

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
 6A-1.0014 Comprehensive Management
 Information System

PURPOSE AND EFFECT: The purpose of this rule development is to revise existing requirements of the statewide comprehensive management information system which are necessary in order to implement changes recommended by school districts and to make changes in state reporting and local recordkeeping procedures for state and/or federal programs. The effect is to maintain compatibility among state and local information systems components. The statewide comprehensive management information system provides the data on which the measurement of school improvement and accountability is based.

SUBJECT AREA TO BE ADDRESSED: DOE Information Data Base Requirements, 2011-2012.

RULEMAKING AUTHORITY: 120.53(1)(b), 1001.02(1), 1008.385(3) FS.

LAW IMPLEMENTED: 1001.23, 1002.22(3)(d)3., 1008.385(2), 1010.305(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: Lavan Dukes, Education Information and Accountability Services Section, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400, (850)245-0400. 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.: RULE TITLE:
 6A-6.0781 Procedures for Appealing a District
 School Board Decision Denying
 Application for Charter School

PURPOSE AND EFFECT: The purpose of rule development is to amend Rule 6A-6.0781, F.A.C., to align with statutory changes and practices of the Charter School Appeals Commission.

SUBJECT AREA TO BE ADDRESSED: Charter school appeal process.

RULEMAKING AUTHORITY: 1002.33(27) FS.

LAW IMPLEMENTED: 1002.33 FS.

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

DATE AND TIME: Tuesday, August 16, 2011, 1:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Passcode: 2450861

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Adam Miller, Director of Charter Schools, Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400 or adam.miller@fldoe.org

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
 6A-6.0785 Charter School Applicant Training
 Standards

PURPOSE AND EFFECT: The purpose of this rule development is to incorporate changes from the 2011 Legislative Session. Section 1002.33(6), F.S., was amended to require new applicant training after approval of an application. Additionally, the topics required to be covered in the applicant training were amended. Proposed revisions also include adding the website at which the Charter School Applicant Training Standards Certification Form may be obtained and changing the deadline for sponsors to submit a form.

SUBJECT AREA TO BE ADDRESSED: Charter school new applicant training.

RULEMAKING AUTHORITY: 1002.33(27) FS.

LAW IMPLEMENTED: 1002.33 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: Adam Miller, Director of Charter Schools, Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite

522, Tallahassee, Florida 32399-0400 or adam.miller@fldoe.org. 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. A copy of the preliminary text is available on the Department's website at: <https://app1.fldoe.org/rules/default.aspx>

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0786 RULE TITLE: Model Forms for Charter School Applicants and Sponsors.

PURPOSE AND EFFECT: The purpose of rule development is to amend Rule 6A-6.0786, F.A.C., and referenced forms to align with statutory changes enacted during the 2011 Legislative Session. Specifically, Section 1002.33, F.S., has been amended to allow for the replication of high-performing charter schools and systems and the creation of virtual charter schools.

SUBJECT AREA TO BE ADDRESSED: Model charter school application, evaluation instrument, and model charter contract.

RULEMAKING AUTHORITY: 1002.33(27) FS.

LAW IMPLEMENTED: 1002.33 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: Adam Miller, Director of Charter Schools, Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400, or adam.miller@fldoe.org. 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

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0981 RULE TITLE: School District Virtual Instruction Program

PURPOSE AND EFFECT: The purpose of this rule development is to amend Rule 6A-6.0981, F.A.C., to conform with the new provisions of Section 1002.45, Florida Statutes,

which was amended during the 2011 Legislative Session. The effect will be a rule aligned with Florida Statutes related to the approval of virtual instruction providers.

SUBJECT AREA TO BE ADDRESSED: Amendments to the application, qualifications for potential virtual instruction providers and a rule title change from School District Virtual Instruction Program to Approval of Virtual Instruction Providers.

RULEMAKING AUTHORITY: 1002.45(11) FS.

LAW IMPLEMENTED: 1002.45 FS.

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

DATE AND TIME: August 9, 2011, 10:00 a.m. – 3:00 p.m.

PLACE: Florida Department of Education, Turlington Building, 325 West Gaines Street, Suite 1721/25, Tallahassee, Florida 32399-0400

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sally Roberts, Educational Policy Consultant, K-12 Public Schools, Department of Education, 325 West Gaines Street, Room 1501, Tallahassee, FL 32399-0400, (850)245-9617. To submit a comment on this rule development go to <https://app1.fldoe.org/rules/default.aspx>

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

COMMISSION ON ETHICS

RULE NOS.:	RULE TITLES:
34-8.002	General Rule for Filing Full and Public Disclosure of Financial Interests
34-8.007	Choosing to File Copy of Income Tax Return
34-8.008	Final Filing
34-8.009	Amended Filing
34-8.202	General Rules for Filing a Statement of Financial Interests
34-8.208	Final Filing
34-8.209	Amended Filing

PURPOSE AND EFFECT: The Commission proposes to change these rules to adopt by reference the CE Form 6, CE Form 6F, CE Form 6X, CE Form 1, CE Form 1F, and CE Form 1X that will be used by filers in calendar year 2012. The proposed rulemaking also amends Rule 34-8.007, F.A.C., to require copies of various documents revealing sources of income, whether or not they were included with an electronically filed federal income tax return, and amend rule titles to make the rules clearer.

SUBJECT AREA TO BE ADDRESSED: The financial disclosure forms (CE Form 6, CE Form 6F, CE Form 6X, CE Form 1, CE Form 1F, and CE Form 1X) that local officers, state officers, and specified state employees are required to file

are affected by this rulemaking, as well as the rule that implements the constitutional provision that allows CE Form 6 filers to include a copy of their most recent federal income tax return with their CE Form 6.

RULEMAKING AUTHORITY: Art. II, Section 8, Fla. Const., 112.3144, 112.3144(6), 112.3144(7), 112.3145(9), 112.3147, 112.322(9) FS.

LAW IMPLEMENTED: Art. II, Section 8, Fla. Const., 112.3144, 112.3144(5), 112.3144(6), 112.3144(7), 112.3145, 112.3145(2)(b), 112.3145(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: Julia Cobb Costas, Assistant General Counsel, Commission on Ethics, P. O. Drawer 15709, Tallahassee, FL 32317-5709

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-13.070
RULE TITLE: Developmental Disabilities Individual Budgeting Waiver Services

PURPOSE AND EFFECT: The purpose of Rule 59G-13.070, F.A.C., is to incorporate by reference the Florida Medicaid Developmental Disabilities Coverage and Limitations Handbook for Individual Budgeting Waiver Services, January 2012. A new budgeting waiver is being established for this rule.

SUBJECT AREA TO BE ADDRESSED: Developmental Disabilities Individual Budgeting Waiver Services.

An additional area to be addressed during the workshop will be the potential regulatory impact the amendment to Rule 59G-13.070, F.A.C., will have as provided for under Sections 120.54 and 120.541, F.S.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 393.0662, 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 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, August 9, 2011, 3:00 p.m. – 5:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room A, Tallahassee, Florida 32308-5407

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: Susan Debeaugrine at the Bureau of Medicaid Services, (850)412-4261. 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: Susan Debeaugrine, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4261, e-mail: susan.debeaugrine@ahca.myflorida.com

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.: 61-24.004
RULE TITLE: Collection and Payment of Fees

PURPOSE AND EFFECT: The Department proposes to delete the fee applicants must pay to the Department for a criminal records check.

SUBJECT AREA TO BE ADDRESSED: Criminal records check fee.

RULEMAKING AUTHORITY: 215.405, 468.457 FS.

LAW IMPLEMENTED: 215.406, 455.203, 455.2281, 455.271, 468.453, 468.4536 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: Richard Morrison, Executive Director, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0750, (850)717-1984

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

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: 69A-64.005
RULE TITLE: Adjustments to Reflect Consumer Price Index

PURPOSE AND EFFECT: Changes the amount of firefighter line of duty death benefits in accordance with the March 2011 Consumer Price Index.

SUBJECT AREA TO BE ADDRESSED: Firefighter line of duty death benefits.

RULEMAKING AUTHORITY: 112.191 FS.

LAW IMPLEMENTED: 112.191 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: Wednesday, August 10, 2011, 10:00 a.m.

PLACE: Third Floor, Conference Room, The Atrium Building, 325 John Knox Road, 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: Jason Fryer, (850)413-3647 or Jason.Fryer@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: Jason Fryer, Government Analyst II, Division of State Fire Marshal, (850)413-3647, Jason.Fryer@myfloridacfo.com

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

DATE AND TIME: August 11, 2011, 11:00 a.m.

PLACE: Larson Building, Room 142, 200 E. Gaines 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 5 days before the workshop/meeting by contacting: Ray Wenger at (850)413-5605 or Ray.Wenger@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 IS: Ray Wenger, Bureau of Investigations, 200 E. Gaines Street, Tallahassee, FL 32399-0320 (850)413-5605 or Ray.Wenger@MyFloridaCFO.com. The text of the proposed rules is also available on the Department's website: <http://www.MyFloridaCFO.com/LegalServices/ruleHearing/>

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 FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NO.:	RULE TITLE:
69B-221.155	Forms for Limited Surety (Bail Bond) Agents

PURPOSE AND EFFECT: The purpose of the proposed rule is to adopt four forms to be used by the bail bond industry to: (i) provide the sworn statements required by Section 648.34(2)(d), F.S.; (ii) provide the information required by Section 648.355(1), F.S., to qualify for a temporary bail bond license; (iii) permit an appointing entity to appoint a licensee to act for the appointing entity by providing the information required by Section 648.382, F.S.; and (iv) permit the appointing entity to terminate the appointment of a licensee as provided in Sections 648.383(1) and 648.384(1), F.S.

SUBJECT AREA TO BE ADDRESSED: Forms for the bail bond industry.

RULEMAKING AUTHORITY: 624.308(1), 648.26(1)(a) FS.

LAW IMPLEMENTED: 648.26(1)(a), 648.34, 648.355, 648.382, 648.383, 648.384, 648.39, 648.442(8) 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:

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Marketing and Development

RULE NOS.:	RULE TITLES:
5H-2.003	Assessments; Collections
5H-2.004	Rate of Assessments; Exemptions

PURPOSE AND EFFECT: These changes will implement HB 7103. A referendum of citrus growers was held and passed in November 2009 to increase the assessment rate to a maximum of \$.03 per box and to establish the Citrus Research and Development Foundation as the research advisory council to the Department. Florida Statute 573 was amended accordingly. A referendum of tobacco growers was held and passed unanimously in May 2009 to increase the assessment rate to a maximum of \$1.00 per 100 pounds of tobacco. The Citrus Research and Development Foundation serving as the advisory council recommended commencement of rule making by the Department as may be appropriate to administer the changes.

SUMMARY: Recent tobacco and citrus marketing order referendums passed with overwhelming industry support. The proposed rules are being developed to update the assessment and collection procedures of commodity marketing orders. The proposed amendments to Rule 5H-2.003, F.A.C., would permit the Department to adjust or suspend the assessment rates upon recommendation of the commodity advisory council. The