

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE NOS.:	RULE TITLES:
5F-5.001	Adoption of Specifications, Tolerances, and Other Technical Requirements for Commercial Weighing and Measuring Devices
5F-5.002	Weighing or Measuring Device Permits; Requirements and Fees

PURPOSE AND EFFECT: Rule 5F-5.001, F.A.C. – To adopt the most version (2010) of National Institute of Standards and Technology Handbook 44; Rule 5F-5.002, F.A.C. – To adjust the annual permit cost for a weighing device with a capacity of greater than 100 lb up to and including 250 lb from \$75 to \$40 each to more accurately reflect the cost of regulating those devices.

SUBJECT AREA TO BE ADDRESSED: Rule 5F-5.001, F.A.C. – Requirements for commercial weighing and measuring devices. Rule 5F-5.002, F.A.C. – Permit fees for weighing devices of 100 lb. – 250 lb. capacity.

RULEMAKING AUTHORITY: 570.07(23), 531.40, 531.41(3), 531.66 FS.

LAW IMPLEMENTED: 531.40, 531.42(2), 531.50, 531.60-.66 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Max Gray, Chief, Bureau of Weights and Measures, (850)488-9140. 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: Max Gray, Chief, Bureau of Weights and Measures, (850)488-9140 **THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NOS.:	RULE TITLES:
5J-4.004	Registration
5J-4.005	Exemption
5J-4.013	Definitions
5J-4.014	Security Requirements

PURPOSE AND EFFECT: The purpose and effect of the amendments to Rule 5J-4.004, F.A.C., are to implement Section 501.015, F.S., through the use of DACS Form-10300, Health Studio Registration Application, Rev. 08/10. The purpose and effect of the amendments to Rule 5J-4.005, F.A.C., are to implement Section 501.013, F.S., through the use of DACS Form-10300, Affidavit of Exemption, included within the Health Studio Registration Application, Rev. 08/10. The purpose and effect of new Rule 5J-4.013, F.A.C., is to interpret and implement Section 501.0125(1), F.S., by clarifying the definition of “health studio”, as used in this section to include anyone offering personal fitness training services to the public in exchange for payment, regardless of the location at which services are rendered, unless exempted under Section 501.013, F.S., The purpose and effect of new Rule 5J-4.014, F.A.C., is to implement Section 501.016, F.S., through the use of DACS Form-10300, Health Studio Surety Bond included within the Health Studio Registration Application, Rev. 08/10.

SUBJECT AREA TO BE ADDRESSED: Update of the Health Studio Registration Application and Affidavit of Exemption form, use of correct bond form, and clarification of definition of term “health studio”.

RULEMAKING AUTHORITY: 501.014(2) FS.

LAW IMPLEMENTED: 501.0125, 501.013, 501.015, 501.016 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Miriam S. Wilkinson, Assistant Director, phone (850)410-3692. 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: Miriam S. Wilkinson,

Assistant Director, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, phone (850)410-3692

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5J-4.004 Registration.

Unless exempted pursuant to Section 501.013, F.S., ~~a~~Any person who intends to open or operate as a health studio shall, prior to offering health studio services engaging in such activities, register with the Department using ~~form~~ DACS Form 10300, Health Studio Registration Application, Rev. 8/10 Revised 7-10-94 and 7-01-01, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Health Studios, 2005 Apalachee Parkway, Terry L. Rhodes ~~Bldg. Building~~, Tallahassee, Florida 32399-6500, or online at the following link: <http://www.doacs.state.fl.us/onestop/forms/10300.pdf>. At the time of registration, the registrant shall submit the applicable nonrefundable registration fee to the Department for each health studio location. The registrant shall submit with ~~form~~ DACS Form 10300, Health Studio Registration Application, Rev. 8/10, a copy of each contract offered to the public relating to the sale of health studio services, ~~as well as original security documents.~~

Rulemaking Specific Authority 501.014(2) FS. Law Implemented 501.015(1), (2), (4), 501.017 FS. History–New 2-9-93, Amended 7-10-94, 5-24-95, 1-20-03,_____.

5J-4.005 Exemption.

(1) Any person claiming an exemption from the health studio laws pursuant to Section ~~the provisions of Section~~ 501.013, Florida Statutes, shall ~~from the health studio laws shall~~, prior to offering engaging in health studio services activities, file with the Department the executed Affidavit of Exemption, ~~which is included in form~~ DACS Form 10300, Rev. 8/10. Revised 7-10-94 and 7-01-01, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Health Studios, 2005 Apalachee Parkway, Terry L. Rhodes ~~Building~~, Tallahassee, Florida 32399-6500.

(2) No change.

Rulemaking Specific Authority 501.014(2) FS. Law Implemented 501.013 FS. History–New 2-9-93, Amended 7-10-94, 5-24-95, 1-20-03,_____.

5J-4.013 Definitions.

“Health studio” includes anyone offering personal fitness training services in exchange for payment, regardless of the location at which services are rendered, unless exempted under Section 501.013, F.S.

Rulemaking Authority 501.014(2) FS. Law Implemented 501.0125(1) FS. History–New_____.

5J-4.014 Security Requirements.

If filing a bond, Letter of Credit, or Assignment of Certificate of Deposit pursuant to Section 501.016, F.S., the applicant shall use the applicable terms included in DACS Form 10300, Health Studio Registration Application, Rev. 8/10.

Rulemaking Authority 501.014(2) FS. Law Implemented 501.0125(1) FS. History–New_____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NOS.:	RULE TITLES:
5J-7.004	Solicitation of Contributions Registration
5J-7.005	Professional Fundraising Consultant Registration
5J-7.006	Professional Fundraising Solicitor Registration
5J-7.007	Notice of Commencement of Solicitations
5J-7.008	Financial Report of Campaign Form

PURPOSE AND EFFECT: The purpose and effect of the amendments to Rule 5J-7.004, F.A.C., is to implement Section 496.405, F.S., through the use of DACS Form-10100, Solicitation of Contributions Registration Application, Rev. 7/10. The purpose and effect of Rule 5J-7.005, F.A.C., is to implement Section 496.409, F.S., through the use of DACS Form-10100, Solicitation of Contributions Registration Application, Rev. 7/10. The purpose and effect of Rule 5J-7.006, F.A.C., is to implement Section 496.410, F.S., through the use of DACS Form-10100, Solicitation of Contributions Registration Application, Rev. 7/10. The purpose and effect of Rule 5J-7.007, F.A.C., is to implement Section 496.410(6), F.S., through the use of DACS Form-10100, Solicitation of Contributions Registration Application, Rev. 7/10. The purpose and effect of Rule 5J-7.008, F.A.C., is to implement Section 496.410(8), F.S., through the use of DACS Form-10100, Solicitation of Contributions Registration Application, Rev. 7/10.

SUBJECT AREA TO BE ADDRESSED: Registration application forms for organizations, professional fundraising solicitors, and professional fundraising consultants soliciting or providing services for the solicitation of contributions. This rule development also updates the Notice of Commencement and Financial Report of Campaign forms.

RULEMAKING AUTHORITY: 496.424 FS.

LAW IMPLEMENTED: 496.405, 496.409, 496.10, 496.10(6), 496.10(8) FS.

SUBJECT AREA TO BE ADDRESSED: Revision and update of registration application form for dance studios.

RULEMAKING AUTHORITY: 501.143(12) FS.

LAW IMPLEMENTED: 501.143(3), (4), (5) FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Miriam S. Wilkinson, Assistant Director, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, phone (850)410-3692

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5J-8.003 Registration.

Any person who intends to open or operate as a dance studio shall, prior to offering dance studio services engaging in such activity, register with the Department using form DACS Form 10700, Dance Studio Registration Package, 7-01-10 effective March 22, 1993, revised June 23, 1994, and November 18, 2002, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Dance Studios Registration, 2005 Apalachee Parkway, Terry L. Rhodes Bldg., Building Tallahassee, Florida 32399-6500; or online at the following link: <http://www.doacs.state.fl.us/onestop/forms/10700.pdf>. The registrant shall submit the registration fee to the Department at the time of registration for each of the dance studio's locations. The registration fee shall be non-refundable. The registrant shall submit with form DACS Form 10700, 7-01-10, a copy of each contract offered to the public relating to the sale of dance studio services.

Rulemaking Specific Authority 501.143(12) FS. Law Implemented 501.143(3), (4), (5) FS. History--New 3-22-93, Amended 6-23-94, 5-24-95, 2-11-98, 9-14-03, _____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NOS.:

RULE TITLES:

5J-9.002

Registration, Document Submission

5J-9.006

Security Requirements

PURPOSE AND EFFECT: The purpose and effect of amendments to Rule 5J-9.002, F.A.C., are to adopt by reference changes to DACS Form 10200, Sellers of Travel Registration Package, Rev. 7/10, and DACS Form 10211, Sellers of Travel Independent Sales Agents Statement of Exemption, Rev. 07/10. The purpose and effect of amendments to Chapter 5J-9., F.A.C., are to adopt by reference changes to DACS Form 10200, Rev. 07/10, related to security requirements.

SUBJECT AREA TO BE ADDRESSED: The purpose and effect of amendments to Rule 5J-9.002, F.A.C., is to establish the official filing form for anyone who wants to operate as a seller of travel in Florida, or any seller of travel independent agent claiming an exemption from Florida's registration requirement. The purpose and effect of amendments to Rule 5J-9.006, F.A.C., is to establish the official filing forms for seller of travel security requirements.

RULEMAKING AUTHORITY: 559.9355(3) FS.

LAW IMPLEMENTED: 559.928, 559.929 FS.

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THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5J-9.002 Registration, Document Submission.

The following statement in bold print:

(1) Any person who intends to operate as a seller of travel shall submit ~~form~~ DACS Form 10200, Sellers of Travel Registration Package, effective 11/20/02, 11-20-02, Rev. 7/10, hereby incorporated by reference, along with the applicable non-refundable registration and fee specified by Section 559.928(2), F.S. Copies of this form may be obtained from the to the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Sellers of Travel Section, 2005 Apalachee Parkway, Terry L. Rhodes Bldg. Building, Tallahassee, Florida 32399-6500, ~~or online at the following link: <http://www.doacs.state.fl.us/onestop/forms/10200.pdf>.~~

~~If the application is withdrawn or denied, the registration fee shall be retained by the Department to cover the administrative cost of implementing Sections 559.926-939, Florida Statutes.~~

(2) Any independent agent person claiming an exemption from registration pursuant to the provisions of Section 559.928(3) 559.935(3), Florida Statutes, shall file an affidavit of exemption with the Department using form DACS Form 10211 40214, Sellers of Travel Independent Sales Agents Statement of Exemption, Rev. 7/10, effective 9/95, revised 3/03, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Sellers of Travel Section, 2005 Apalachee Parkway, Terry L. Rhodes Bldg. Building, Tallahassee, Florida 32399-6500, ~~or online at the following link: <http://www.doacs.state.fl.us/onestop/forms/10211.pdf>.~~

(3) No change.

Rulemaking Specific Authority 559.9355(3) FS. Law Implemented 559.928, 559.935(3) FS History-New 10-6-93, Amended 1-3-95, 6-4-95, 12-27-95, 2-11-98, 10-21-03,_____.

5J-9.006 Security Requirements.

(1) If filing a bond, Letter of Credit, or Assignment of Certificate of Deposit pursuant to Section 559.929, F.S., the applicant shall use the applicable form included in DACS Form 10200, Seller of Travel Registration Package, Rev. 7/10. ~~Prior to engaging in any activities as a seller of travel, each seller of travel shall file with the Department an original performance bond in an amount determined by subsection (2) below. The applicant shall use utilize the Surety Bond form Form, an example of which is included in form DACS 10200 Registration packet, effective 11/20/02, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Sellers of Travel Section, 2005 Apalachee Parkway, Terry L. Rhodes Building, Tallahassee, Florida 32399-6500.~~

(2) The amount of security for sellers of travel that do not offer vacation certificates shall be \$25,000; however, the seller of travel may apply for a reduction by completing the Security Reduction Application, which is included in ~~form~~ DACS Form

10200 Sellers of Travel Registration Package, Rev. 7/10 ~~packet, effective 11/20/02 hereby incorporated by reference.~~ The ~~s~~ Seller of ~~t~~ Travel must also provide copies of its federal income tax return or an audited financial statement for the immediately preceding fiscal year. ~~Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Sellers of Travel Section, 2005 Apalachee Parkway, Terry L. Rhodes Building, Tallahassee, Florida 32399-6500.~~

To apply for a reduction of the required security, the seller of travel must have a satisfactory consumer complaint history with the Department. The amount of the security reduction shall be determined by the ~~seller of travel's~~ dollar amount of gross annual sales, ~~as follows:~~ A business that has been in operation under the same ownership and control for at least one year with gross annual sales:

(a) ~~Under \$500,000, A business that has been in operation under the same ownership and control for at least one year with under \$500,000 in gross annual sales~~ may request to reduce its security to \$10,000.

(b) ~~A business that has been in operation under the same ownership and control for at least one year with gross annual sales~~ Between \$500,000 and \$1,000,000, may request to reduce its security to \$15,000.

(c) ~~A business that has been in operation under the same ownership and control for at least one year with gross annual sales~~ Between \$1,000,000 and \$2,000,000 may request to reduce its security to \$20,000.

(3) The amount of security for a newly established business or a business under new ownership shall be \$25,000; however, the seller of travel may apply to reduce its security to \$10,000 by executing the ~~Application for Reduction of Security Reduction Application~~ included in ~~form~~ DACS Form 10200, Seller of Travel Registration Package, Rev. 7/10 ~~packet.~~ To be eligible for a reduction in security, a newly established seller of travel must meet the following requirements:

(a) through (c) No change.

(4) No change.

Rulemaking Specific Authority 559.9355(3) FS. Law Implemented 559.929(1) FS. History-New 2-8-94, Amended 6-4-95, 11-6-95, 12-27-95, 2-11-98, 10-21-03,_____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NOS.:	RULE TITLES:
5J-10.002	Franchises
5J-10.006	Registration

PURPOSE AND EFFECT: The purpose and effect of the amendments to Rule 5J-10.002, F.A.C., are to adopt by reference updated changes to DACS Form-10500, Franchise Exemption Application Packet, Rev. 08/10. The purpose and

effect of Rule 5J-10.006, F.A.C., is to implement Section 559.805, F.S., through the use of DACS Form-10501, Business Opportunity Disclosure Filing Packet Rev. 08/10.

SUBJECT AREA TO BE ADDRESSED: Rule 5J-10.002, F.A.C., establishes the official updated filing form for any franchisor claiming an exemption from the registration requirements governing the sale or lease of a business opportunity in Florida. Rule 5J-10.006, F.A.C., establishes the official filing form for any person who wants to sell or lease a business opportunity in Florida.

RULEMAKING AUTHORITY: 559.802(4), 559.813(8), 570.07(23) FS.

LAW IMPLEMENTED: 559.802, 559.805 FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Miriam S. Wilkinson, Assistant Director, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, phone (850)410-3692

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5J-10.002 Franchises.

Every franchisor claiming an exemption pursuant to Section 559.802, F.S. Florida Statutes, shall file ~~form~~ DACS Form-10500, Franchise Exemption Application, Rev. 8/10, ~~effective 11-15-94, revised 7-20-01, 5-3-02, and 3-4-03,~~ hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, 2005 Apalachee Parkway, Terry L. Rhodes Bldg. Building, Attention: Business Opportunities, Tallahassee, Florida 32399-6500, or online at the following link: <http://www.doacs.state.fl.us/onestop/forms/10500.pdf>. The franchisor shall submit a nonrefundable filing fee of \$100 with ~~form~~ DACS Form 10500. ~~The filing fee shall be non-refundable.~~ The exemption may be renewed each year by filing ~~form~~ DACS Form 10500 and paying a renewal fee of \$100.

Rulemaking Specific Authority 559.802(4), 559.813(8), 570.07(23) FS. Law Implemented 559.802 FS. History–New 11-15-94, Amended 6-4-95, 10-21-03,_____.

5J-10.006 Registration.

Every seller/lessor of a business opportunity shall file with the Department DACS Form-10501, Business Opportunity Disclosure Filing Packet Rev. 08/10, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Attention: Business Opportunities, 2005 Apalachee Parkway, Terry L. Rhodes Bldg, Tallahassee, Florida 32399-6500, or online at the following link: <http://www.doacs.state.fl.us/onestop/forms/10501.pdf>.

Rulemaking Authority 559.802(4), 559.813(8) FS. Law Implemented 559.805 FS. History–New_____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NO.: 5J-12.002
RULE TITLE: Registration

PURPOSE AND EFFECT: The purpose and effect of the amendments to Rule 5J-12.002, F.A.C., are to adopt by reference changes to DACS Form-10900, Motor Vehicle Repair Registration Package, Rev. 08/10.

SUBJECT AREA TO BE ADDRESSED: Subsection 5J-12.002(1), F.A.C., establishes the official filing form for anyone who wants to operate a motor vehicle repair shop in Florida.

RULEMAKING AUTHORITY: 559.92201 FS.

LAW IMPLEMENTED: 559.904(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.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Miriam S. Wilkinson, Assistant Director, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, phone (850)410-3692

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5J-12.002 Registration.

(1) Any person who intends to operate a motor vehicle repair shop shall, prior to offering motor vehicle repair services, before ~~engaging in such activities~~, apply for and obtain a registration certificate from the Department using ~~form~~ DACS Form 10900, Motor Vehicle Repair Registration Package, Rev. 08/10, Application, Motor Vehicle Repair Act, effective 1-18-95, revised 9-13-01, and 5-3-03, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Motor Vehicle Repair, 2005 Apalachee Parkway, Terry L. Rhodes Bldg. Building, Tallahassee, Florida 32399-6500, or accessed online at: <http://www.doacs.state.fl.us/onestop/forms/10900.pdf>.

(2) through (4) No change.

Rulemaking Specific Authority 559.92201, 570.07(23) FS. Law Implemented 559.904, 559.916 FS. History—New 1-18-95, Amended 5-24-95, 2-11-98, 1-20-03, 11-4-03, 6-27-05, 11-22-05.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NOS.:	RULE TITLES:
5J-13.002	Licensing Requirements
5J-13.003	Security Requirements

PURPOSE AND EFFECT: The purpose and effect of the proposed amendments to Rule 5J-13.002, F.A.C., are to adopt by reference changes to DACS Form-10111, Pawnbroking Registration Application, Rev. 08/10. The purpose and effect of subsection 5J-13.003(3), F.A.C., is to implement Section 539.001(4)(a)2., F.S., through the use of the Irrevocable Letter of Credit form found on page 6 of DACS Form-10111, Pawnbroking Registration Application, Rev. 8/10.

SUBJECT AREA TO BE ADDRESSED: Rule 5J-13.002, F.A.C., establishes the official updated filing form for any person who intends to operate as a pawnbroker. Amendments to subsection 5J-13.003(2), F.A.C., update amendments to the surety bond form included in the Pawnbroking Registration Application. New subsection 5J-13.003(3), F.A.C., establishes the appropriate form to use when filing an Irrevocable Letter of Credit with the Pawnbroking Registration Application, in lieu of a bond.

RULEMAKING AUTHORITY: 539.001(21), 570.07(23) FS.

LAW IMPLEMENTED: 539.001(4)(a)2., 539.001(5)(a), (c), (d), (8)(a) FS.

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contacting: Miriam S. Wilkinson, Assistant Director, phone (850)410-3692. 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: Miriam S. Wilkinson, Assistant Director, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, phone (850)410-3692

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5J-13.002 Licensing Requirements.

(1) Any person who intends to operate as a pawnbroker shall, prior to offering pawnbroking services, annually submit a licensing fee of \$300 to the Department, for each pawnshop location; ~~at the time of applying for a license~~.

(2) A person applying for a license as a pawnbroker must submit with the license application a copy of the Pawnbroker Transaction Form. Applicants for licensure shall use ~~Form~~ DACS Form 10111 -40-44, Pawnbroking Registration Application Application Form, Rev. 8/10, effective 12-10-96, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, 2005 Apalachee Parkway, Terry L. Rhodes Bldg., Attention: Pawnshops, Mayo Building, Tallahassee, Florida 32399-6500 0800, or online at the following link: <http://www.doacs.state.fl.us/onestop/forms/10111.pdf>.

Rulemaking Specific Authority 539.001(21), 570.07(23) FS. Law Implemented 539.001(5)(a), (c), (d), (8)(a) FS. History—New 12-10-96, Amended

5J-13.003 Security Requirements.

(1) No change.

(2) If filing a surety bond pursuant to Section 539.001(4)(a)2., F.S., the applicant shall use the Pawnbroking Surety Bond form included in Form DACS Form 101113, Pawnbroking Registration Application, Rev. 8/10. Surety Bond, effective 12-10-96, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, ~~Division of Consumer Services, Attention: Pawnshops, Mayo Building, Tallahassee, Florida 32399-0800~~

(3) If filing an Irrevocable Letter of Credit pursuant to Section 539.001(4)(a)2., F.S., the applicant shall use the Pawnbroking Irrevocable Letter of Credit terms included in DACS Form-10111, Pawnbroking Registration Application, Rev. 8/10.

Rulemaking Specific Authority 539.001(21), 570.07(23) FS. Law Implemented 539.001(4)(a)2. FS. History—New 12-10-96, Amended

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NO.: 5J-14.003
 RULE TITLE: Filing Requirements

PURPOSE AND EFFECT: The purpose and effect of Rule 5J-14.003, F.A.C., is to implement Section 849.094(3), (4), F.S., through the use of DACS Form 10951, Game Promotions Filing Packet, Rev. 08/10.

SUBJECT AREA TO BE ADDRESSED: Rule 5J-14.003, F.A.C., establishes the official filing form for businesses who want to operate a game promotion in Florida, including the proper surety bond form, Game Promotion Statement of Trust Account language, and Affidavit of Request for Waiver of Trust Account or Surety Bond.

RULEMAKING AUTHORITY: 849.094(8)(a) FS.

LAW IMPLEMENTED: 849.094(3), (4) FS.

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

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: Miriam S. Wilkinson, Assistant Director, phone (850)410-3692. 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: Miriam S. Wilkinson, Assistant Director, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, phone (850)410-3692

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5J-14.003 Filing Requirements.

(1) Any person who intends to conduct a game promotion in this state pursuant to Section 849.094, F.S., including electronic promotions, shall file with the Department DACS Form-10951, Game Promotions Filing Packet Rev. 08/10, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Attention: Game Promotions, 2005 Apalachee Parkway, Terry L. Rhodes Bldg, Tallahassee, Florida 32399-6500, or accessed online at: <http://www.doacs.state.fl.us/onestop/forms/10951.pdf>.

(2) If filing a surety bond pursuant to Section 849.094(4)(a), F.S., the applicant shall use the Game Promotion Surety Bond document included in DACS Form 10951, Game Promotion Filing Packet, Rev. 08/10.

(3) If filing a Statement of Trust Account pursuant to Section 849.094(4)(a), F.S., the applicant shall use the Statement of Trust Account terms included in DACS Form 10951, Game Promotion Filing Packet, Rev. 08/10.

(4) Any operator requesting a waiver of the security requirements under this section shall use the Affidavit of Request for Waiver of Trust Account or Surety Bond included in DACS Form 10951, Game Promotion Filing Packet, Rev. 08/10.

Rulemaking Authority 894.094(8)(a) FS. Law Implemented 849.094(3), 849.094(4)(a), (b) FS. History—New _____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NOS.: 5J-15.001
 RULE TITLES: Registration
 5J-15.002 Security Requirements

PURPOSE AND EFFECT: The purpose and effect of Rule 5J-15.001, F.A.C., is to implement Section 507.03, F.S., through the use of DACS Form 10960, Household Moving Services New Registration Application, Rev. 08/10. The purpose and effect of Rule 5J-15.002, F.A.C., is to implement Section 507.04(1)(b), F.S., through the use of the performance bond document and certificate of deposit language included in DACS Form 10960, Household Moving Services New Registration Application, Rev. 08/10.

SUBJECT AREA TO BE ADDRESSED: Rule 5J-15.001, F.A.C., establishes the official registration form for businesses who want to operate as household movers in Florida. Rule 5J-15.002, F.A.C., establishes alternative security requirements for household movers.

RULEMAKING AUTHORITY: 507.09(3) FS.

LAW IMPLEMENTED: 507.03, 507.04(1)(b)1., 2. FS.

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

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: Miriam S. Wilkinson, Assistant Director, phone (850)410-3692. 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: Miriam S. Wilkinson, Assistant Director, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, phone (850)410-3692

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5J-15.001 Registration.

Any person who intends to operate as a household mover in this state shall first file with the Department DACS Form-10960, Household Moving Services New Registration Application, Rev. 08/10, hereby incorporated by reference, along with a registration fee pursuant to Section 507.03(3), F.S. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Attention: Household Movers, 2005 Apalachee Parkway, Terry L. Rhodes Bldg, Tallahassee, Florida 32399-6500, or accessed online at: <http://www.doacs.state.fl.us/onestop/forms/10960.pdf>.

Rulemaking Authority 507.09(3) FS. Law Implemented 507.03 FS. History–New _____.

5J-15.002 Security Requirements.

(1) If filing a performance bond pursuant to Section 507.04(1)(b)1., F.S., the applicant shall use the Performance Bond document included in DACS Form 10960, Household Moving Services New Registration Application, Rev. 08/10.

(2) If filing a certificate of deposit pursuant to Section 507.04(1)(b)2., F.S., the applicant shall use the Certificate of Deposit language included in DACS Form 10960, Household Moving Services New Registration Application, Rev. 08/10.

Rulemaking Authority 507.09(3) FS. Law Implemented 507.04(1)(b)1., 2. FS. History–New _____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-5.065 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.

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

DATES AND TIMES: October 15, 2010, 10:00 a.m. – 11:00 a.m., EDT and October 18, 2010, 3:00 a.m. – 4:00 p.m., EDT.

PLACE: Via conference call:

October 15th, (877)219-9773, Conference ID #10690422 and October 18th, (877)219-9773, Conference ID #10693136. Anyone wishing to attend in person: Department of Education, 325 West Gaines Street, Room 1727, Tallahassee, Florida 32399-0400.

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 comment on the rule go to <https://app1.fldoe.org/rules/default.aspx>.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT: <http://www.fldoe.org/profdev/FEAPSRevisions/> or <https://app1.fldoe.org/rules/default.aspx>

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-6.077 Preapprenticeship Programs

PURPOSE AND EFFECT: The purpose of the rule development is to review the rule language for possible updates as the rule has not been updated since 1994.

SUBJECT AREA TO BE ADDRESSED: Preapprenticeship Programs.

RULEMAKING AUTHORITY: 446.041(12), 446.052(2) FS. LAW IMPLEMENTED: 446.052 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, IF AVAILABLE, IS: Ken Olsen, Interim Program Director, Preapprenticeship, 325 West Gaines Street, Room 754, Tallahassee, Florida 32399; (850)245-9016. 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-6.0781 RULE TITLE: Procedures for Appealing a District School Board Decision Denying Application for Charter School

PURPOSE AND EFFECT: The purpose of this rule development is to align Rule 6A-6.0781, F.A.C., with statutory changes and practices of the Charter School Appeal Commission. This workshop is being provided to offer an additional opportunity to those submitting comments after the notice of rulemaking was published to attend and present their concerns.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment will align the current rule with statutory changes related to the charter school appeal process as outlined in Section 1002.33, F.S.

RULEMAKING AUTHORITY: 1002.33(24) FS.

LAW IMPLEMENTED: 1002.33(6) FS.

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

DATE AND TIME: October 8, 2010, 11:00 a.m. – 2:00 p.m.

PLACE: Orlando Student Education Center, 4850 Millenia Blvd., Room 213, Orlando, FL 32839

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, FL 32399-0400

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT: <https://app1.fldoe.org/rules/default.aspx>.

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 the rule development is to review the application incorporated by reference in order to remove any unnecessary language and to clarify that the approval is for the following three school years as well as updating the web site address within the application.

SUBJECT AREA TO BE ADDRESSED: School District Virtual Instruction Program.

RULEMAKING AUTHORITY: 1002.45 FS.

LAW IMPLEMENTED: 1002.45 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: Sally Roberts, Educational Policy Consultant, Division of Public Schools, Department of Education, 325 West Gaines Street, Room 514, Tallahassee, FL 32399-0400; (850)245-0509. 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 AVAILABLE AT: <https://app1.fldoe.org/rules/default.aspx>

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-7.077 RULE TITLE: Access to State Funded Electronic Library Resources by Accelerated Secondary Students

PURPOSE AND EFFECT: The purpose of the rule development is to stipulate the mechanism by which secondary public school students enrolled in accelerated courses (Dual-enrolled, AP, IB and AICE) shall gain access to state funded electronic library resources that are licensed for Florida colleges and state universities by the College Center for Library Automation and the Florida Center for Library Automation in accordance with Section 1007.27(1), Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Access to State Funded Electronic Library Resources by Accelerated Secondary Students.

RULEMAKING AUTHORITY: 1001.02(1), 1007.27(1) FS.

LAW IMPLEMENTED: 1007.27(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Todd Clark, Bureau Chief, Bureau of Curriculum and Instruction, Department of Education, 325 West Gaines Street, Room 432, Tallahassee, FL., (850)245-0764. 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 REVENUE

RULE NOS.:	RULE TITLES:
12-24.003	Requirements to File or to Pay Taxes by Electronic Means
12-24.011	Public Use Forms

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12-24.003, F.A.C. (Requirements to File or to Pay Taxes by Electronic Means), is to: (1) clarify that mass transit system providers and local government users of diesel fuel who paid more than \$20,000 in fuel taxes in the prior state fiscal year report are required to pay the fuel taxes electronically; (2) provide that effective January 1, 2011, taxpayers who are required to pay insurance premium taxes, fees, and surcharges or pollutant taxes electronically will be required to file their insurance premium tax return or pollutant tax return electronically; and (3) provide that pursuant to Section 212.08(5)(q), F.S., created by Section 9, Chapter 2010-147, L.O.F., taxpayers must file an electronic sales and use tax return to claim the entertainment industry tax credit authorized by Section 288.1254, F.S. When effective, these changes will update the rules regarding the electronic payment of taxes and the electronic filing of tax returns and information reports.

SUBJECT AREA TO BE ADDRESSED: The subject of this workshop is: (1) clarification of the electronic payment requirements for mass transit system providers and local government users of diesel fuel; (2) the electronic reporting requirements for insurance premium tax filers and for pollutant tax filers; and (3) the requirement to file sales and use tax returns electronically to claim the claim the entertainment industry tax credit authorized by Section 288.1254, F.S., as provided in Section 9, Chapter 2010-147, L.O.F.

RULEMAKING AUTHORITY: 202.26(3)(a), 206.485(1), 213.06(1), 213.755(8), (9), 220.21(2), (3) FS.

LAW IMPLEMENTED: 202.30, 206.485, 212.08(5)(q), 213.755, 220.21(2), (3), 443.1317, 443.163 FS.

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

DATE AND TIME: October 11, 2010, 1:30 p.m.

PLACE: Room 1220, 2450 Shumard Oak Blvd., 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 48 hours before the workshop/meeting by

contacting: Sarah Wachman at (850)410-2651. 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: Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT’S INTERNET SITE AT: myflorida.com/dor/rules.

DEPARTMENT OF REVENUE

RULE NOS.:	RULE TITLES:
12-28.001	Scope
12-28.002	Definitions
12-28.003	Enrollment Procedures
12-28.004	Transmitting Funds and Return/Remittance Detail to the Department
12-28.008	Due Date; General Provisions
12-28.009	Distribution of Funds Received by the Department

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule Chapter 12-28, F.A.C., is to expand the chapter to include provisions for the remittance of red light camera penalties collected by municipalities or counties to the Department for disbursement to designated state funds, as provided in Section 316.0083, F.S., created by Section 5, Chapter 2010-80, L.O.F. The rule title will be changed to “Remittance Requirements for Clerks of the Court, Municipalities, and Counties,” to reflect the electronic remittance requirements of the penalty imposed under Section 316.0083, F.S. In addition, the rule chapter is being updated to reflect the following law changes regarding the remittance/reporting of court-related fees by Clerks of the Court to the Department for distribution to designated state funds:

- Section 12, Chapter 2010-162, L.O.F., amends Section 28.245, F.S., to require Clerks of the Court to remit court-related charges to the Department by the 10th day of the month following the month of collection;
- Section 5, Chapter 2010-163, L.O.F., amends Section 322.20(11)(a), F.S., to require that the fees collected by the Clerk of the Court for providing transcripts or other documents or for assisting in search for an individual’s driver history record be remitted to the Department within five working days, unless a shorter time is required by law;

- Section 13, Chapter 2010-134, L.O.F., imposes an administrative fee for trustee deeds recorded as provided in Section 721.855 and 721.856, F.S., required to be collected by the Clerk of the Court and remitted to the Department weekly in the same manner as the documentary stamp tax collected by the Clerk of the Court; and
- Sections 4, 5, and 19, Chapter 2009-204, L.O.F., repeal Section 28.37(4), F.S., removing provisions for the remittance of the amount of funds in excess of the approved budget amount established in Section 28.36, F.S., to the Department, and transfer the Department of Revenue Clerk of Court Trust Fund to the Justice Administrative Commission.

When effective, this rule chapter will include updated provisions for the electronic remittance and reporting of funds from all court-related charges collected by Clerks of the Court, and include provisions for the red light camera penalties imposed and collected by municipalities and counties and remitted to the Department for distribution to designated state funds.

SUBJECT AREA TO BE ADDRESSED: The subject of this workshop is the proposed changes to Rule Chapter 12-28, F.A.C., regarding the remittance and reporting requirements for the:

- Clerk of the Court Remittance System established for remitting/reporting court-related funds to the Department for distribution to reflect the changes provided in Section 12, Chapter 2010-162, L.O.F., Section 5, Chapter 2010-163, L.O.F., Section 13, Chapter 2010-134, L.O.F., and Sections 4, 5, and 19, Chapter 2009-204, L.O.F.
- Red Light Camera Penalty Remittance System established for remitting/reporting the red light camera penalties to the Department for distribution to designated state funds as provided in Section 5, Chapter 2010-80, L.O.F.

RULEMAKING AUTHORITY: 213.06(1), 213.13 FS.

LAW IMPLEMENTED: 28.245, 213.13, 219.07, 316.0083, 322.20(11) FS., s. 13, Ch. 2010-134, L.O.F.

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

DATE AND TIME: October 11, 2010, 1:30 p.m.

PLACE: Room 1220, 2450 Shumard Oak Blvd., 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 48 hours before the workshop/meeting by contacting: Sarah Wachman at (850)410-2651. 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: Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT: myflorida.com/dor/rules.

DEPARTMENT OF REVENUE

RULE NOS.:	RULE TITLES:
12-29.001	Scope
12-29.002	Florida Tax Credit Scholarship Program; Participation; Allocation; Carryforward; Rescindment
12-29.003	Florida Tax Credit Scholarship Program; Applications

PURPOSE AND EFFECT: The purpose of establishing Rule Chapter 12-29, F.A.C. (Multitax Credits), is to establish a rule chapter to set forth rules to be used in the administration of tax credit programs that authorize eligible taxpayers to receive tax credits against more than one tax imposed under Florida law. This rule chapter will establish rules for administering the tax credits for contributions made to nonprofit scholarship funding organizations under Section 1002.395, F.S., Florida Tax Credit Scholarship Program, as amended by Chapter 2010-24, L.O.F. Emergency Rule 12ER10-04, effective July 21, 2010, currently establishes the procedures for administration of tax credits authorized under the Florida Tax Credit Scholarship Program. The Florida Tax Credit Scholarship Program allows taxpayers to receive a credit allocation for contributions made to nonprofit scholarship funding organizations. The referenced law expands the tax credits against corporate income tax and insurance premium tax, transferring Section 220.187, F.S., to new Section 1002.395, F.S., creating Sections 211.0251, 212.1831, 220.1875, and 561.1211, F.S., and amending Section 624.51055, F.S.

Beginning July 1, 2010, taxpayers were allowed to apply for a credit allocation for contributions to a nonprofit scholarship funding organization for a tax credit against excise taxes on liquor, wine, and malt beverages administered by the Division of Alcoholic Beverages and Tobacco of the Florida Department of Business and Professional Regulation. Beginning January 1, 2011, certain taxpayers are allowed to apply for a credit allocation to be taken as a tax credit against sales and use tax, and taxpayers who pay the tax on oil and gas production in Florida are allowed to apply for a credit allocation to be taken as a tax credit.

When in effect, proposed Rule Chapter 12-29, F.A.C., Multitax Credits, establishes the procedures and applications governing the approval of tax credit allocations and rescindments, the

approval for carryforward tax credits to a subsequent tax year, and the procedures to be followed by taxpayers when claiming tax credits on tax returns.

SUBJECT AREA TO BE ADDRESSED: The subject of the workshop is the proposed procedures governing the approval of tax credit allocations and rescindments, the approval for carryforward tax credits to a subsequent tax year, and the proposed procedures to be followed by taxpayers when claiming tax credits authorized by the Florida Tax Credit Scholarship Program, as amended by Chapter 2010-24, L.O.F.

RULEMAKING AUTHORITY: 213.06(1), 1002.395(13) FS.

LAW IMPLEMENTED: 92.525(1)(b), 211.0251, 212.1831, 213.37, 220.1875, 561.1211, 624.51055, 1002.395(1)-(3), (13) FS.

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

DATE AND TIME: October 11, 2010, 1:30 p.m.

PLACE: Room 1220, 2450 Shumard Oak Blvd., 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 48 hours before the workshop/meeting by contacting: Sarah Wachman at (850)410-2651. 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: Robert DuCasse, Revenue Program Administrator, Technical Assistance and Dispute Resolution, Department of Revenue, P.O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4700

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT: myflorida.com/dor/rules.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.:	RULE TITLE:
12A-1.0143	Manufacturing and Spaceport Investment Incentive Program Tax Refunds

PURPOSE AND EFFECT: Rule 12A-1.0143, F.A.C. (Manufacturing and Spaceport Investment Incentive Program Tax Refunds), is being created to provide procedures to be used in obtaining a refund of taxes paid on purchases of eligible

equipment authorized by the Manufacturing and Spaceport Investment Incentive Program administered by the Office of Tourism, Trade, and Economic Development. When in effect, this rule will provide how to obtain a refund of taxes paid on purchases of eligible equipment authorized under the Program and the time frame for filing an application for refund with the Department of Revenue.

SUBJECT AREA TO BE ADDRESSED: The subject of this workshop is the proposed procedures to be used in obtaining a refund of taxes paid on purchases of eligible equipment pursuant to the Manufacturing and Spaceport Investment Incentive Program administered by the Office of Tourism, Trade, and Economic Development.

RULEMAKING AUTHORITY: 212.17(6), 212.18(2), 213.06(1) FS.

LAW IMPLEMENTED: 213.255, 215.26, 288.1083 FS.

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

DATE AND TIME: October 11, 2010, 1:30 p.m.

PLACE: Room 1220, 2450 Shumard Oak Blvd., 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 48 hours before the workshop/meeting by contacting: Sarah Wachman at (850)410-2651. 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: Jeff Soff, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4719

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT: myflorida.com/dor/rules

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.:	RULE TITLE:
12A-1.061	Rentals, Leases, and Licenses to Use Transient Accommodations

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-1.061, F.A.C. (Rentals, Leases, and Licenses to Use Transient Accommodations), is to include the provisions regarding timeshares provided in Chapter 2009-133,

L.O.F. This law provides that timeshare exchanges and fees charged by a third party to facilitate a timeshare exchange are not subject to tax. The law also provides when fees charged to occupy and inspect a regulated short-term timeshare product are subject to tax. When in effect, this rule will provide for the taxability of the purchase of a timeshare interest, the rental of a timeshare accommodation, the occupancy or purchase of a regulated short-term product, and the fees charged by timeshare exchange programs.

SUBJECT AREA TO BE ADDRESSED: The subject area addressed is the provisions for the taxability of the purchase of a timeshare interest, the rental of a timeshare accommodation, the occupancy or purchase of a regulated short-term product, or the fees charged by timeshare exchange programs.

RULEMAKING AUTHORITY: 212.17(6), 212.18(2), 213.06(1) FS.

LAW IMPLEMENTED: 92.525(1)(b), 119.071(5), 212.02(2), (10)(a)-(g), (16), 212.03(1), (2), (3), (4), (5), (7), 212.031, 212.04(4), 212.08(6), (7)(i), (m), 212.11(1), (2), 212.12(7), (9), (12), 212.13(2), 212.18(2), (3), 213.37, 213.756 FS.

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

DATE AND TIME: October 11, 2010, 2:30 p.m.

PLACE: Room 1220, 2450 Shumard Oak Blvd., 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 48 hours before the workshop/meeting by contacting: Sarah Wachman (850)410-2651. 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: Tammy Miller, Senior Attorney, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)488-9669

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT: myflorida.com/dor/rules.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: 12A-1.097
RULE TITLE: Public Use Forms

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 12A-1.097, F.A.C. (Public Use Forms), is to adopt revisions to Form DR-1 (Application to Collect and/or Report Tax In Florida). These proposed changes are necessary to: (1) reorganize and rename the Form DR-1 (Florida

Business Tax Application); (2) create new Form DR-1N (Instructions for Completing the Florida Business Tax Application); (3) update the instructions for ease of reading and understanding; and, (4) update the information received from the applicant for use by the Department in its tax administration.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is the proposed changes to Form DR-1 (Florida Business Tax Application) and new Form DR-1N (Instructions for Completing the Florida Business Tax Application).

RULEMAKING AUTHORITY: 201.11, 202.17(3)(a), 202.22(6), 202.26(3), 212.0515(7), 212.07(1)(b), 212.08(5)(b)4., (7), 212.11(5)(b), 212.12(1)(b)2., 212.17(6), 212.18(2), (3), 213.06(1), 376.70(6)(b), 376.75(9)(b), 403.718(3)(b), 403.7185(3)(b), 443.171(2), (7) FS.

LAW IMPLEMENTED: 92.525(1)(b), (3), 95.091, 119.071(5), 125.0104, 125.0108, 201.01, 201.08(1)(a), 201.133, 201.17(1)-(5), 202.11(2), (3), (6), (16), (24), 202.17, 202.22(3)-(6), 202.28(1), 203.01, 212.02, 212.03, 212.0305, 212.031, 212.04, 212.05, 212.0501, 212.0515, 212.054, 212.055, 212.06, 212.0606, 212.07(1), (8), (9), 212.08, 212.084(3), 212.085, 212.09, 212.096, 212.11(1), (4), (5), 212.12(1), (2), (9), (13), 212.13, 212.14(4), (5), 212.17, 212.18(2), (3), 213.235, 213.29, 213.37, 219.07, 288.1258, 376.70, 376.75, 403.717, 403.718, 403.7185, 443.036, 443.121(1), (3), 443.131, 443.1315, 443.1316, 443.171(2), (7) FS.

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

DATE AND TIME: October 11, 2010, 1:30 p.m.

PLACE: Room 1220, 2450 Shumard Oak Blvd., 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 48 hours before the workshop/meeting by contacting: Sarah Wachman (850)410-2651. 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: Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT: myflorida.com/dor/rules.

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NO.: 12B-8.001
RULE TITLE: Premium Tax; Rate and Computation
PURPOSE AND EFFECT: The Florida Tax Credit Scholarship Program, as amended by Chapter 2010-24, L.O.F., allows taxpayers to receive a credit allocation for contributions made to nonprofit scholarship funding organizations. This law expands the tax credits against corporate income tax and insurance premium tax, transferring Section 220.187, F.S., to new Section 1002.395, F.S., and amending Section 624.51055, F.S. Taxpayers continue to be allowed to apply for a credit allocation to be taken as a tax credit against insurance premium tax, as provided in Section 624.51055, F.S., as amended by Section 11, Chapter 2010-24, L.O.F. When in effect, proposed Rule Chapter 12-29, F.A.C., Florida Tax Credit Scholarship Program, will establish the procedures governing the approval of tax credit allocations and rescindments, the approval for carryforward tax credits to a subsequent tax year, and the procedures to be followed by taxpayers when claiming tax credits on tax returns.

The purpose of the proposed changes to Rule 12B-8.001, F.A.C. (Premium Tax; Rate and Computation), is to remove provisions regarding the credit against insurance premium tax for contributions made to eligible nonprofit scholarship funding organizations that will be provided in Rule Chapter 12-29, F.A.C., when effective.

SUBJECT AREA TO BE ADDRESSED: The subject of the workshop is the proposed procedures governing the approval of tax credit allocations and rescindments, the approval for carryforward tax credits to a subsequent tax year, and the proposed procedures to be followed by taxpayers when claiming tax credits authorized by the Florida Tax Credit Scholarship Program, as amended by Chapter 2010-24, L.O.F.
RULEMAKING AUTHORITY: 213.06(1), 624.5105(4)(b), 1002.395(13) FS.

LAW IMPLEMENTED: 624.509, 624.51055, 1002.395 FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
DATE AND TIME: October 11, 2010, 1:30 p.m.
PLACE: Room 1220, 2450 Shumard Oak Blvd., 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 48 hours before the workshop/meeting by contacting: Sarah Wachman at (850)410-2651. 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: Robert DuCasse, Revenue Program Administrator, Technical Assistance and Dispute Resolution, Department of Revenue, P.O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4700

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT’S INTERNET SITE AT: myflorida.com/dor/rules.

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE NOS.:	RULE TITLES:
12C-1.0186	Credit for Florida Alternative Minimum Tax
12C-1.0187	Credits for Contributions to Nonprofit Scholarship Funding Organizations
12C-1.051	Forms

PURPOSE AND EFFECT: The Florida Tax Credit Scholarship Program, as amended by Chapter 2010-24, L.O.F., allows taxpayers to receive a credit allocation for contributions made to nonprofit scholarship funding organizations. This law expands the tax credits against corporate income tax and insurance premium tax, transferring Section 220.187, F.S., to new Section 1002.395, F.S., and creating Section 220.1875, F.S., to provide for the tax credit against corporate income tax. When in effect, proposed Rule Chapter 12-29, F.A.C., Florida Tax Credit Scholarship Program, will establish the procedures governing the approval of tax credit allocations and rescindments, the approval for carryforward tax credits to a subsequent tax year, and the procedures to be followed by taxpayers when claiming tax credits on tax returns.

The purpose of the proposed amendments to Rule 12C-1.0186, F.A.C. (Credit for Florida Alternative Minimum Tax), is to update the reference to the credits for contributions to nonprofit scholarship funding organizations to Section 220.1875, F.S., as provided in Sections 10 and 11, Chapter 2010-24, L.O.F.

The purpose of the proposed repeal of Rule 12C-1.0187, F.A.C. (Credits for Contributions to Nonprofit Scholarship Funding Organizations), is to remove provisions regarding the credit against corporate income tax for contributions made to eligible nonprofit scholarship funding organizations that will be provided in Rule Chapter 12-29, F.A.C., when effective.

The purpose of the proposed amendments to Rule 12C-1.051, F.A.C. (Forms), is to remove the obsolete application to obtain an allocation of the tax credit for contributions made to eligible nonprofit scholarship funding organizations and the obsolete

application to rescind a credit allocation. Applications used to administer the Florida Tax Credit Scholarship Program will be provided in Rule Chapter 12-29, F.A.C., when effective.

SUBJECT AREA TO BE ADDRESSED: The subject of the workshop is the proposed procedures governing the approval of tax credit allocations and rescindments, the approval for carryforward tax credits to a subsequent tax year, and the proposed procedures to be followed by taxpayers when claiming tax credits authorized by the Florida Tax Credit Scholarship Program, as amended by Chapter 2010-24, L.O.F.
RULEMAKING AUTHORITY: 220.51, 1002.395(13) FS.

LAW IMPLEMENTED: 220.131, 220.186, 220.1875, 624.51055, 1002.395 FS.

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

DATE AND TIME: October 11, 2010, 1:30 p.m.
PLACE: Room 1220, 2450 Shumard Oak Blvd., 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 48 hours before the workshop/meeting by contacting: Sarah Wachman at (850)410-2651. 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: Robert DuCasse, Revenue Program Administrator, Technical Assistance and Dispute Resolution, Department of Revenue, P.O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4700

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT’S INTERNET SITE AT: myflorida.com/dor/rules.

SECTIONS 1 through 8 No change.

SECTION 9 – MISCELLANEOUS INFRACTIONS

9-1	Obscene or profane act, gesture, or statement – oral, written, or signified	30 DC + 90 GT
9-2	Bribery or attempted bribery	30 DC + 90 GT
9-3	Breaking and entering or attempted breaking	30 DC + 90 GT
9-4	Attempt, conspiracy, or <u>solicitation</u> attempted conspiracy to commit any crime or violation of the Rules of Prohibited Conduct	30 DC + 90 GT
9-5	Theft of property under \$50.00 in value	30 DC + 60 GT
9-6	Bartering with others	15 DC + 30 GT
9-7	Sex acts or unauthorized physical contact involving inmates	30 DC + 90 GT
9-9	Tattooing, being tattooed, branding or body art to include body piercing.	30 DC + 60 GT

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.: 33-601.314
RULE TITLE: Rules of Prohibited Conduct and Penalties for Infractions

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to eliminate reference to “attempted conspiracy,” add reference to “solicitation” as prohibited conduct, and clarify that an inmate may not engage in or attempt to engage in a business or professional relationship with a volunteer.

SUBJECT AREA TO BE ADDRESSED: Rules of prohibited conduct.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.14, 944.279, 944.28 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: Kendra Lee Jowers, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.314 Rules of Prohibited Conduct and Penalties for Infractions.

The following table shows established maximum penalties for the indicated offenses. As used in the table, “DC” means the maximum number of days of disciplinary confinement that may be imposed and “GT” means the maximum number of days of gain time that may be taken. Any portion of either penalty may be applied.

9-10	Lying to staff member or others in official capacity, or falsifying records	60 DC + All GT
9-11	Feigning illness or malingering as determined by a physician or medical authority	10 DC + 15 GT
9-12	Gambling or possession of gambling paraphernalia	10 DC + 15 GT
9-13	Insufficient work: This constitutes an inmate not working up to expectation, taking into consideration the inmate's physical condition, the degree of difficulty of assignment, and the average performance by fellow inmates assigned to the same task	10 DC + 15 GT
9-14	Mail regulation violations	30 DC + 30 GT
9-15	Visiting regulation violations	30 DC + 30 GT
9-16	Refusing to work or participate in mandatory programs	60 DC + 90 GT
9-17	Disorderly conduct	30 DC + 60 GT
9-18	Unauthorized physical contact involving non-inmates	60 DC + 90 GT
9-19	Presenting false testimony or information before Disciplinary Team, Hearing Officer, or Investigating Officer	60 DC + All GT
9-20	Extortion or attempted extortion	60 DC + 60 GT
9-21	Fraud or attempted fraud	30 DC + 90 GT
9-22	Robbery or attempted robbery	60 DC + All GT
9-23	Theft of property exceeding \$50 in value	60 DC + All GT
9-24	Loaning or borrowing money or other valuables	15 DC + 30 GT
9-25	Telephone regulation violations	30 DC + 30 GT
9-26	Refusing to submit to substance abuse testing	60 DC + 180 GT
9-27	Use of unauthorized drugs – as evidenced by positive results from urinalysis test, or observable behavior	60 DC + 180 GT
9-28	Canteen Shortage under \$50.00	30 DC + 60 GT
9-29	Canteen Shortage over \$50.00	60 DC + All GT
9-31	Use of Alcohol – as evidenced by positive results from authorized tests, or by observable behavior	30 DC + 90 GT
9-32	In accordance with Section 944.279(1), F.S., is found by the court to have brought a frivolous or malicious suit, action, claim, proceeding or appeal in any court, or to have brought a frivolous or malicious collateral criminal proceeding or is found by the court to have knowingly or with reckless disregard for the truth brought false information or evidence before the court.	60 DC + All GT
9-33	Tampering with, defeating or depriving staff of any security device. Security devices include: locks; locking devices; electronic detection systems; personal body alarm transmitters and receivers; handheld radios; restraint devices such as handcuffs, waist chains, leg irons and handcuff covers; keys; video and audio monitoring and recording devices; security lighting; weapons; and any other device utilized to ensure the security of the institution.	60 DC + All GT
9-34	Tampering with or defeating any fire or other safety device. Safety devices include: fire, smoke, and carbon dioxide detection devices; alarm systems; fire suppression systems and devices such as fire sprinklers, fire extinguishers, and dry chemical systems; safety and emergency lighting; exit lights; evacuation route and warning placards; self-contained breathing apparatuses; personal protective equipment; first aid kits; eye wash stations; and any other device utilized to ensure the safety of the institution, staff and inmates.	60 DC + All GT
9-35	Establishes or attempts to establish a personal or business relationship with any staff member <u>or</u> volunteer.	60 DC + 180 GT
9-36	Gang related activities, including recruitment; organizing; display of symbols, groups, or group photos; promotion or participation	30 DC + 60 GT
9-37	Unauthorized use of or tampering with a computer, computer peripheral device, or any other office equipment. Other office equipment includes copying machines, facsimile machines, postage meters, or any other device utilized in an office or office-like environment.	60 DC + All GT

SECTIONS 10 through 11 No change.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.14, 944.279, 944.28 FS. History—New 3-12-84, Amended 1-10-85, Formerly 33-22.12, Amended 12-30-86, 9-7-89, 11-22-90, 6-2-94, 10-1-95, 3-24-97, 7-9-98, 8-13-98, Formerly 33-22.012, Amended 9-30-99, 6-7-00, 4-18-02, 10-10-04, 1-9-05, 4-17-05, 6-5-05, 10-27-05, 10-12-06, 11-8-07, 5-18-08, 11-9-08, 5-11-09,

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: 40B-1.706
 RULE TITLE: Fees

PURPOSE AND EFFECT: The purpose of the proposed rule development is to amend the citations within this section with regard to water use permitting. The effect of the proposed amendments is to maintain consistency with amendments to Chapter 40B-2, F.A.C., which became effective January 4, 2010.

SUBJECT AREA TO BE ADDRESSED: This proposed development will amend citations within this section with regard to water use permitting.

RULEMAKING AUTHORITY: 373.044, 373.109, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 218.075, 373.109 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: Linda Welch, Rules and Contracts Coordinator, SRWMD, 9225 C.R. 49, Live Oak, Florida 32060, (386)362-1001 or (800)226-1066 (FL only)

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

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: 40B-2.041
 RULE TITLE: Permits Required

PURPOSE AND EFFECT: The purpose of the proposed rule development is to update this section of Chapter 40B-2, Florida Administrative Code, based on the 2010 Legislature’s approval of Senate Bill 550 that deletes mandatory delegation of water use permit approvals to the Executive Director and authorizes the Governing Board to establish the scope and terms of any delegation. The effect of the proposed amendments will be to set forth procedures and terms for approval and denial of water use permit applications.

SUBJECT AREA TO BE ADDRESSED: This proposed amendments will set forth procedures and terms for approval and denial of water use permit applications.

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

LAW IMPLEMENTED: 373.103, 373.118, 373.219, 373.226, 373.244 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: Linda Welch, Rules and Contracts Coordinator, SRWMD, 9225 C.R. 49, Live Oak, Florida 32060, (386)362-1001 or (800)226-1066 (FL only)

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NOS.: 40C-40.011, 40C-40.112, 40C-40.900
 RULE TITLES: Policy and Purpose, Standard Permit Application, Forms and Instructions

PURPOSE AND EFFECT: The purposes and effects of the proposed rule amendments are to: (1) conform Chapter 40C-40, F.A.C., to a proposed amendment in Chapter 40C-4, F.A.C., that requires ERP applicants under Chapter 40C-4 or 40C-40, F.A.C., to concurrently submit CUP applications where their proposed projects will contain irrigated landscape, golf course, or recreation areas that require a CUP; (2) clarify the circumstances when Chapter 40C-40, F.A.C., standard ERPs are available; (3) update the nomenclature in Chapter 40C-40 that Chapter 40C-40, F.A.C., permits are called “standard” ERPs; (4) revise the ERP application form to update the contents and include the concurrent application requirements; and (5) update statutory authority.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments would conform Chapter 40C-40, F.A.C., to amendments in Chapter 40C-4, F.A.C., that would: (1) require, for a system that will contain irrigated landscape, golf course, or recreational areas that will require a CUP, that the applicant concurrently apply for and obtain a CUP; and (2) update statutory authority.

RULEMAKING AUTHORITY: 369.318, 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 369.318, 373.1131, 373.413, 373.416 FS.

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

DATE AND TIME: October 21, 2010, 10:00 a.m. – 12:00 Noon

PLACE: Governing Board Room, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Wendy Gaylord, Rules Coordinator, St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177, (386)326-3026, or wgaylord@sjrwmd.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40C-40.011 Policy and Purpose.

~~(1) This chapter grants standard environmental resource permits for certain specified surface water management systems which have been determined to be not harmful to the water resources of the District and to be not inconsistent with the objectives of the District. This chapter sets forth the requirements for qualifying for a standard permit and the conditions under which it may be exercised. Surface water management systems which are non-exempt, which do not qualify for a noticed general environmental resource permit pursuant to Chapter 40C-400, F.A.C., and which do not qualify for a standard permit under this chapter, are required to obtain individual permits under the provisions of Chapter 40C-4, F.A.C. The District may require an individual permit application for any surface water management system for which an application has been filed under this chapter which may not conform to the provisions of this chapter, or Chapter 373, F.S., or for which a substantial objection has been received.~~

(2) through (3) No change.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.083, 373.413, 373.416, 373.426 FS. History–New 12-7-83, Amended 2-27-94, 10-3-95, 1-4-96, 10-11-01,_____.

40C-40.112 Standard Permit Application.

(1) To apply for a standard permit, the applicant must submit form 40C-4.900(1) to the District. The applicant shall submit five copies of the application package (which package includes the signed application form, construction plans, and any supporting documents describing the proposed system). The requirement to submit five copies shall not apply when the application package is received electronically via the District’s E-Permitting website at www.sjrwmd.com. For any application to construct a surface water management system under Chapter 40C-40, F.A.C., that will contain irrigated landscape, golf course, or recreational areas, and the irrigation will require a

consumptive use permit under subsection 40C-2.041(1), F.A.C., the applicant must also concurrently submit an application for a consumptive use permit.

(2) through (6) No change.

Rulemaking Specific Authority 369.318, 373.044, 373.113, 373.171, 373.406, 373.414, 373.418 FS. Law Implemented 369.318, 373.083, 403.0877, 373.1131, 373.117, 373.406, 373.413, 373.414, 373.415, 373.416, 373.418, 373.426 FS. History–New 12-7-83, Amended 2-27-94, 10-3-95, 1-4-96, 10-11-01, 2-1-05,_____.

40C-40.900 Forms and Instructions.

The following form and instructions incorporated by reference have been approved by the Governing Board and are available upon request from the following District offices:

St. Johns River Water Management District
 Division of Permit Data Services
 4049 Reid Street
 Palatka, Florida 32177-2529

St. Johns River Water Management District
 7775 Baymeadows Way, Suite 102
 Jacksonville, Florida 32256

St. Johns River Water Management District
 975 Keller Road
 Altamonte Springs, Florida 32714-1618

St. Johns River Water Management District
 525 Community College Pkwy., S.E.
 Palm Bay, Florida 32909

Joint Application for Environmental Resource Permit/Authorization to Use State Lands/Federal Dredge and Fill Permit, form number 40C-4.900(1), adopted (effective date) 12-3-06.

Rulemaking Specific Authority 369.318, 373.044, 373.113, 373.118, 373.406, 373.4136, 373.414, 373.418 FS. Law Implemented 369.318, 373.085, 373.1131, 373.116, 373.117, 373.118, 373.185, 373.406, 373.413, 373.4136, 373.414, 373.415, 373.416, 373.418, 373.421, 373.426, 373.461, 403.0877 FS. History–New 5-30-90, Amended 2-27-94, 10-3-95, 2-1-05, 12-3-06,_____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-8.041
 RULE TITLE: Minimum Flows
 PURPOSE AND EFFECT: To amend Rule 40D-8.041, F.A.C., pursuant to Section 373.042, Florida Statutes, to establish Minimum Flows for the Homosassa River System and associated springs, including springs that discharge to the Homosassa River, the Southeast Fork of the Homosassa River, Halls River, and Hidden River.

SUBJECT AREA TO BE ADDRESSED: Establishment of a minimum flow for the Homosassa River System and associated springs. Members of the District's Governing Board and Basin Board may attend the scheduled Rule Development Workshop.
RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421 FS.

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

DATE AND TIME: October 13, 2010, 6:30 p.m.

PLACE: Homosassa Civic Club, 5530 South Mason Creek Road, Homosassa, FL 34448-4408

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: The Southwest Florida Water Management District Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899; telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702; TDD (FL only) 1(800)231-6103; or email to ADACoordinator@swfwmd.state.fl.us. 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: Doug Leeper, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4272.

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-8.624
RULE TITLE: Guidance and Minimum Levels for Lakes

PURPOSE AND EFFECT: To amend Rule 40D-8.624, F.A.C. to establish minimum levels for two of the District's listed priority waters, Lake Crystal and Lake North Wales, pursuant to Section 373.042, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Establishment of minimum levels for Lake Crystal and North Lake Wales in the City of Lake Wales in Polk County, Florida. A minimum level is the level of surface water at which further water withdrawals would be significantly harmful to the water resources of the area. Members of the District's Governing Board and Basin Boards may attend the Rule Development Workshop.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421, 373.086 FS.

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

DATE AND TIME: October 14, 2010, 5:00 p.m.

PLACE: Lake Wales City Commission Chambers, 201 W. Central Avenue, Lake Wales, FL 33853

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: The Southwest Florida Water Management District Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899; telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702; TDD (FL only) 1(800)231-6103; or email to ADACoordinator@swfwmd.state.fl.us. 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: Keith Kolasa, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4236

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: 40E-0.103
RULE TITLE: Procedures for Processing Permit Applications

PURPOSE AND EFFECT: To delete reference to repealed rule and delete "standard" from "standard general permits" pursuant to Section 373.118(1), Fla. Stat.

SUBJECT AREA TO BE ADDRESSED: Procedures for processing standard permits.

RULEMAKING AUTHORITY: 120.54(5), 120.60 FS.

LAW IMPLEMENTED: 120.54(5), 120.60 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk, (800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anita R. Bain, Environmental Resource Permitting Division Director, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext 6866 or (561)686-6866, email: abain@sfwmd.gov. For procedural questions contact Jan Sluth, Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext 6299 or (561)686-6299, email: jsluth@sfwmd.gov.

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-1.5095	Publication of Notice of Agency Decision or Intended Agency Decision
40E-1.602	Permits Required
40E-1.603	Application Procedures for Conceptual Approval, Individual and General Permits
40E-1.6058	Publication and Requests for Notification of Permit Applications or Notices of Intent
40E-1.607	Permit Application Processing Fees
40E-1.615	Coordinated Agency Review Procedures for the Florida Keys Area of Critical State Concern
40E-1.659	Forms and Instructions

PURPOSE AND EFFECT: To amend the District’s rules to: 1) delete obsolete forms and other documents incorporated by reference; 2) update rules for consistency with statutory amendments; and 3) delete “general” from “standard general permits”.

SUBJECT AREA TO BE ADDRESSED: General procedural rules.

RULEMAKING AUTHORITY: 120.54(5), 373.044, 373.113, 373.4135, 668.003, 668.004, 668.50 FS.

LAW IMPLEMENTED: 120.53(1), 120.54(5), 120.569, 120.57, 120.60, 373.107, 373.109, 373.116, 373.146, 373.229, 373.413, 373.417, 373.421, 373.422, 668.003, 668.004, 668.50 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk, (800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anita R. Bain, Environmental Resource Permitting Division Director, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext 6866 or (561)686-6866, email: abain@sfwmd.gov. For procedural questions contact Jan Sluth, Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext 6299 or (561)686-6299, email: jsluth@sfwmd.gov.

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-4.011	Policy and Purpose
40E-4.021	Definitions
40E-4.041	Permits Required
40E-4.0415	Permit Thresholds
40E-4.042	Formal Determination of Wetlands and Other Surface Waters
40E-4.051	Exemptions From Permitting
40E-4.091	Publications, Rules and Interagency Agreements Incorporated by Reference
40E-4.101	Content of Permit Applications
40E-4.201	Forms and Instructions
40E-4.301	Conditions for Issuance of Permits
40E-4.302	Additional Conditions for Issuance of Permits
40E-4.303	Environmental Resource Permit Authorization
40E-4.305	Conceptual Approvals
40E-4.321	Duration of Permits
40E-4.331	Modification of Permits
40E-4.351	Transfer of Permits
40E-4.361	Conversion from Construction Phase to Operation Phase
40E-4.381	General Conditions

PURPOSE AND EFFECT: To amend the District’s rules and Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District to: 1) delete obsolete forms and other documents incorporated by reference; 2) correct citations; 3) add “subparagraph” or “paragraph” before rule references; 4)

update rules for consistency with statutory amendments; 5) correct reference to exhibit on Form 1318; 6) update process for submitting forms and other documents to the District; 7) repeal rules that are unnecessary because they are duplicative of rules set forth in the District’s general rules; 8) replace illegible maps in the Florida Administrative Code and renumber Figures for consistency; 9) update rule references from surface water management to environmental resource permitting; 10) delete unnecessary rule titles following rule numbers within text; 11) update rules incorporating materials by reference to conform to the Department of State’s rule regarding materials incorporated by reference; and 12) delete “general” from “standard general permits”; and 13) delete general condition paragraph 40E-4.381(1)(r), F.A.C., as redundant.

SUBJECT AREA TO BE ADDRESSED: Environmental Resource Permitting rules.

RULEMAKING AUTHORITY: 373.043, 373.044, 373.103(8), 373.113, 373.171, 373.406(5), 373.414(9), 373.416, 373.421(2), 373.441, 668.003, 668.004, 668.50, 704.06 FS.

LAW IMPLEMENTED: 373.016, 373.019, 373.086(1), 373.103, 373.117, 373.118, 373.403-.443, 380.23, 403.031, 403.813(2), 668.003, 668.004, 668.50, 704.06 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk, (800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anita R. Bain, Environmental Resource Permitting Division Director, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext 6866 or (561)686-6866, email: abain@sfwmd.gov. For procedural questions contact Jan Sluth, Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext 6299 or (561)686-6299, email: jsluth@sfwmd.gov

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-40.010	Review of Environmental Resource Standard General Permit Applications
40E-40.011	Policy and Purpose
40E-40.031	Implementation
40E-40.041	Permit Thresholds
40E-40.042	Standard General Permit for Incidental Site Activities
40E-40.051	Standard General Permit Authorization
40E-40.091	Publications, Rules and Interagency Agreements Incorporated by Reference
40E-40.141	Request for Additional Information
40E-40.302	Conditions for Issuance of Permits
40E-40.321	Duration of Permits
40E-40.331	Modification of Permits
40E-40.341	District Revocation or Modification of Permits
40E-40.381	General Conditions
40E-40.391	Forms and Instructions

PURPOSE AND EFFECT: To amend the District’s rules to: 1) repeal rules that are unnecessary because they are duplicative of rules set forth in the District’s general rules and 2) delete “general” from “standard general permits”.

SUBJECT AREA TO BE ADDRESSED: Standard General Environmental Resource Permits.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118, 668.003, 668.004, 668.50 FS.

LAW IMPLEMENTED: 373.085, 373.086, 373.109, 373.118, 373.413, 373.416, 373.426 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk, (800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anita R. Bain, Environmental Resource Permitting Division Director,

South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext 6866 or (561)686-6866, email: abain@sfwmd.gov. For procedural questions contact Jan Sluth, Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext 6299 or (561)686-6299, email: jsluth@sfwmd.gov.

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-41.121	Definitions
40E-41.223	C-51 Basin Boundary
40E-41.243	Application of Part III
40E-41.260	Content of Application
40E-41.263	Conditions for Issuance of Surface Water Management Permits in the C-51 Basin
40E-41.265	Conditions for Issuance of Right-of-Way Permits in the C-51 Basin
40E-41.363	Conditions for Issuance of Environmental Resource Permits and Surface Water Management Permits in the Water Preserve Area, Water Preserve Area Basin, or Adjacent to the Protective Levees

PURPOSE AND EFFECT: To amend the District’s rules to: 1) delete obsolete forms and other documents incorporated by reference; 2) correct citations; 3) add “subparagraph” or “paragraph” before rule references; 4) update rules for consistency with statutory amendments; 5) correct reference to exhibit on Form 1318; 6) update process for submitting forms and other documents to the District; 7) repeal rules that are unnecessary because they are duplicative of rules set forth in the District’s general rules; 8) replace illegible maps in the Florida Administrative Code and renumber Figures for consistency; 9) update rule references from surface water management to environmental resource permitting; 10) delete unnecessary rule titles following rule numbers within text; 11) update rules incorporating materials by reference to conform to the Department of State’s rule regarding materials incorporated by reference; and 12) delete “general” from “standard general permits”; and 13) delete reference to repealed rule.

SUBJECT AREA TO BE ADDRESSED: Basin rules and criteria.

RULEMAKING AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.085, 373.086, 373.413, 373.416 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk, (800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anita R. Bain, Environmental Resource Permitting Division Director, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext 6866 or (561)686-6866, email: abain@sfwmd.gov. For procedural questions contact Jan Sluth, Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext 6299 or (561)686-6299, email: jsluth@sfwmd.gov.

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-400.211	Processing Procedures for Noticed General Permits
40E-400.417	General Permit for Construction, Alteration or Maintenance of Boat Ramps and Associated Accessory Docks
40E-400.443	General Permit for Minor Bridge Alteration, Replacement, Maintenance and Operation
40E-400.447	General Permit for Minor Activities Within Existing FDOT Rights-of-Way or Easements
40E-400.470	Noticed General Permit for Temporary Agricultural Activities
40E-400.475	General Permit for Minor Activities
40E-400.487	General Permit to the Department to Change Operating Schedules for Department or District Water Control Structures

40E-400.500 General Permit for Construction, Operation, Maintenance, Alteration, Removal or Abandonment of Minor Silvicultural Surface Water Management Systems

40E-400.900 Forms and Instructions
 PURPOSE AND EFFECT: To amend the District’s rules to: 1) delete obsolete forms and other documents incorporated by reference; 2) correct citations; 3) add “subparagraph” or “paragraph” before rule references; 4) update process for submitting forms and other documents to the District; 5) repeal rules that are unnecessary because they are duplicative of rules set forth in the District’s general rules; 6) delete unnecessary rule titles following rule numbers within text; 7) update rules incorporating materials by reference to conform to the Department of State’s rule regarding materials incorporated by reference; and 12) delete “general” from “standard general permits”.

SUBJECT AREA TO BE ADDRESSED: No Noticed and Noticed General Environmental Resource Permits.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118, 373.171, 403.067(7)(d), 668.003, 668.004, 668.50 FS.

LAW IMPLEMENTED: 120.60, 373.109, 373.118, 373.119, 373.413, 373.414, 373.416, 373.418, 373.423, 373.426, 403.067(7)(d), 668.003, 668.004, 668.50 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk, (800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anita R. Bain, Environmental Resource Permitting Division Director, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext 6866 or (561)686-6866, email: abain@sfwmd.gov. For procedural questions contact Jan Sluth, Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext 6299 or (561)686-6299, email: jsluth@sfwmd.gov.

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

DEPARTMENT OF MANAGEMENT SERVICES

Personnel Management System

RULE NO.: 60L-34.0041
 RULE TITLE: Annual Leave

PURPOSE AND EFFECT: The Department proposes a technical change to an erroneous date specified in the rule in order to comply with the statutory effective date of the legislation governing paragraph 60L-34.0041(6)(a), F.A.C.

SUBJECT AREA TO BE ADDRESSED: The date used by agencies when determining lifetime maximum annual leave payouts for career service employees separating from the State Personnel System.

RULEMAKING AUTHORITY: 110.201, 110.219 FS.

LAW IMPLEMENTED: 110.219 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, October 12, 2010, 2:00 p.m. – 3:00 p.m.

PLACE: 4050 Esplanade Way, Conference Room 101, 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 3 days before the workshop/meeting by contacting: Ms. Erin Thoresen, HR Consultant, 4050 Esplanade Way, Suite 235, Tallahassee, FL 32399-0950; (850)922-1274; 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: Ms. Erin Thoresen, HR Consultant, 4050 Esplanade Way, Suite 235, Tallahassee, FL 32399-0950; (850)922-1274; erin.thoresen@dms.myflorida.com

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 Florida Condominiums, Timeshares and Mobile Homes

RULE NOS.:	RULE TITLES:
61B-77.001	Definitions and Purpose
61B-77.002	Educational Resolution
61B-77.003	Enforcement Resolution and Civil Penalties

PURPOSE AND EFFECT: The amendments are intended to make the cooperative developer resolution guidelines consistent with the revised compliance procedures that were

adopted with the division’s conversion to the new licensing program and reorganization, as well as the experience gained in applying the rules since their adoption.

SUBJECT AREA TO BE ADDRESSED: The amendments clarify the definition of an accepted complaint; provide point values for calculating aggravating and mitigating factors; change the beginning range of penalties to a set point; re-word descriptions for clarity; increase some minor violations to major violation; add new statutory citations to the list of described violations; remove some statutory citations from the list of described violations; and increase the penalty range for developer violations.

RULEMAKING AUTHORITY: 455.2273, 719.301(5), (6), 719.501(1)(d)4., (f) FS.

LAW IMPLEMENTED: 455.2273, 719.501(1)(d)4., (k) FS.

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

DATE AND TIME: October 8, 2010, 9:00 a.m.

PLACE: The Northwood Centre, Suite 16, Conference Room, 1940 North Monroe 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 48 hours before the workshop/meeting by contacting: Sharon A. Malloy, Senior Management Analyst II, at (850)488-1631. 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: Sharon A. Malloy, Senior Management Analyst II, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030

THE PRELIMINARY DRAFT RULE IS ALSO AVAILABLE ON LINE AT: <http://www.myfloridalicense.com/dbpr/lsc/LSCMHRulePromulgation.html>.

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 Florida Condominiums, Timeshares and Mobile Homes

RULE NOS.:	RULE TITLES:
61B-78.002	Definitions and Purpose
61B-78.003	Educational Resolution
61B-78.004	Enforcement Resolution and Civil Penalties

PURPOSE AND EFFECT: The amendments are intended to make the cooperative association resolution guidelines consistent with the revised compliance procedures that were adopted with the Division’s conversion to the new licensing program and reorganization, as well as the experience gained in applying the rules since their adoption.

SUBJECT AREA TO BE ADDRESSED: The amendments clarify the definition of an accepted complaint; provide point values for calculating aggravating and mitigating factors; change the beginning range of penalties to a set point; re-word descriptions for clarity; increase some minor violations to major violations; add new statutory citations to the list of described violations; and remove some statutory citations from the list of described violations.

RULEMAKING AUTHORITY: 455.2273, 719.501(1)(d)4., (f) FS.

LAW IMPLEMENTED: 455.2273, 719.501(1)(d)4., (m) FS.

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

DATE AND TIME: October 8, 2010, 9:00 a.m.

PLACE: The Northwood Centre, Suite 16, Conference Room, 1940 North Monroe 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 48 hours before the workshop/meeting by contacting: Sharon A. Malloy, Senior Management Analyst II, at (850)488-1631. 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: Sharon A. Malloy, Senior Management Analyst II, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030

THE PRELIMINARY DRAFT RULE IS ALSO AVAILABLE ON LINE AT: <http://www.myfloridalicense.com/dbpr/lsc/LSCMHRulePromulgation.html>.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE NO.:	RULE TITLE:
61G10-12.001	Application and Examination Fees

PURPOSE AND EFFECT: The Board proposes the rule amendment to allow the fee for the exam to be set by and payable to CLARB.

SUBJECT AREA TO BE ADDRESSED: Examination fees.

RULEMAKING AUTHORITY: 481.036, 481.307 FS.

LAW IMPLEMENTED: 481.307 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: Juanita Chastain, Executive Director, Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

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

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:
62-302.400	Classification of Surface Waters, Usage, Reclassification, Classified Waters
62-302.800	Site Specific Alternative Criteria

PURPOSE AND EFFECT: The Department is reviewing two petitions from Tampa Bay Water for the reclassification from Class III waters to Class I waters of: (1) the Alafia River between Bell Shoals Road and the confluence with the North and South Prongs of the Alafia River, including Fishhawk Creek and Little Fishhawk Creek, but excluding Turkey Creek, Medard Reservoir and tributaries thereto; and (2) the Tampa Bypass Canal and the Harney Canal as delimited by Structure S-160 on the south, Structure S-163 on the north, and Structure S-161 on the west. Both areas proposed for reclassification lie entirely within Hillsborough County and are currently used for water supply purposes. The Department conducted a public workshop in Tampa on October 9, 2009 on the proposed reclassifications. Based on the Department's analysis, a site specific alternative criterion (SSAC) for fluoride in the area proposed for reclassification in the Alafia River may be appropriate.

SUBJECT AREA TO BE ADDRESSED: Rule development will focus on whether to reclassify these portions of the Alafia River and the Tampa Bypass Canal from Class III waters to Class I waters under Rule 62-302.400, F.A.C., and whether to establish a SSAC for fluoride under Rule 62-302.800, F.A.C., in a portion of the Alafia River watershed as described above.

RULEMAKING AUTHORITY: 403.061, 403.062, 403.087, 403.088, 403.504, 403.704, 403.804, 403.805 FS.

LAW IMPLEMENTED: 403.021, 403.061, 403.087, 403.088, 403.141, 403.161, 403.182, 403.502, 403.504, 403.702, 403.708 FS.

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

DATE AND TIME: Thursday, October 14, 2010, 1:30 p.m.

PLACE: Tampa Bay Regional Planning Council Conference Room, 4000 Gateway Centre Boulevard, Suite 100, Pinellas Park, Florida 33782

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: Eric Shaw at (850)245-8429. 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: Eric Shaw, Department of Environmental Protection, Bureau of Assessment and Restoration Support, MS 6511, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8429 or e-mail: eric.shaw@dep.state.fl.us

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Law Enforcement

RULE NO.:	RULE TITLE:
62N-16.033	Terminal Facility Discharge Contingency Plan

PURPOSE AND EFFECT: The purpose of this amendment is to revise the vessel contingency plan requirements in subsection 62N-16.033(4), F.A.C. The current contingency plan requirements referenced to under Rule 62N-16.036, F.A.C., Vessel Spill Contingency Plan, will be removed. This is due to the fact that Rule 62N-16.036, F.A.C., has been repealed. In its place, there will be a requirement that a vessel that is also a terminal facility have a plan that is in compliance with the federal requirements for a ship-specific discharge contingency plan.

SUBJECT AREA TO BE ADDRESSED: The rule amendments will do the following: remove requirements and references that no longer exist and add in the appropriate requirements and references.

RULEMAKING AUTHORITY: 376.07 FS.

LAW IMPLEMENTED: 376.07, 376.071 FS.

<p>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.</p> <p>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: Phil Wieczynski, Department of Environmental Protection, Division of Law Enforcement, Bureau of Emergency Response, 3900 Commonwealth Blvd., MS 600, Tallahassee, FL 32399-3000, (850)245-2010, e-mail: Phil.Wieczynski@dep.state.fl.us. 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).</p> <p>THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Phil Wieczynski at the address/phone/email above</p> <p>THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.</p> <p>DEPARTMENT OF JUVENILE JUSTICE</p> <p>Medical</p> <p>RULE NOS.: RULE TITLES:</p> <p>63M-2.001 Purpose and Scope</p> <p>63M-2.002 Definitions</p> <p>63M-2.003 Administrative Health Services</p> <p> Components</p> <p>63M-2.0031 Designated Health Authority</p> <p>63M-2.0032 Role of the Superintendent / Facility</p> <p> Director in Healthcare Services</p> <p>63M-2.0033 Nursing Staff Requirements</p> <p>63M-2.0034 Non-Licensed Staff Providing Health</p> <p> Services</p> <p>63M-2.0035 Protocols and Procedures</p> <p>63M-2.0036 Service Agreements</p> <p>63M-2.0037 Verification of Credentials</p> <p>63M-2.0038 Students or Interns</p> <p>63M-2.0039 Interdisciplinary Risk Reduction /</p> <p> Quality Improvement</p> <p>63M-2.004 Admission Process</p> <p>63M-2.0041 Healthcare Admission Screening</p> <p>63M-2.0042 Medical Emergencies Upon</p> <p> Admission or During Screening</p> <p>63M-2.0043 Routine Notification of the</p> <p> Designated Health Authority Upon</p> <p> Admission</p> <p>63M-2.0044 Tuberculosis (TB) Control and</p> <p> Screening</p> <p>63M-2.0045 Medical Alert System</p>	<p>63M-2.0046</p> <p>63M-2.0047</p> <p>63M-2.0048</p> <p>63M-2.005</p> <p>63M-2.0051</p> <p>63M-2.0052</p> <p>63M-2.0053</p> <p>63M-2.006</p> <p>63M-2.007</p> <p>63M-2.008</p> <p>63M-2.009</p> <p>63M-2.010</p> <p>63M-2.020</p> <p>63M-2.021</p> <p>63M-2.022</p> <p>63M-2.023</p> <p>63M-2.024</p> <p>63M-2.025</p> <p>63M-2.026</p> <p>63M-2.027</p> <p>63M-2.030</p> <p>63M-2.031</p> <p>63M-2.032</p> <p>63M-2.033</p> <p>63M-2.034</p> <p>63M-2.035</p> <p>63M-2.036</p> <p>63M-2.037</p> <p>63M-2.038</p> <p>63M-2.039</p> <p>63M-2.040</p> <p>63M-2.050</p> <p>63M-2.051</p> <p>63M-2.052</p> <p>63M-2.053</p> <p>63M-2.054</p> <p>63M-2.055</p>	<p>Healthcare Orientation of Committed Youth</p> <p>Health-Related History</p> <p>Comprehensive Physical Assessment (CPA)</p> <p>Consent and Notification Requirements</p> <p>Routine Consent – Authority for Evaluation and Treatment (AET)</p> <p>Special Consent</p> <p>Notification</p> <p>Sick Call</p> <p>Restricted Housing</p> <p>Periodic Evaluations</p> <p>Episodic Care</p> <p>Girls Gender Responsive Medical Services</p> <p>Medication Management</p> <p>Pharmacy Permits and Licenses</p> <p>Verification and Procurement of Medications Prescribed Prior to Admission</p> <p>Transfer of Youth’s Medications</p> <p>Receipt and Storage of Medications</p> <p>Inventory and Storage of Sharps</p> <p>Inventory of Medications</p> <p>Disposal of Medications</p> <p>Routine Medication Administration</p> <p>Youth Self-Administration of Oral Medication Assisted by Trained Non-Licensed Staff</p> <p>Youth Refusal of Medication</p> <p>Youth Hoarding of Medication and Swallowing Difficulties</p> <p>Administration of Parenteral Medications</p> <p>Medication Evaluations and Serum Drug Level Monitoring</p> <p>Adverse Drug Events and Medication Errors</p> <p>Education of Youth on Medications</p> <p>Environmental and Exercise Precautions</p> <p>Infection Control – Regulations and Training</p> <p>Needle Stick Injuries / Exposure</p> <p>HIV Counseling and Testing</p> <p>Lice (Pediculosis) and Scabies</p> <p>Methicillin Resistant Staphylococcus Aureus (MRSA)</p> <p>Health Department Reporting of Infectious Disease</p>
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63M-2.060	Individual Health Care Record (IHCR)
63M-2.061	Record Documentation, Development and Maintenance
63M-2.062	Core Health Profile
63M-2.063	Interdisciplinary Health Record
63M-2.064	Storage, Security and Control of the Individual Health Care Record
63M-2.070	Health Education
63M-2.080	Transitional Healthcare Planning
63M-2.081	Youth Release to the Community
63M-2.082	Transfer from Residential Commitment Program

PURPOSE AND EFFECT: The rule chapter establishes statewide requirements for the provision of health care treatment services for youth in the care and custody of the department. The chapter is intended to comply with the rulemaking requirements in Section 985.64(2), F.S., relating to the provision of health services.

SUBJECT AREA TO BE ADDRESSED: The rule chapter addresses the administration of health services, and establishes statewide requirements for the admission process, screening, sick call, evaluation and treatment, medication management, infection control, and the keeping of youth health records.

RULEMAKING AUTHORITY: 985.64(2) FS.

LAW IMPLEMENTED: 985.64(2) FS.

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

DATE AND TIME: Monday, October 11, 2010, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Drive, General Counsel’s Conference Room 3223, Tallahassee, Florida. For information about participation by telephone, contact John Milla at (850)921-4129

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us

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

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: 64B12-10.007 **RULE TITLE:** Minimum Equipment Requirements
PURPOSE AND EFFECT: The Board proposes the rule amendment to modify language for equipment that must be maintained in each office an optician practices opticianry.
SUBJECT AREA TO BE ADDRESSED: Minimum equipment requirements.
RULEMAKING AUTHORITY: 484.005(2) FS.
LAW IMPLEMENTED: 484.002(3), 484.005(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: Susan Foster, Executive Director, Board of Opticianry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: 64B12-10.012 **RULE TITLE:** Change of Address
PURPOSE AND EFFECT: The Board proposes the rule amendment to add new language to clarify procedures for a change of address for each licensee.
SUBJECT AREA TO BE ADDRESSED: Change of address.
RULEMAKING AUTHORITY: 484.005 FS.
LAW IMPLEMENTED: 456.035 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: Susan Foster, Executive Director, Board of Opticianry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: 64B12-11.003 **RULE TITLE:** Active Status Fee
PURPOSE AND EFFECT: The Board proposes the rule amendment to decrease the active status fee.
SUBJECT AREA TO BE ADDRESSED: Active Status fee.
RULEMAKING AUTHORITY: 484.005, 484.008(1) FS.
LAW IMPLEMENTED: 455.271, 484.008(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susan Foster, Executive Director, Board of Opticianry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: 64B12-15.001
 RULE TITLE: Continuing Education for License Renewal

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and renumber the rest of the rule correctly.

SUBJECT AREA TO BE ADDRESSED: Continuing education for license renewal.

RULEMAKING AUTHORITY: 456.013(8),(9), 484.005, 484.008(3) FS.

LAW IMPLEMENTED: 456.013(8), (9), 484.008(3) FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susan Foster, Executive Director, Board of Opticianry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: 64B12-16.003
 RULE TITLE: Apprenticeship Requirements and Training Program

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify language for apprenticeship requirements and training programs.

SUBJECT AREA TO BE ADDRESSED: Apprenticeship requirements and training programs.

RULEMAKING AUTHORITY: 484.005 FS.

LAW IMPLEMENTED: 484.002, 484.007(1)(d)4. FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susan Foster, Executive Director, Board of Opticianry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-28.608
 RULE TITLE: Automated Medication System – Long Term Care, Assisted Living Facility and State Correctional Institutions

PURPOSE AND EFFECT: The Board proposes the rule promulgation to provide a rule for the use of automated medication systems by pharmacies providing services to assisted living facilities, hospice and prisons.

SUBJECT AREA TO BE ADDRESSED: Automated Medication System – Long Term Care, Assisted Living Facility and State Correctional Institutions.

RULEMAKING AUTHORITY: 465.005, 465.0155, 465.022 FS.

LAW IMPLEMENTED: 465.019, 465.022, 465.0235 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-30.001
 RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

PURPOSE AND EFFECT: The Board proposes the rule amendment to update disciplinary guidelines and range of penalties.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

RULEMAKING AUTHORITY: 456.072, 456.079, 465.005 FS.

LAW IMPLEMENTED: 456.072, 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: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B16-30.001 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) No change.

(2) The following disciplinary guidelines shall be followed by the board in imposing disciplinary penalties upon licensees for violation of the below mentioned statutes and rules:

PENALTY RANGE			
VIOLATION		MINIMUM	MAXIMUM

(a) through (n) No change.

(o) Violating 456.072, F.S.

1. through 20. No change.

<u>21. Being convicted of, or entering a plea of guilty or nolo contendere to any misdemeanor or felony, regardless of adjudication, under 18 USC s. 669, ss. 285-287, s. 371, s. 1001, s. 1035, s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518, or 42 USC ss. 1320a-7b, relating to the Medicaid program. (456.072(1)(ii), F.S.)</u>	<u>Revocation and a fine of \$10,000, or in the case of application for licensure, denial of license.</u>	
<u>22. Failing to remit the sum owed to the state for overpayment from the Medicaid program pursuant to a final order, judgment, or settlement. (456.072(1)(jj), F.S.)</u>	<u>From a letter of concern to probation, and a fine of \$500 to \$5,000.</u>	<u>From a reprimand to revocation, and a fine of \$2,500 to \$5,000.</u>
<u>(23) Being terminated from the state Medicaid program, or any other state Medicaid program, or the federal Medicare program. (456.072(1)(kk), F.S.)</u>	<u>From a letter of concern to suspension, and a fine of \$1,000 to \$5,000.</u>	<u>From a reprimand to revocation, and a fine of \$5,000 to \$10,000.</u>
<u>(24) Being convicted of, or entering into a plea of guilty or nolo contendere to any misdemeanor or felony, regardless of adjudication, which relates to health care fraud. (456.072(1)(ll), F.S.)</u>	<u>Revocation and a fine of \$10,000, or in the case of application for licensure, denial of license.</u>	

(3) through (4) No change.

Rulemaking Authority 456.072, 456.079, 465.005 FS. Law Implemented 456.072, 456.079 FS. History—New 3-1-87, Amended 5-11-88, Formerly 21S-17.001, 21S-30.001, 61F10-30.001, Amended 6-26-95, 1-30-96, Formerly 59X-30.001, Amended 12-3-97, 11-15-98, 5-3-00, 1-2-02, 11-29-06, _____.

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE NOS.:

64F-9.001

64F-9.002

64F-9.003

64F-9.004

64F-9.005

RULE TITLES:

Definitions

Eligibility for ESP Services

Individual Action Plan (IAP)

Prevention Program Activities

ESP Reporting Requirements

PURPOSE AND EFFECT: The Department proposes to review the entire chapter to determine if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Definitions, Eligibility for ESP Services, Individual Action Plan, Prevention Program Activities and ESP Reporting Requirements.

RULEMAKING AUTHORITY: 385.207(4) FS.

LAW IMPLEMENTED: 385.207 FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mike Mason or Nikita Wiggins, 4025 Esplanade Way, Bin #A18, Tallahassee, Florida 32399

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-1.001	Purpose of the Home Care Program
65C-1.002	Definitions
65C-1.003	Screening and Application
65C-1.004	Eligibility
65C-1.005	Financial Determination
65C-1.006	Provider Requirements
65C-1.007	Home Study Standards
65C-1.009	Petition Proceedings

PURPOSE AND EFFECT: The proposed rule amendments were made for plain language, to incorporate the Home Care for Disabled Adults Program application, CF-AA 1020, by reference and to clarify program requirements.

SUBJECT AREA TO BE ADDRESSED: Aging and Adult Services.

RULEMAKING AUTHORITY: 410.031-.037 FS.

LAW IMPLEMENTED: 410.031-.037 FS.

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 14 days before the workshop/meeting by contacting: Lindsay Macom, (850)487-8430, Lindsay_Macom@dcf.state.fl.us. If rule development workshop is desired. 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: Lindsay Macom, Department of Children and Families, Adult Protective Services, (850)487-8430, Lindsay_Macom@dcf.state.fl.us

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-2.002	Definitions
65C-2.005	Provider Requirements
65C-2.006	Provider Application Procedures
65C-2.007	Fee for Services
65C-2.008	Community Care Costs

PURPOSE AND EFFECT: Amendments were made for plain language, for the inclusion of a program purpose, and to clarify program requirements.

SUBJECT AREA TO BE ADDRESSED: Aging and Adult Services.

RULEMAKING AUTHORITY: 410.031-.037 FS.

LAW IMPLEMENTED: 410.031-.037 FS.

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 14 days before the workshop/meeting by contacting: Lindsay Macom, (850)487-8430, Lindsay_Macom@dcf.state.fl.us. If rule development workshop is desired. 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: Lindsay Macom, Department of Children and Families, Adult Protective Services, (850)487-8430, Lindsay_Macom@dcf.state.fl.us

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NO.:	RULE TITLE:
68D-24.155	St. Johns County Boating Restricted Areas

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule changes reducing vessel speeds on the Atlantic Intracoastal Waterway within St. Johns county where necessary to manage and promote the use of this state waterway for safe and enjoyable boating.

SUBJECT AREA TO BE ADDRESSED: Vessel speed limits on the Florida Intracoastal Waterway within St. Johns County.

RULEMAKING AUTHORITY: 327.04, 327.46 FS.

LAW IMPLEMENTED: 327.46 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: Captain Richard Moore, Boating and Waterways Section, Division of Law Enforcement, 620 South Meridian St., Tallahassee, Florida 32399-1600

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

FINANCIAL SERVICES COMMISSION

Finance

RULE NOS.:	RULE TITLES:
69V-50.001	Miscellaneous Charges
69V-50.002	Excessive Charges, Correction
69V-50.090	Computations of Interest for Simple Interest Motor Vehicle Retail Installment Contracts
69V-50.100	Application of Payments for Motor Vehicle Retail Installment Contracts

PURPOSE AND EFFECT: Rule 69V-50.001, F.A.C., is amended to replace the term “retail installment seller” with the statutory term “motor vehicle retail installment seller”. Rule 69V-50.002, F.A.C., which relates to refunding excessive charges, is clarified to apply to motor vehicle retail installment sellers. Rule 69V-50.090, F.A.C., is created to provide guidance regarding computations of interest for simple interest motor vehicle retail installment contracts. Rule 69V-50.100, F.A.C., is created to provide guidance regarding the method of applying payments for motor vehicle retail installment contracts.

SUBJECT AREA TO BE ADDRESSED: Motor Vehicle Sales Finance.

RULEMAKING AUTHORITY: 520.994(4) FS.

LAW IMPLEMENTED: 520.02, 520.07, 520.08, 520.085 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: Andy Grosmaire, Chief, Bureau of Finance Regulation, Office of Financial Regulation, The Fletcher Building, 200 E. Gaines Street, Tallahassee, Florida 32399, (850)410-9848, andy.grosmaire@flofr.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69V-50.001 Miscellaneous Charges.

Other than the items and charges properly included as part of the cash price as defined in Section 520.02(2), F.S., the following are the only charges permitted to be made by the motor vehicle retail installment seller. All authorized charges are permitted only to the extent they are actually paid, used, or disbursed for the purposes stated.

- (1) through (4) No change.

Rulemaking Specific Authority ~~47-29~~, 520.994(5) FS. Law Implemented 520.02, 520.07 FS. History–Renumbered from 3-6.01 to 3D-50.01 on 8-26-75, Amended 11-1-77, 4-22-84, Formerly 3D-50.01, Amended 7-10-96, 12-8-99, Formerly 3D-50.001, Amended _____.

69V-50.002 Excessive Charges, Correction.

If a motor vehicle retail installment seller or the sales finance company discovers that, as a result of an inadvertent clerical error or some other unintentional mistake, the finance charge to a buyer is in excess of the amount permitted, or that any other charges in the contract are excessive, it shall immediately notify the buyer in writing of such overcharge. The overcharge, plus any finance charge that may have been assessed thereon, shall be credited to the account balance, and the buyer shall be notified in writing of any reduction of contractual payments. Contracts paid in full containing excessive charges ~~that~~ which were not previously given credit should be corrected by making a refund to the buyer.

Rulemaking Specific Authority 520.994(5) FS. Law Implemented 520.08 FS. History–Renumbered from 3-6.02 to 3D-50.02 on 8-26-75, Amended 1-10-79, Formerly 3D-50.02, Amended 7-10-96, Formerly 3D-50.002, Amended _____.

69V-50.090 Computations of Interest for Simple Interest Motor Vehicle Retail Installment Contracts.

(1) “Simple interest” as used Section 520.085, F.S., is defined as interest paid or earned on the principal only. The rate of interest for each day shall not be greater than 1/365th of the annual rate of interest. Compounding of interest (charging interest on interest) is strictly prohibited.

(2) The rate of interest for each day may not be greater than 1/365th of the stated annual rate of interest on the retail installment contract or 1/365th of the maximum allowable rate, whichever is less.

(3) A retail installment contract may not provide for the calculation of simple interest other than identified in this rule.

Rulemaking Authority 520.994(5) FS. Law Implemented 520.085 FS. History–New _____.

69V-50.100 Application of Payments for Motor Vehicle Retail Installment Contracts.

(1) If the retail installment contract provides for the accrual or calculation of simple interest:

(a) Any payment received must be applied first to the accumulated interest charges, then to authorized fees and the remainder of the payment applied to the unpaid principal balance. If the amount of the payment is insufficient to pay accumulated interest charge, the unpaid interest charge may continue to accumulate and the same may be paid from the proceeds of subsequent payments and shall not be added to the principal balance and shall not accrue interest. No payment shall be accepted on the principal balance unless interest is paid to date or is waived by the licensee, except such payment may be credited to the principal where the amount is not sufficient to pay the interest due for one day.

(b) The deduction of authorized and accrued fees from a payment received shall not cause the payment to be insufficient to satisfy the scheduled contractual payment provided the payment received by the licensee is equal to or greater than the contractual installment. In no case shall the deduction of a late charge from a payment received cause the payment to be insufficient and initiate the accrual of another late charge.

(c) All payments received will be applied to the account effective the date received by the licensee or the licensee's representative.

(2) If the retail installment contract provides for the accrual or calculation of interest in any other manner:

(a) Any payment received shall be applied first to the authorized and accrued fees and the remainder of the payment applied to the unpaid balance according to the schedule of payments.

(b) The payment due date shall be advanced on period for each full contractual payment received as identified on the schedule of payments.

(c) The deduction of authorized and accrued fees from a payment received shall not cause the payment to be insufficient to satisfy the scheduled contractual payment. In no case shall the deduction of a late charge from a payment received cause the payment to be insufficient and initiate the accrual of another late charge.

Rulemaking Authority 520.994(5) FS. Law Implemented 520.08, 520.085 FS. History--New _____.

FINANCIAL SERVICES COMMISSION

Finance

<p>RULE NOS.:</p> <p>69V-60.003</p> <p>69V-60.080</p> <p>69V-60.090</p>	<p>RULE TITLES:</p> <p>Excessive Charges, Correction</p> <p>Computations of Interest for Simple Interest Retail Installment Contracts</p> <p>Application of Payments for Retail Installment Contracts</p>
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PURPOSE AND EFFECT: Rule 69V-60.003, F.A.C., which relates to excessive charges, is clarified to apply to retail installment sellers. Rule 69V-60.080, F.A.C., is created to provide guidance regarding computations of interest for simple interest retail installment contracts. Rule 69V-60.090, F.A.C., is created to provide guidance regarding the method of applying payments for retail installment contracts.

SUBJECT AREA TO BE ADDRESSED: Retail Installment Sales.

RULEMAKING AUTHORITY: 520.994(5) FS.

LAW IMPLEMENTED: 520.34, 520.345 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: Andy Grosmaire, Chief, Bureau of Finance Regulation, Office of Financial Regulation, The Fletcher Building, 200 E. Gaines Street, Tallahassee, Florida 32399, (850)410-9848, andy.grosmaire@flofr.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69V-60.003 Excessive Charges, Correction.

If the retail installment seller or sales finance company discovers that, as a result of an inadvertent clerical error or some other unintentional mistake the finance charge to a buyer is in excess of the amount permitted, or that any other charges in the contract are excessive, it shall immediately notify the buyer in writing of such overcharge. The overcharge, plus any finance charge that may have been assessed thereon, shall be credited to the account balance, and the buyer shall be notified in writing of any reduction of contractual payments. Contracts paid in full containing excessive charges ~~that which~~ were not previously given credit should be corrected by making a refund to the buyer.

Rulemaking Specific Authority 520.994(5) FS. Law Implemented 520.34 FS. History--New 6-20-64, Renumbered from 3-7.03 to 3D-60.03 on 8-26-75, Amended 1-10-79, Formerly 3D-60.03, Amended 7-10-96, Formerly 3D-60.003, Amended _____.

69V-60.080 Computations of Interest for Simple Interest Retail Installment Contracts.

(1) Simple Interest as used Section 520.345, F.S., shall be defined as interest paid or earned on the principal only. The rate of interest for each day shall not be greater than 1/365th of the annual rate of interest. Compounding of interest (charging interest on interest) is strictly prohibited.

(2) The rate of interest for each day shall not be greater than 1/365th of the stated annual rate of interest on the Retail Installment Contract or 1/365th of the maximum allowable rate, whichever is less.

(3) A retail installment contract may not provide for the calculation of simple interest other than as identified in this rule.

Rulemaking Authority 520.994(5) FS. Law Implemented 520.345 FS. History--New _____.

69V-60.090 Application of Payments for Retail Installment Contracts.

(1) If the retail installment contract provides for the accrual or calculation of simple interest:

(a) Any payment received must be applied first to the accumulated interest charges, then to authorized fees and the remainder of the payment applied to the unpaid principal balance. If the amount of the payment is insufficient to pay accumulated interest charge, the unpaid interest charge may continue to accumulate and the same may be paid from the proceeds of subsequent payments and shall not be added to the principal balance and shall not accrue interest. No payment shall be accepted on the principal balance unless interest is paid to date or is waived by the licensee, except such payment may be credited to the principal where the amount is not sufficient to pay the interest due for one day.

(b) The deduction of authorized and accrued fees from a payment received shall not cause the payment to be insufficient to satisfy the scheduled contractual payment provided the payment received by the licensee is equal to or greater than the contractual installment. In no case shall the deduction of a late charge from a payment received cause the payment to be insufficient and initiate the accrual of another late charge.

(c) All payments received will be applied to the account effective the date received by the licensee or the licensee's representative.

(2) If the retail installment contract provides for the accrual or calculation of interest in any other manner:

(a) Any payment received shall be applied first to the authorized and accrued fees and the remainder of the payment applied to the unpaid balance according to the schedule of payments.

(b) The payment due date shall be advanced on period for each full contractual payment received as identified on the schedule of payments.

(c) The deduction of authorized and accrued fees from a payment received shall not cause the payment to be insufficient to satisfy the scheduled contractual payment. In no case shall the deduction of a late charge from a payment received cause the payment to be insufficient and initiate the accrual of another late charge.

Rulemaking Authority 520.994(5) FS. Law Implemented 520.34, 520.345 FS. History--New _____.

FINANCIAL SERVICES COMMISSION

Finance

RULE NO.: 69V-80.002 69V-80.070 69V-80.080	RULE TITLE: Excessive Charges, Corrections Computations of Interest for Simple Interest Home Improvement Contracts Application of Payments for Home Improvement Contracts
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PURPOSE AND EFFECT: Rule 69V-80.002, F.A.C., which relates to refunding excessive charges, is clarified to apply to sales finance companies. Rule 69V-80.070, F.A.C., is created to provide guidance regarding computations of interest for simple interest home improvement contracts. Rule 69V-80.080, F.A.C., is created to provide guidance regarding the method of applying payments for home improvement contracts.

SUBJECT AREA TO BE ADDRESSED: Home Improvement Sales and Finance.

RULEMAKING AUTHORITY: 520.994(5) FS.

LAW IMPLEMENTED: 520.78, 520.785, 520.79, 520.90(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Andy Grosmaire, Chief, Bureau of Finance Regulation, Office of Financial Regulation, The Fletcher Building, 200 E. Gaines Street, Tallahassee, Florida 32399, (850)410-9848, andy.grosmaire@flofr.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69V-80.002 Excessive Charges, Corrections.

If the home improvement contractor, ~~or~~ home improvement finance agency, or sales finance company discovers that, as a result of an inadvertent clerical error or some other unintentional mistake, the finance charge to the buyer is in excess of the amount permitted, or that any other charges in the contract are excessive, it shall immediately notify the buyer in writing of such overcharge. The overcharge, plus any finance charge that may have been assessed thereon, shall be credited to the account balance or refunded to the buyer, and the buyer shall be notified in writing of any reduction of contractual payments. Contracts paid in full containing excessive charges that where were not previously given credit should be corrected by making a refund to the buyer.

Rulemaking Specific Authority 520.994(5) FS. Law Implemented 520.02, 520.79, 520.90(2) FS. History–New 3-8-81, Formerly 3D-80.02, Amended 7-10-96, Formerly 3D-80.002, Amended _____.

69V-80.070 Computations of Interest for Simple Interest Home Improvement Contracts.

(1) Simple Interest as used Section 520.785, F.S., shall be defined as interest paid or earned on the principal only. The rate of interest for each day shall not be greater than 1/365th of the annual rate of interest. Compounding of interest (charging interest on interest) is strictly prohibited.

(2) The rate of interest for each day shall not be greater than 1/365th of the stated annual rate of interest on the home improvement contract or 1/365th of the maximum allowable rate, whichever is less.

(3) The accrual of interest shall not commence before the completion date indicated on the Completion Certificate, which is required by Section 520.81, F.S. The Completion Certificate, Form OFR-520-03, is incorporated by reference in Rule 69V-80.003, F.A.C.

(4) A home improvement contract may not provide for the calculation of simple interest other than as identified in this rule.

Rulemaking Authority 520.994(5) FS. Law Implemented 520.78, 520.785 FS. History–New _____.

69V-80.080 Application of Payments for Home Improvement Contracts.

(1) If the home improvement contract provides for the accrual or calculation of simple interest:

(a) Any payment received must be applied first to the accumulated interest charges, then to authorized fees and the remainder of the payment applied to the unpaid principal balance. If the amount of the payment is insufficient to pay accumulated interest charge, the unpaid interest charge may continue to accumulate and the same may be paid from the proceeds of subsequent payments and shall not be added to the principal balance and shall not accrue interest. No payment shall be accepted on the principal balance unless interest is paid to date or is waived by the licensee, except such payment may be credited to the principal where the amount is not sufficient to pay the interest due for one day.

(b) The deduction of authorized and accrued fees from a payment received shall not cause the payment to be insufficient to satisfy the scheduled contractual payment provided the payment received by the licensee is equal to or greater than the contractual installment. In no case shall the deduction of a late charge from a payment received cause the payment to be insufficient and initiate the accrual of another late charge.

(c) All payments received will be applied to the account effective the date received by the licensee or the licensee's representative.

(2) If the home improvement contract provides for the accrual or calculation of interest in any other manner:

(a) Any payment received shall be applied first to the authorized and accrued fees and the remainder of the payment applied to the unpaid balance according to the schedule of payments.

(b) The payment due date shall be advanced on period for each full contractual payment received as identified on the schedule of payments.

(c) The deduction of authorized and accrued fees from a payment received shall not cause the payment to be insufficient to satisfy the scheduled contractual payment. In no case shall the deduction of a late charge from a payment received cause the payment to be insufficient and initiate the accrual of another late charge.

Rulemaking Authority 520.994(5) FS. Law Implemented 520.78, 520.785 FS. History–New _____.

FINANCIAL SERVICES COMMISSION

Finance

RULE NOS.:	RULE TITLES:
69V-85.001	Examination Fees
69V-85.111	Disciplinary Guidelines

PURPOSE AND EFFECT: Rule 69V-85.001, F.A.C., is clarified to reflect that examination fees and other related costs are only assessed on examinations conducted outside of Florida. Rule 69V-85.111, F.A.C., is amended to provide a maximum penalty for violations of Sections 520.995(1)(i), 520.995(1)(j), and 520.999(1), F.S., relating to failure to timely pay fees, charges, or fines; using the name or logo of a financial institution; and failure to report any change in information contained in an initial application or amendment.

SUBJECT AREA TO BE ADDRESSED: Retail Installment Sales.

RULEMAKING AUTHORITY: 520.994(5) FS.

LAW IMPLEMENTED: 520.03, 520.07, 520.08, 520.085, 520.09, 520.10, 520.125, 520.32, 520.34, 520.345, 520.35, 520.351, 520.36, 520.37, 520.52, 520.63, 520.69, 520.70, 520.71, 520.72, 520.73, 520.74, 520.76, 520.78, 520.785, 520.79, 520.80, 520.81, 520.82, 520.83, 520.84, 520.85, 520.86, 520.87, 520.88, 520.90, 520.91, 520.92, 520.995, 520.996, 520.997 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: Andy Grosmaire, Chief, Bureau of Finance Regulation, Office of Financial Regulation, The Fletcher Building, 200 E. Gaines Street, Tallahassee, Florida 32399, (850)410-9848, andy.grosmaire@flofr.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69V-85.001 Examination Fees.

For examinations conducted under Section 520.996(1)(b), F.S., ~~the~~ ~~The~~ Office of Financial Regulation shall charge \$250 per eight hour day for each examiner engaged in an examination of any licensee under Chapter 520, F.S., Parts I-IV. Such examination fee shall be calculated on an hourly basis and shall be rounded to the nearest hour. The licensee shall ~~also~~ pay the travel expense and per diem subsistence allowance provided for state employees in Section 112.061, F.S. The licensee shall not be required to pay a per diem fee and expenses of an examination which shall consume more than 30 worker-days in any one year unless such examination or investigation is due to fraudulent practices of the licensee, in which case such licensee shall be required to pay the entire cost regardless of time consumed.

~~Rulemaking Specific Authority 520.994(5), 520.996(4) FS. Law Implemented 520.996(1)(b) 520.996(4) FS. History–New 11-25-90, Formerly 3D-85.001, Amended _____.~~

69V-85.111 Disciplinary Guidelines.

Pursuant to Section 520.995(2), F.S., listed below is a range of disciplinary guidelines from which disciplinary penalties will be imposed upon persons guilty of violating Chapter 520, F.S. The disciplinary guidelines are based upon a single-act violation of each provision listed. Multiple acts of the violated provisions or a combination of violations may result in a higher penalty than that for a single, isolated violation. For purposes of this rule, the order of penalties, ranging from lowest to highest, is: reprimand, fine, probation, suspension, and revocation. Nothing in this rule shall preclude any discipline imposed upon a person pursuant to a stipulation or settlement agreement, nor shall the ranges of penalties set forth in this rule preclude the Office of Financial Regulation from issuing a letter of guidance when appropriate.

(1) No change.

(2) The minimum penalty for below listed sections is a reprimand, ~~and/or~~ a fine up to \$1,000.00 per act or separate offense, ~~or both~~. The maximum penalties are as listed:

(a) through (cccc) No change.

~~(ddd)~~ (dddd) 520.995(1)(i) – Revocation

~~(eee)~~ (eeee) 520.995(1)(j) – Suspension

~~(fff)(ddd)~~ (ffff) 520.995(3) – Revocation

~~(ggg)(eee)~~ (gggg) 520.997(1) – Revocation

~~(hhh)(fff)~~ (hhhh) 520.997(2) – Reprimand

~~(iii)(ggg)~~ (iiii) 520.997(3) – Revocation

~~(jjj)~~ (jjjj) 520.999(1) – Revocation

(3) No change.

~~Rulemaking Specific Authority 520.994(5) FS. Law Implemented 520.03, 520.07, 520.08, 520.085, 520.09, 520.10, 520.125, 520.32, 520.34, 520.345, 520.35, 520.351, 520.36, 520.37, 520.52, 520.63, 520.69, 520.70, 520.71, 520.72, 520.73, 520.74, 520.76, 520.78, 520.785, 520.79, 520.80, 520.81, 520.82, 520.83, 520.84, 520.85, 520.86, 520.87, 520.88, 520.90, 520.91, 520.92, 520.995, 520.997 FS. History–New 3-20-91, Formerly 3D-85.111, Amended _____.~~

FINANCIAL SERVICES COMMISSION

Finance

RULE NOS.:

69V-160.017

69V-160.019

69V-160.037

69V-160.111

RULE TITLES:

Application of Payments

Monthly Installments Defined

Collection Practices

Disciplinary Guidelines

PURPOSE AND EFFECT: Rule 69V-160.017, F.A.C., is amended to remove the requirement for interest to be paid in full-day amounts. Computer systems allow interest to be considered in aggregate rather than on a full-day basis. The amendment will ensure that payments are not held and applied at a later date, which could be detrimental to the borrower's account by generating additional interest or the possible creation of late fees. Rule 69V-160.019, F.A.C., is amended to require interest for any deferred period to be added to the first installment payment to ensure that the overall calculated payment is not increased as the result of the deferred payment. Rule 69V-160.037, F.A.C., is created to identify collection practices that are deemed unreasonable. Rule 69V-160.111, F.A.C., is amended to provide a maximum penalty of revocation for violations of Sections 516.07(1)(c), 516.07(1)(j), and 516.07(1)(n), F.S., which relate to the failure to demonstrate financial responsibility, experience, character or general fitness; pleading nolo contendere to, or having been convicted or found guilty of, certain crimes; and failure to pay fees, charges or fines, respectively.

SUBJECT AREA TO BE ADDRESSED: Consumer Finance.

RULEMAKING AUTHORITY: 516.22(1), 516.23(3) FS.

LAW IMPLEMENTED: 516.02, 516.031, 516.035, 516.05, 516.07, 516.12, 516.15, 516.16, 516.17, 516.21, 516.31, 516.35, 516.36 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: Andy Grosmaire, Chief, Bureau of Finance Regulation, Office of Financial Regulation, The Fletcher Building, 200 E. Gaines Street, Tallahassee, Florida 32399, (850)410-9848, andy.grosmaire@flofr.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69V-160.017 Application of Payments.

Each payment shall be applied first to the accumulated interest charges and the remainder of the payment applied to the unpaid principal balance; provided that if the amount of the payment is insufficient to pay the accumulated interest charge, the unpaid accrued interest charge may continue to accumulate and the same may be paid from the proceeds of subsequent payments and shall not be added to the principal balance. No payment shall be accepted on the principal balance unless interest is paid to date or is waived by the licensee. Each payment received by the licensee shall be applied to borrower's account with an effective date of the date the payment was received in the licensee's office or at any branch of the licensee. license, except such payment may be credited to the principal where the amount thereof is not sufficient to pay the interest due for one day.

Rulemaking Specific Authority 516.22(1), 516.23(3) FS. Law Implemented 516.031(1) FS. History-Revised 10-20-73, Renumbered from 3-2.17 to 3D-160.17 on 8-11-75, Readopted 9-1-75, Formerly 3D-160.17, 3D-160.017, Amended _____.

69V-160.019 Monthly Installments Defined.

Loans shall be made repayable in equal monthly installments, including both principal and interest, with interest charges calculated on the assumption that all scheduled payments will be made when due. Provided, however, if the repayment schedule is ~~other~~ otherwise than regular, the first installment period only may exceed one month by as much as fifteen (15) days, and the additional interest for such excess days ~~shall may~~ be added to the first installment payment.

Rulemaking Specific Authority 516.22(1), 516.23(3) FS. Law Implemented ~~516.20(2)~~, 516.36 FS. History-Revised 10-20-73, Renumbered from 3-2.19 to 3D-160.19 on 8-11-75, Readopted 9-1-75, Formerly 3D-160.19, 3D-160.019, Amended _____.

69V-160.037 Collection Practices.

For purposes of Section 516.07(1)(f), F.S., a collection practice will be considered unreasonable if it constitutes a prohibited collection practice under Section 559.72, F.S.

Rulemaking Authority 516.22(1), 516.23(3) FS. Law Implemented 516.07(1)(f) FS. History-New _____.

69V-160.111 Disciplinary Guidelines.

Pursuant to Section 516.07(2), F.S., listed below is a range of disciplinary guidelines from which disciplinary penalties will be imposed upon any person guilty of violating Chapter 516, F.S. The disciplinary guidelines are based upon a single-act violation of each provision listed. Multiple acts of the violated provisions or a combination of violations may result in a higher penalty than that for a single, isolated violation. For purposes of this rule, the order of penalties, ranging from lowest to highest, is: reprimand, fine, probation, suspension, and revocation. Nothing in this rule shall preclude any discipline imposed upon a person pursuant to a stipulation or settlement

agreement, nor shall the ranges of penalties set forth in this rule preclude the Office of Financial Regulation from issuing a letter of guidance when appropriate.

(1) No change.

(2) The minimum penalty for all below listed sections is a reprimand, ~~and/or~~ a fine up to \$1,000.00 per act, or both. The maximum penalties are as listed:

(a) through (h) No change.

<u>(i)</u>	<u>516.07(1)(c)</u>	=	<u>Revocation</u>
<u>(j)(+)</u>	516.07(1)(d)	-	Revocation
<u>(k)(+)</u>	516.07(1)(e)	-	Revocation
<u>(l)(+)</u>	516.07(1)(f)	-	Suspension
<u>(m)(+)</u>	516.07(1)(g)	-	Probation
<u>(n)(+)</u>	516.07(1)(h)	-	Revocation
<u>(o)(+)</u>	516.07(1)(i)	-	Revocation
<u>(p)</u>	<u>516.07(1)(j)</u>	=	<u>Revocation</u>
<u>(q)</u>	<u>516.07(1)(n)</u>	=	<u>Revocation</u>
<u>(r)(+)</u>	516.08	-	Reprimand
<u>(s)(+)</u>	516.12	-	Revocation
<u>(t)(+)</u>	516.15	-	Probation
<u>(u)(+)</u>	516.16	-	Probation
<u>(v)(+)</u>	516.17	-	Probation
<u>(w)(+)</u>	516.21	-	Probation
<u>(x)(+)</u>	516.31(3)	-	Probation
<u>(y)(+)</u>	516.35	-	Probation
<u>(z)(+)</u>	516.36	-	Probation

(3) No change.

Rulemaking Specific Authority ~~516.22(1)~~, 516.23(3) FS. Law Implemented 516.02, 516.031, 516.035, 516.05, 516.07, ~~516.08~~, 516.12, 516.15, 516.16, 516.17, 516.21, 516.31, 516.35, 516.36 FS. History-New 3-20-91, Formerly 3D-160.111, Amended _____.

Section II
Proposed Rules

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."

**EXECUTIVE OFFICE OF THE GOVERNOR
Office of Tourism, Trade and Economic Development**

RULE NOS.:	RULE TITLES:
27M-6.001	Definitions and Forms
27M-6.002	Application Process
27M-6.003	Certification