41 FS. History—New 10-17-99, Amended 7-30-06, 4-15-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jim Crochet

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Charles T. Corley, Interim Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 23, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 18, 2010

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.:

RULE TITLE:

61-32.001

Issuance of Citations

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal the rule regarding the issuance of citations detailed in Section 455.224, Florida Statutes.

SUMMARY: Notwithstanding citation rules adopted under the applicable practice acts pursuant to Sections 455.224, 455.228, 455.224, Florida Statutes, details the procedures for the issuance of citations to persons licensed by the department. The remaining portion of the rule outlines internal processing procedures that are unnecessary for rule. The rule is a redundancy of Section 455.224, Florida Statutes, and needs to be repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that the repeal of this rule will not have an impact on small business. No statement of estimated regulatory costs was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 455.201, 455.203(5), 455.224 (1) FS.

LAW IMPLEMENTED: 455.224 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michael Green, Unlicensed Activity Administrator, Division of Regulation, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2212, (850)487-9518

THE FULL TEXT OF THE PROPOSED RULE IS:

61-32.001 Issuance of Citations.

Rulemaking Specific Authority 455.201, 455.203(5), 455.224, ~~455.228~~ FS. Law Implemented 455.224, ~~445.228~~ FS. History—New 1-6-92, Formerly 21-32.001, Amended 6-19-95, 8-15-05, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: Jerry Wilson, Division Director, Division of Regulation, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Charlie Liem, Interim Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 21, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 12, 2010

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: RULE TITLE:

61G15-32.002 Definitions

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

SUMMARY: The rule amendment will add new language and to delete unnecessary language to clarify definitions.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost has been prepared and is available by contacting Carrie Flynn, Executive Director, at the address listed below.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

The following is a summary of the SERC:

- The proposed change would affect professional engineers licensed in the state of Florida who design fire protection systems.
- Approximately 650 professional engineers and/or engineering firms would be affected by this rule.
- The only costs incurred by the Board of Professional Engineers are rule-making costs.
- No effect on state or local revenue is expected.
- The proposed change is not expected to impact small business, small counties or small cities.

RULEMAKING AUTHORITY: 471.008, 471.033(2) FS.

LAW IMPLEMENTED: 471.005(7), 471.033(2) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303-5268

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-32.002 Definitions.

(1) Engineer of Record for the Fire Protection System(s): The Florida Registered Professional Engineer who develops the Fire Protection System(s) design criteria; performs analysis as required; and is responsible for the preparation of the Fire Protection System Engineering Documents. Except to the limited extent provided in subsection 61G15-32.002(10), F.A.C., the Engineer of Record for the Fire Protection system(s) is responsible for providing sealed, signed and dated Fire Protection System Engineering Documents that are in full conformity with the applicable design standards set forth in Rule Chapter 61G15-32, F.A.C.

(2) through (9) No change.

(10) Fire Protection Delegated Engineering Documents. Fire Protection System Engineering Documents prepared by a delegated engineer to whom the Engineer of Record for the Fire Protection System has contractually delegated responsibility for the design to be simultaneously submitted for permit of a discrete and limited portion of a fire protection component or protection system and which are signed, sealed and dated by the delegated engineer. These documents shall be

reviewed and approved by the Engineer of Record for the Fire Protection System for conformity with the Engineer of Record's design intent and shall be included in the engineering design final set of documents prepared prior to submittal submitted to the owner to be filed for a building permit and Fire Marshal approval. Department installation permit, except when no building permit is required. When no building permit is required, the delegated engineering work bearing the seal of delegated engineer and approval of the Engineer of Record for the Fire Protection System shall be submitted together to the fire official for permitting.

Rulemaking Specific Authority 471.008, 471.033(2) FS. Law Implemented 471.005(7), 471.033(2) FS. History--New 5-19-93, Formerly 21H-32.002, Amended 4-2-00, 6-26-01, 3-26-09, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Professional Engineers

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Professional Engineers

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: June 16, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: July 9, 2010

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."

Section III

Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF REVENUE

Sales and Use Tax

| | |
|------------|--------------------------------------|
| RULE NO.: | RULE TITLE: |
| 12A-19.021 | Communications Services Tax Brackets |

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 21, May 28, 2010 issue of the Florida Administrative Weekly.

In response to public written comments received by the Department and made a part of the public hearing held June 24, 2010, and in response to comments received by the Joint Administrative Procedures Committee, dated June 18, 2010, Rule 12A-19.021, F.A.C. (Communications Services Tax Brackets), has been changed, so that when adopted, that rule will read:

12A-19.021 Communications Services Tax Brackets.

The Department has prepared, for public use, a Communications Services Tax Rate Calculator (hereby incorporated by reference) that makes available the tax amounts applicable to each taxable sale. In addition, a Communications Services Tax Bracket Rate Card (hereby incorporated by reference) has been prepared to create a printable bracket rate card for each tax rate such that the tax collected results in a tax rate no less than the rate imposed under Chapters 202 and 203, F.S. (the Florida communications services tax and the local communications services tax). When the amount of tax due results in a fraction of a cent, the tax due must be rounded up to the next whole cent. The Communications Services Tax Rate Calculator and the Communications Services Tax Bracket Rate Card may be found on the Department's website at www.myflorida.com/dor/taxes/cst.html. For additional assistance, contact Taxpayer Services at (800)352-3671. Persons with hearing or speech impairments may call the Department's TDD at (800)367-8331 or (850)922-1115.

The Communications Services Tax Rate Calculator has been changed, so that when adopted, the first paragraph and the "CST Rates" section will read:

Use this calculator to determine the communications services tax due amounts applicable to each taxable sale. Use the Bracket Rate Card worksheet to create a printable bracket rate card. When the amount of communications services tax due results in a fraction of a cent, the tax due must be rounded up to the next whole cent.

Chapter 2010-149, L.O.F., provides that for communications services billed on or after August 1, 2010, the communications services tax rate for certain services is reduced from 6.8 percent to 6.65 percent and the gross receipts tax rate on those services is increased from 2.37 percent to 2.52 percent. The "CST Rates" section of the Communications Services Tax Rate Calculator has been changed, so that when adopted, that section will read:

| | CST Rates |
|--------------------------------|--|
| State CST Rate | 6.65% |
| Gross Receipts Rate Exemption) | 2.52% (2.37% if Residential |
| Local CST Rate | Varies – select from jurisdiction Rate Table worksheet |
| Direct-to-Home Satellite | 13.17 |

DEPARTMENT OF TRANSPORTATION

| | |
|------------|---|
| RULE NOS.: | RULE TITLES: |
| 14-22.002 | Regulations Covering Qualification of Contractors |
| 14-22.003 | Rating the Applicant |
| 14-22.006 | Current Capacity Rating |
| 14-22.007 | Joint Ventures |