

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Finance

RULE TITLES:	RULE NOS.:
Scope	3C-560.101
Applications	3C-560.102
Definitions	3C-560.103
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Regulatory Standards for Evaluating Applications	3C-560.105
Exemptions from the Requirement to Register	3C-560.106
Registration of Locations/Authorized Vendors	3C-560.107
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Requirements	3C-560.302
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Check Cashers	3C-560.602
Foreign Currency Exchangers	3C-560.603
Funds Transmitters	3C-560.604
Payment Instrument Sellers	3C-560.605
Financial Statement (for Part II Registrants Only)	3C-560.606
Check Cashers	3C-560.704
Authorized Vendors	3C-560.706
Post Dated Check	3C-560.803

PURPOSE AND EFFECT: The purpose and effect of some of the proposed rules and rule amendments is to implement the provisions of Senate Bill 1526 enacted by the legislature during the 2001 legislative session. The rules will provide for the following: application procedures for deferred presentment providers; streamlined registration of locations and authorized vendors; clarification of renewal fees; elimination of examination fees; procedures to meet net worth requirements for the purpose of adding new locations or authorized vendors; filing of audited financial statements at the time of application and thereafter annually subject to certain exemptions for applicants under Part II of the Money Transmitter's Code; filing fingerprint cards by control persons of money transmitters with the Department at the time of original application or at such later date as an individual becomes

associated with a Money Transmitter firm in such capacity; record keeping requirements for check cashers; the repeal a check casher's ability to accept a postdated check; and a standardized form for the submission of required quarterly reports.

SUBJECT AREA TO BE ADDRESSED: These rules address the finger print cards and financial statements required to be submitted by money transmitters to the Department of Banking and Finance pursuant to Chapter 560, Florida Statutes. These rules address the record keeping requirements for check cashers. The also proposed rules and rule amendments address registration requirements for deferred presentment providers and procedures to meet the net worth requirements for adding new locations or authorized vendors.

SPECIFIC AUTHORITY: 560.105(3), 560.118(1),(2), 560.205(2), 560.208, 560.209, 560.307, 560.403 FS.

LAW IMPLEMENTED: 560.104, 560.118(1),(2)(a),(b), 560.123, 560.203, 560.204, 560.205(1),(2),(3)(f), 560.206, 560.207, 560.208, 560.209, 560.210, 560.303(1),(3), 560.304, 560.305, 560.306, 560.307, 560.308, 560.310, 560.403, 655.86 FS.

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

TIME AND DATE: 10:00 a.m., August 20, 2001

PLACE: The Capitol Building, Room 301, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Richard White, Financial Administrator, or Mike Ramsden, Financial Examiner/Analyst II, Division of Securities and Finance, Department of Banking and Finance, 101 East Gaines Street, Tallahassee, Florida 32399, (850)410-9805

DEPARTMENT OF INSURANCE

RULE TITLE:	RULE NO.:
Curriculum Standards for Special Designations	4-211.320

PURPOSE AND EFFECT: The 2001 Legislature in CS/SB 806 amended § 626.221, F.S., to allow applicants for licensure as customer representatives or claims adjusters to be exempt from the prelicensure examinations if they achieved specified designations. The new law requires the Department to adopt rules to establish standards for the curriculum for programs leading to the specified designations. The workshop is to develop those standards.

SUBJECT AREA TO BE ADDRESSED: Establishing standards for approval of curriculum for courses under § 626.221(1), F.S.

SPECIFIC AUTHORITY: 624.308, 626.9611, 648.26 FS.
 LAW IMPLEMENTED: 624.307(1), 624.4211, 624.501, 624.501(20)(c), 626.2815, 626.2816, 626.611, 626.621, 626.681, 626.691, 626.869(5), 626.9541(1)(b), 648.26, 648.36, 648.38, 648.385, 648.386, 648.396, 648.396(4) FS.

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

TIME AND DATE: 9:30 a.m., August 22, 2001
 PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jeff Odom, Bureau of Licensing, Division of Agent and Agency Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0319, (850)413-5474

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Yvonne White, (850)413-4214.

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

DEPARTMENT OF AGRICULTURE AND CONSUMER Services

Division of Food Safety

RULE TITLE: Food Permits; Requirements and Fees

RULE NO.: 5K-4.020

PURPOSE AND EFFECT: The rule amendment changes definitions used in determining permit fees of some food establishments. The rule amendment also changes the permit fees charged for specific types of food establishments.

SUBJECT AREA TO BE ADDRESSED: Food permits, requirements and Fees.

SPECIFIC AUTHORITY: 500.09, 500.12(1)(b), 570.07(23) FS.

LAW IMPLEMENTED: 500.04, 500.10, 500.12(1)(a),(b), (c),(d), 500.171, 500.172, 500.177 FS.

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

TIME AND DATE: 10:00 a.m., August 20, 2001
 PLACE: Florida Department of Agriculture and Consumer Services, Conner Complex, George Eyster Auditorium, 3125 Conner Boulevard, Tallahassee, FL, telephone (850)488-3951
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dr. John Fruin, Chief, Bureau of Food and Meat Inspection, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, telephone (850)488-3951

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5K-4.020 Food Permits; Requirements and Fees.

(1) As used in this rule, the following definitions shall apply in determining food permit fees:

(a) Bottling plant. A processor or packer of both of juices, drinks, carbonated beverages or non-carbonated beverages in hermetically sealed containers (excluding bottled water).

(b) Canning plant. A processor or packer of both of fruit, vegetables, seafoods or other foods in hermetically sealed containers.

(c) Convenience store. A business that is engaged primarily in the retail sale of groceries or motor fuels or special fuels and may offer food services to the public, ~~with no significant food service or retail food processing~~. A business which provides motor fuel or special fuel to the public which also offers groceries or food service is included in this definition.

~~(d) Convenience store with food service. A convenience store where food is prepared and intended for individual portion service, and includes the site at which individual portions are provided, regardless of whether consumption is on or off the premises or whether there is a charge for the food, but without retail food processing~~

~~(d)(e) Seafood Fish or seafood processor. A processor of fresh or saltwater finfish, crustaceans, other forms of aquatic animal life (including, but not limited to, alligator, frog, aquatic turtle, jellyfish, sea cucumber, and sea urchin and the roe of such animals) other than birds or mammals, and all mollusks, where such animal life is intended for human consumption, fresh water or salt water fish, shellfish or crustaceans, primarily for wholesale distribution.~~

~~(e)(f) Food salvage center. A firm specializing in sorting, segregating and re-working damaged foods, primarily for wholesale distribution.~~

~~(f)(g) Food storage warehouse. A cold storage warehouse, a dry storage warehouse, or a commercial food distribution center.~~

~~(g)(h) Grocery store. A retail food store stocking a wide variety of foods and engaged in retail food processing which contains four or fewer check-out registers and less than 15,000 total square footage, including display, preparation and storage areas.~~

~~(h)(i) Health food store. A retail food store engaged primarily in the sale of prepackaged vitamins, minerals, nutritional supplements and foods intended for health conscious persons and which may offer ~~contains no~~ food services to the public ~~or retail food processing~~.~~

~~(i)(j)~~ Limited Sales. Any business fitting any of the definitions in this subsection with gross food sales less than \$10,000.00 annually.

~~(j)(k)~~ Meat market. A retail food store engaged primarily in the cutting, processing and selling of meats or poultry, or both. A limited number of other foods may be stocked, but inventory and sales are predominantly meat or poultry or both.

~~(k)(l)~~ Minor food outlet. Any retail establishment that sells groceries and may offer food service to the public, but neither business activity is a major retail function based on allocated space or gross sales. No retail food processing may be performed other than associated with a food service activity.

~~(m)~~ Minor food outlet with food service. A minor food outlet where food is prepared and intended for individual portion service, and includes the site at which individual portions are provided but with no retail food processing.

~~(l)(n)~~ Mobile vendor. Persons selling foods other than fresh fruits or vegetables from trucks, trailers or similar self propelled conveyances; or at flea markets, roadside stands or other semi-permanent, transient, or temporary location.

~~(m)~~ Semi-permanent vendor. Persons selling foods, other than fresh fruits and vegetables from a pushcart, flea market stand, roadside stand, kiosk or similar structure and which may offer ancillary food service.

~~(n)(o)~~ Processor, other non-perishable foods. A processor or packager of grain products, snack foods, candy, table syrup, honey, coffee, tea, spices or other non-perishable foods not defined elsewhere in this section.

~~(o)(p)~~ Processor, other perishable foods. A processor of cheese, packaged sandwiches, bulk or packaged salads, or other perishable foods not defined elsewhere in this section.

~~(p)(q)~~ Rabbit or game processor. A processor of rabbits, quail, deer, or other bird or animal species normally considered game, excepting any equine, bovine, goat, sheep, swine, or chickens, turkeys, ducks, geese, squab, ratites or guineas.

~~(q)(r)~~ Retail bakery. A baker of breads, pastries or other similar baked goods, primarily for retail sale on the premises.

~~(r)(s)~~ Retail food processing. The cutting, grinding, or slicing of meats or cheeses for bulk or packaged display; the preparation and wrapping or packaging of sandwiches, salads, or other foods for retail display; the smoking or cooking of meat, poultry, or fish for retail display or on customer request; the steaming, cracking, or cooking of crustaceans or shellfish for retail display or on customer request; the on-premises baking of breads or pastries; or the peeling, cutting, or trimming and packing of fruit or vegetables for retail display.

~~(s)(t)~~ Salvage store. A retail food store specializing in salvage foods.

~~(t)(u)~~ Seafood market. A retail food store engaged primarily in the sale of seafood fish, crustaceans, and shellfish. A limited number of other foods may be stocked, but inventory and sales are predominantly fish, crustaceans, or shellfish.

~~(u)~~ Food Service. The preparation and providing of food for individual portion service excluding prepackaged foods from an approved source, regardless of whether consumption is on or off the premises, and regardless of whether there is a charge for the food. The term includes the on-site cooking or other preparation of hot entrees, sandwiches, salads, snack foods or desserts, and also applies to such foods brought to a location for sale on individual customer order or by buffet-style display.

~~(v)~~ Significant food service. The on-site cooking or other preparation of hot entrees, sandwiches, salads, snack foods or desserts for consumption on or off the premises. The term also applies to such foods brought to a location for sale on individual customer order or by buffet-style display. The term does not apply when food service is limited to coffee urns, the sale of frozen desserts or iced drinks, or the sale of non-hazardous foods in bulk containers for customer self-service.

~~(v)(w)~~ Supermarket. A retail food store stocking a wide variety of foods and engaged in retail food processing which contains five or more check-out registers or 15,000 or greater total square footage, including display, preparation and storage areas.

~~(w)(x)~~ Wholesale bakery. A baker of breads, pastries or other similar baked goods, primarily for wholesale distribution.

(2) No food permit shall be issued until an inspection has been made of the establishment and its equipment and methods of operation, and these found to comply with the provisions of the Florida Food Safety Act and rules adopted thereunder. A permit number will be assigned by the department following receipt of the Annual Food Permit Application, DACS-1403-06, (Rev. 10/94), herein incorporated by reference, a copy of which can be obtained from the Florida Department of Agriculture and Consumer Services, Bureau of Food and Meat Inspection, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650. The above application shall bear the signature of the applicant or applicant's agent, a satisfactory report of inspection, and a fee in the amount specified in subsection 5K-4.020(5). Said permit number shall not be used on any label or in any advertisement of food. Permits shall be conspicuously displayed at locations for which issued and are not transferable. The provisions of this section do not apply to food service establishments.

(3) Any agent of the department shall have access to any factory or establishment which holds a permit from the department, for the purpose of ascertaining whether or not the conditions of the permit are being complied with. Denial of access for such inspection shall be grounds for suspension of the permit.

(4) Any person violating this rule shall be subject to the injunction procedures of Section 500.171, Florida Statutes, and to the penalties provided in Section 500.177, Florida Statutes.

(5) Food Permit Fees.

(a) One food permit shall be issued to and one fee shall be charged to a person for all food operations at a single location, regardless of whether the location may qualify under the definitions of this subsection for two or more permits. If a location qualifies for two or more permits, only the largest applicable fee shall be charged to that location, except that any location qualifying for a Limited Sales permit shall only be charged the fee applicable to a Limited Sales permit. The permit fee shall include applicable charges for food service activities. If the ownership of a firm changes during a calendar year, a new food permit application, a satisfactory report of inspection, and a fee in the amount specified in subsection 5K-4.020(5), F.A.C., is required before a food permit shall be issued. Other license or permit fees as may apply to a business, however, are not voided by payment of the food permit fee. Fees charged new food permit applicants shall be the entire applicable fee if the completed application is submitted January 1 through June 30, and shall be 60 percent 1/2 of the applicable fee if the completed application is submitted July 1 through December 31.

(b) The fee for a food permit for food establishments or retail food stores that have ancillary food service activities shall include a charge of \$75.00 for each food service activity, in addition to the fee established for firms of the same definition which have no food service. In determining the number of food service activities in a food establishment, the following shall apply:

1. Food services including, but not limited to, sandwiches, hot dogs, pizza slices, items from a display case, and beverages, which are typically offered in close proximity to and purchased at the same counter as other retail purchases, shall be considered one (1) food service activity.

2. Food service in a dining area where orders are prepared to customer order, including, but not limited to truck stop/convenience store combination or a lunch counter in a minor food outlet shall be considered one (1) food service activity.

3. Each separate ancillary food service area in a food establishment shall be considered one (1) additional food service activity. Separate ancillary food service areas are distinguishable by one or more of the following: separation from other areas of the food establishment by walls, doors, partitions or space; menus offering multiple items including entrees, beverages and desserts; preparation of food items in response to customer orders; employees who only work in the specialty area; and payment of items at a register dedicated to this activity.

4. Exceptions – No additional fee shall be charged for the following ancillary food service activities:

a. The sale of coffee from urns, iced drinks, fountain drinks or the sale of non-potentially hazardous foods in bulk containers for customer self-service.

b. Ancillary food service areas in grocery stores and supermarkets.

(c)(b) The following schedule of fees charges is established for each food permit.

Retail Bakery	\$325
Wholesale Bakery	425 350
Canning Plant	375 350
Bottling Plant	350
Rabbit or Game Processor	300 350
Fish or Seafood Processor	400 350
Processor, Other Perishable Foods	375 350
Processor, Other Non-perishable Foods	300 275
Food Storage Warehouse	325
Food Salvage Center	400 350
Salvage Store	375 350
Convenience Store	300 275
Convenience Store with Food Service	350
Meat Market	350
Seafood Market	325 350
Grocery Store	425 350
Supermarket	500 350
Minor Food Outlet	275
Minor Food Outlet with Food Service	325
Health Food Store	275
Mobile Vendor	275
<u>Semi-permanent Vendor</u>	<u>200</u>
Limited Sales	75
<u>Bottled Water Plant</u>	<u>500</u>
<u>Packaged Ice Plant</u>	<u>250</u>

The fees charged to food establishments in this subsection shall include an additional \$75.00 for each separate food service activity as described in (b) of this section. In no instance shall the overall fee for a food permit exceed the maximum established in Chapter 500.12, F.S.

(6) Late Fees.

(a) The renewal fee for all food permits shall be the same as the food permit fee required by subsection 5K-4.020(5), F.A.C., and shall be due annually on January 1. If the renewal fee is not received by the department within thirty days after its due date, a late fee must be paid in addition to the food permit fee required by subsection 5K-4.020(5), F.A.C., before the department will issue the food permit.

(b) If a renewal fee is not paid in full by February 1, a late fee of \$100 shall be assessed against the establishment.

(c) No establishment shall be issued a food permit until all applicable fees, including late fees, are received by the department.

(7) Recovery of Costs for Reinspection.

(a) A food establishment shall pay the costs of the services provided by Department personnel for each reinspection of their food establishment when the reinspection is conducted for

the purpose of verifying compliance following a previous unsatisfactory inspection. The costs of reinspection may be included in any administrative action taken against the firm for violations of Chapter 500 or this Chapter or billed separately. Failure to pay for said costs is a violation of this chapter and shall be grounds for suspension of the permit.

Specific Authority 500.09, 500.12(1)(b), 570.07(23) FS. Law Implemented 500.04, 500.10, 500.12(1)(a),(b),(c),(d), 500.171, 500.172, 500.177 FS. History—New 1-10-93, Formerly 5E-6.020, Amended 8-8-95, 3-11-98, 3-6-01,

STATE BOARD OF ADMINISTRATION

RULE TITLES:	RULE NOS.:
Definitions	19-12.001
Purpose	19-12.002
Limitation on Contributions	19-12.003
Annual Addition in Excess of Limitation	19-12.004
The Exclusive Benefit Rule of the Code and Forfeitures	19-12.005
Distribution of Benefits	19-12.006

PURPOSE AND EFFECT: To discuss proposed rules regarding compliance with the Internal Revenue Code for the defined contribution program of the Florida Retirement System, called the Public Employee Optional Retirement Program.

SUBJECT AREA TO BE ADDRESSED: Definitions; requirements on limitations on contributions; annual additions in excess of IRS limitations; the exclusive benefit rule; distributions of benefits.

SPECIFIC AUTHORITY: 121.4501(13)(a) FS.

LAW IMPLEMENTED: 121.4501(1),(7)(a),(13) FS.; Internal Revenue Code s. 401(a).

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

TIME AND DATE: 9:00 a.m. – 11:30 a.m., Monday, August 20, 2001

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is requested to contact Ms. Lazar at least 5 calendar days before the workshop.

Copies of the preliminary text of the proposed rule development may be obtained from: Joan Lazar, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300, (850)413-1492 or e-mail: lazar_joan@fsba.state.fl.us.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS: Cindy Gokel, Assistant General Counsel, Office of the General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, FL 32308, (850)413-1199

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE ON AUGUST 6, 2001.

DEPARTMENT OF CITRUS

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Containers, Packs, Stamping and Labeling of Fresh Fruit	20-39
RULE TITLES:	RULE NOS.:
Approved Boxes	20-39.003
Approved Bags	20-39.004

PURPOSE AND EFFECT: Would provide for two new containers to be added to the list of containers approved for use in shipping fresh Florida Citrus.

SUBJECT AREA TO BE ADDRESSED: Approved containers for use in shipping fresh Florida Citrus.

SPECIFIC AUTHORITY: 601.11 FS.

LAW IMPLEMENTED: 601.11 FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AT A TIME, DATE AND PLACE TO BE ANNOUNCED.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Alice P. Wiggins, Administrative Assistant, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

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

PUBLIC SERVICE COMMISSION

DOCKET NO: 010975-OT

RULE TITLE:	RULE NO.:
Numbering of Orders	25-22.104

PURPOSE AND EFFECT: The purpose of the rule amendment is to correct the procedure set out for categorization of proposed agency action orders and to add three new order categories and one new docket suffix.

SUBJECT AREA TO BE ADDRESSED: Numbering of Commission Orders.

SPECIFIC AUTHORITY: 350.127(2) FS.

LAW IMPLEMENTED: 120.53 FS.

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

THE WORKSHOP REQUEST MUST BE SUBMITTED IN WRITING WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE COMMISSION'S DIVISION OF THE

COMMISSION CLERK AND ADMINISTRATIVE SERVICES, 2540 SHUMARD OAK BOULEVARD, TALLAHASSEE, FL 32299-0850.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Samantha Cibula, Division of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-22.104 Numbering of Orders.

(1) No change.

(2) The applicable order category shall be added as a suffix succeeding the agency designation prefix and the two-part number. ~~The order category suffix for proposed agency action orders will be either "FOF" or "FOI", depending on the type of proceeding in which the order was issued.~~ The order categories are as follows:

- DS – Declaratory Statement
- FOI – Final Order Informal Proceedings
- FOF – Final Order Formal Proceedings
- S – Stipulation
- AS – Agreed Settlement
- CO – ~~Consent Order~~ Consummating Order
- PAA = Proposed Agency Action Order
- TRF = Tariff Order
- SC = Show Cause Order
- PCO – Procedural Order
- PHO – Prehearing Order
- CFO – Confidentiality Order
- NOR – Notice of Rulemaking

(3) After the order category, the applicable industry designation shall be inserted. The industry designations are as follows:

- EI – Electric Utility – Investor Owned
- EM – Electric Utility – Municipality
- EC – Electric Utility – Rural Electric Cooperative
- EU – Electric Utility – All
- EG – Energy Conservation
- EQ – Qualifying Cogeneration Facility
- GU – Gas Industry
- GP – Gas Pipeline
- TA – Telephone Utility – Alternate Access Vendor
- TC – Telephone Utility – Coin (Pay) Telephone Company
- TI – Telephone Utility – Interexchange Company
- TL – Telephone Utility – Local Exchange Company
- TS – Telephone Utility – Shared Tenant Company

- TX = Telephone Utility – Alternative Local Exchange
- TP – Telephone (Communications) Industry Generally
- WU – Water Utility
- SU – Wastewater (Sewer) Utility
- WS – Water and Wastewater Utility
- PU – Public Utilities Generally – Applies to matters which pertain to two or more industries.
- OT – Other Matters – Administrative Matters not related to a particular industry.

Specific Authority 120.533(1)(f) FS. Law Implemented 120.53(2)-(4) FS. History–New 9-24-92, Amended 12-27-94,_____.

EXECUTIVE OFFICE OF THE GOVERNOR

Administration

RULE TITLES:	RULE NOS.:
Purpose and Scope	27A-1.001
General Policy	27A-1.002
Definitions	27A-1.003
Planning and Approving Travel	27A-1.004
Special Conditions of Travel	27A-1.005
Rates of Payment	27A-1.006
Transportation	27A-1.007
Incidental Expenses	27A-1.008
Advance Travel	27A-1.009
Special Provisions for Educational Conferences and Conventions	27A-1.010
Entertainment Expenses	27A-1.011
Operational and Promotional Advances	27A-1.012
Complimentary Goods and Services	27A-1.013
Receipts	27A-1.014
Exemption from State Contract Rates	27A-1.015

PURPOSE AND EFFECT: To promulgate travel and entertainment expense rules for the Office of the Film Commissioner, Florida Film Advisory Council, and clients.

SUBJECT AREA TO BE ADDRESSED: Travel and entertainment expenses.

SPECIFIC AUTHORITY: 288.1253(2) FS.

LAW IMPLEMENTED: 112.061(2)(e), 288.1253 FS.

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

TIME AND DATE: 10:00 a.m., August 20, 2001

PLACE: Office of Tourism, Trade, and Economic Development, The Capitol, Suite 2001, Tallahassee, FL 32399-0001

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Robert

Grimm, Deputy Director, Office of the Film Commissioner, Bloxham Building, Suite 14, Tallahassee, Florida 32399-0001, (850)488-9367

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

DEPARTMENT OF CORRECTIONS

RULE TITLE: Correctional Probation Officers: Appointment and Responsibility

RULE NO.: 33-302.103

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to make technical corrections and to clarify procedures relating to twenty-four hour telephone access by offenders.

SUBJECT AREA TO BE ADDRESSED: Probation and Parole Services.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 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: Giselle Lylen Rivera, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-302.103 Correctional Probation Officers: Appointment and Responsibility.

(1) Officers are appointed by the State of Florida under the authority of the Department of Corrections and are responsible for supervision and control of offenders, including the enforcement of conditions of supervision, conducting investigations and initiating arrest of Florida offenders under their supervision as appropriate with or without warrant. Offenders from other states are not subject to arrest as a violator unless an Interstate Compact arrest warrant has been issued by the originating state.

(2) The use of Department of Corrections issued credentials and badges is only authorized when conducting official duties.

(3) Correctional Probation Officers must have a valid driver's license and use only a four-wheel conventional vehicle when performing their duties. Correctional Probation Officers shall be subject to the provisions of Rule 33-208.402, F.A.C., regarding maintenance of driver's licenses and privileges.

(4) Officers are required to have telephones in their place of residence to provide 24-hour per day telephone access by the offender ~~either directly or indirectly~~ through a designated emergency contact correctional facility.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New 5-28-86, Amended 2-15-98, 4-28-99, Formerly 33-24.011, Amended

COMMISSION ON ETHICS

RULE TITLE: List of Forms and Instructions

RULE NO.: 34-7.010

PURPOSE AND EFFECT: The purpose of the proposed amendment is to promulgate the 2002 version of various forms that are required to be filed annually, as well as the Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees. The Commission also proposes to repeal CE Form 1F-2000 and CE Form 6F-2000, and amend CE Form 1F-2001 and CE 6F-2001 by dropping the "2001" designation in the title of the form.

SUBJECT AREA TO BE ADDRESSED: CE Form 1; CE Form 1F-2000; CE Form 1F-2001; CE Form 2; CE Form 6; CE Form 6F-2000; CE Form 6F-2001; CE Form 9; CE Form 10; CE Form 30; and the "Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees" will be affected by this proposed rule development.

SPECIFIC AUTHORITY: Art. II, Sec. 8(f),(h), Fla. Const., 112.3144, 112.3145, 112.3147, 112.3215(13), 112.322(7),(10), 112.324 FS.

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

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

TIME AND DATE: 9:00 a.m., Thursday, September 6, 2001
PLACE: Committee Room A (Lower Level, Senate Office Building), Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Julia Cobb Costas, Staff Attorney

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

34-7.010 List of Forms and Instructions.

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

(a) Form 1, Statement of Financial Interests. To be utilized by state officers, local officers, candidates for state or local office and specified state employees for compliance with Section 112.3145(2) and (3), Florida Statutes. Effective 1/2002 ~~1/2001~~.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Payment Methodology for Nursing Home Services
 RULE NO.: 59G-6.010

PURPOSE AND EFFECT: The purpose of the proposed amendment is to incorporate changes to the Florida Title XIX Long-term Care Reimbursement Plan (the Plan) payment methodology, effective September 1, 2001. Changes of ownership or of licensed operator do not qualify for increases in reimbursement rates associated with the change of ownership or of licensed operator. The Agency will provide that the initial nursing home reimbursement rates, for the operating, patient care, and MAR components, associated with related and unrelated party changes of ownership or licensed operator filed on or after September 1, 2001, are equivalent to the previous owner's reimbursement rate.

The effect of the proposed amendment is changes of ownership or of licensed operator do not qualify for increases in reimbursement rates associated with the change of ownership or of licensed operator. The Agency will provide that the initial nursing home reimbursement rates, for the operating, patient care, and MAR components, associated with related and unrelated party changes of ownership or licensed operator filed on or after September 1, 2001, are equivalent to the previous owner's reimbursement rate.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is changes of ownership or of licensed operator do not qualify for increases in reimbursement rates associated with the change of ownership or of licensed operator. The Agency will provide that the initial nursing home reimbursement rates, for the operating, patient care, and MAR components, associated with related and unrelated party changes of ownership or licensed operator filed on or after September 1, 2001, are equivalent to the previous owner's reimbursement rate.

SPECIFIC AUTHORITY: 409.909 FS.

LAW IMPLEMENTED: 409.908 FS.

THE RULE DEVELOPMENT WORKSHOP HAS BEEN DEEMED UNNECESSARY BY THE AGENCY HEAD AND WILL NOT BE HELD.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Owens, Medicaid Cost Reimbursement, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 21, Tallahassee, Florida 32308, (850)414-2756

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

DEPARTMENT OF HEALTH

Board of Occupational Therapy Practice

RULE TITLES: Fees; Application
 RULE NOS.: 64B11-2.003
 Fees; Initial License
 64B11-2.008
 Fees; Renewal of License
 64B11-2.009

PURPOSE AND EFFECT: The Board proposes to raise fees so that they are closer to the actual costs for initial licensing and renewal of licensure.

SUBJECT AREA TO BE ADDRESSED: Fees, Application; Fees, Initial License and Fees, Renewal of License.

SPECIFIC AUTHORITY: 456.013(2), 468.204, 468.221 FS.

LAW IMPLEMENTED: 456.013(2), 468.209(1), 468.221 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Board Executive Director, Board of Occupational Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B11-2.003 Fees; Application.

Each applicant for licensure shall pay an application fee in the amount of \$200.00 ~~\$100.00~~ in the form of a check or money order payable to the Department of Health. This fee is nonrefundable and may not be used for more than one year from the original submission of the application. After one year from the date of the original submission of an application, a new application and new fee shall be required from any applicant who desires to be considered for licensure. The fee for any reapplication shall be the sum of \$100.00 payable in the same manner as above.

Specific Authority 468.221, 468.204 FS. Law Implemented 468.209(1), 468.221 FS. History--New 4-28-76, Amended 9-9-85, Formerly 21M-13.07, Amended 6-29-89, Formerly 21M-13.007, 61F6-13.007, 59R-61.007, Amended.

64B11-2.008 Fees; Initial License.

Each applicant for occupational therapist licensure shall submit an initial licensure fee in the amount of \$75 ~~\$50~~ to the Department. The initial licensure fee shall be submitted with the application fee set forth in Rule 64B11-2.001, F.A.C. A check or money order shall be payable to the order of the Department of Health.

Specific Authority 456.013(2), 468.204, 468.221 FS. Law Implemented 456.013(2), 468.221 FS. History--New 4-28-76, Amended 8-9-76, 11-15-78, 9-9-85, Formerly 21M-13.08, Amended 6-9-89, Formerly 21M-13.008, 61F6-13.008, 59R-61.008, Amended 12-20-98, _____.

64B11-2.009 Fees; Renewal of License.

Each licensed occupational therapist shall submit a biennial fee of ~~\$150.00~~ ~~\$50.00~~ by check or money order made payable to the order of the Department of Health ~~no later than January 31 of each biennial period.~~

Specific Authority 468.204, 468.221 FS. Law Implemented 468.221 FS. History—New 4-28-76, Amended 8-9-76, 11-15-78, 9-9-85, Formerly 1M-13.09, Amended 6-29-89, 7-23-91, Formerly 21M-13.009, 61F6-13.009, 59R-61.009, Amended.

DEPARTMENT OF HEALTH

Board of Occupational Therapy Practice

RULE TITLES:	RULE NOS.:
Fees; Application	64B11-3.001
Fees; Initial License	64B11-3.006
Fees; Renewal of License	64B11-3.007

PURPOSE AND EFFECT: The Board proposes to raise fees for assistants so that they are closer to the actual costs for initial license and renewal of licensure.

SUBJECT AREA TO BE ADDRESSED: Fees, Application; Fees, Initial License and Fees, Renewal of License.

SPECIFIC AUTHORITY: 456.013(2), 468.204, 468.221 FS.

LAW IMPLEMENTED: 456.013(2), 468.209(1), 468.221 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Board Executive Director, Board of Occupational Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B11-3.001 Fees; Application.

Each applicant for licensure shall pay an application fee in the amount of ~~\$200.00~~ ~~\$100.00~~ in the form of a check or money order payable to the Department of Health. The fee is nonrefundable and may not be used for more than one year from the original submission of the application. After one year from the date of the original submission of an application, a new application and new fee shall be required from any applicant who desires to be considered for licensure. The fee for any reapplication shall be the sum of \$100.00 payable in the same manner as above.

Specific Authority 468.221, 468.204 FS. Law Implemented 468.221, 468.209(1) FS. History—New 4-28-76, Amended 9-9-85, Formerly 21M-14.06, Amended 6-29-89, Formerly 21M-14.006, 61F6-14.006, 59R-62.006, Amended.

64B11-3.006 Fees; Initial License.

Each applicant for occupational therapy assistant licensure shall submit an initial licensure fee in the amount of ~~\$75~~ ~~\$50~~ to the Department. The initial licensure fee shall be submitted with the application fee set forth in Rule 64B11-3.001, F.A.C. A check or money order shall be payable to the order of the Department of Health.

Specific Authority 456.013(2), 468.204, 468.221 FS. Law Implemented 456.013(2), 468.221 FS. History—New 4-28-76, Amended 8-9-76, 11-15-78, 9-9-85, Formerly 21M-14.07, Amended 6-29-89, Formerly 21M-14.007, 61F6-14.007, 59R-62.007, Amended 12-20-98, Amended.

64B11-3.007 Fees; Renewal of License.

Each licensed occupational therapy assistant shall submit a biennial fee of ~~\$150.00~~ ~~\$50.00~~ by check or money order made payable to the order of the Department of Health ~~no later than January 31 of each biennial period.~~

Specific Authority 468.204, 468.221 FS. Law Implemented 468.221 FS. History—New 4-28-76, Amended 8-9-76, 11-15-78, 9-9-85, Formerly 21M-14.08, Amended 6-29-89, 7-23-91, Formerly 21M-14.008, 61F6-14.008, 59R-62.008, Amended.

DEPARTMENT OF HEALTH

Board of Occupational Therapy Practice

RULE TITLE:	RULE NO.:
Inactive and Delinquent Status Fees	64B11-5.006

PURPOSE AND EFFECT: The Board proposes to raise inactive and delinquent status fees so that they are closer to the actual costs.

SUBJECT AREA TO BE ADDRESSED: Inactive and Delinquent Status Fees.

SPECIFIC AUTHORITY: 468.221 FS.

LAW IMPLEMENTED: 468.221 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Board Executive Director, Board of Occupational Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B11-5.006 Inactive and Delinquent Status Fees.

The fees for individuals holding a license pursuant to Section 468.221, F.S., shall be as follows:

(1) The fee for an inactive status license shall be ~~\$50.00~~ \$75.00.

~~(2) The fee for processing a licensee's request to change licensure status at any time other than at the beginning of a licensure cycle shall be \$50.00.~~

~~(2)~~(3) The fee for delinquent status as set forth in subsection 456.036(7), F.S., shall be ~~\$100.00~~ \$50.

~~(3)~~(4) The fee for reactivation of an inactive license shall be ~~\$200.00~~ \$100.00.

~~(4)~~(5) The fee for renewal of an inactive license shall be ~~\$75.00~~ \$50.00.

Specific Authority 468.221 FS. Law Implemented 468.221 FS. History--New 4-17-95, Formerly 59R-64.040, Amended.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self Sufficiency Program

RULE TITLES:	RULE NOS.:
Family-Related Medicaid Eligibility Determination Process	65A-1.704
Family-Related Medicaid General Eligibility Criteria	65A-1.705
SSI-Related Medicaid Non-Financial Eligibility Criteria	65A-1.711
SSI-Related Medicaid Income Eligibility Criteria	65A-1.713

PURPOSE AND EFFECT: These rule amendments are proposed to implement optional coverage to provide breast and cervical cancer treatment. Additionally, income limits for Q11 and Q12 coverage will be specified and forms will be incorporated by reference.

SUBJECT AREA TO BE ADDRESSED: A revised KidCare form CF-ES 2092, Ineligibility for Medicaid, will be incorporated by reference. New forms – CF-ES 2293, CIC Request for Medicaid (by) Department of Juvenile Justice, and the Medicaid Application for breast and cervical cancer treatment – will also be incorporated by reference. A statement about the criteria for coverage to provide treatment of breast and cervical cancer will be provided, and the income limits for the Q11 and Q12 coverage groups will be provided respectively.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.903, 409.904, 409.919 FS.

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

TIME AND DATE: 2:00 p.m., August 20, 2001

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Audrey Mitchell, Program Administrator, Building 3, Room 421, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, telephone (850)488-3070

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

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Definitions	67-32.002
Notice of Fund Availability	67-32.003
General Program Restrictions	67-32.004
Application Procedures	67-32.005
Terms and Conditions of Loan	67-32.006
Selection Criteria, Rejection Criteria, and Scoring and Ranking Guidelines	67-32.007
Selection for Participation in Program	67-32.008
Right to Inspect and Monitor Funded Development	67-32.010
Fees	67-32.011

PURPOSE AND EFFECT: Pursuant to Section 420.5087(3)(c)2., Florida Statutes (F.S.), the Florida Housing Finance Corporation administers the Elderly Housing Community Loan (EHCL) Program. This program provides loans to sponsors of affordable rental housing for very low-income elderly households. Rule 67-32, F.A.C., provides the procedures for the administration of this loan program and criteria for receiving, evaluating, and competitively ranking all applications for loans under the EHCL Program. The intent of this Rule is to provide loans to sponsors of housing for the elderly to make building preservation, health, or sanitation repairs or improvements which are required by federal, state, or local regulation or code, or life-safety or security-related repairs or improvements to such housing.

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to the development of the 2002 application and program requirements for the Elderly Housing Community Loan Program, as specified in Rule Chapter 67-32, Florida Administrative Code (F.A.C.).

SPECIFIC AUTHORITY: 420.5087 FS.

LAW IMPLEMENTED: 420.5087 FS.

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

TIME AND DATE: 10:00 a.m. – 11:00 a.m., August 20, 2001

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Sixth Floor, Bond Closing Room B, Tallahassee, Florida 32301-1329

Any person requiring special accommodation at this workshop because of a disability or physical impairment should contact Laurie Camp at the above address. If you are hearing or speech impaired, please use the Florida Dual Party Relay system which can be reached at 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Larry White, SAIL Program Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197

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

**Section II
Proposed Rules**

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Building Commission

RULE CHAPTER TITLE: Florida Building Commission RULE CHAPTER NO.: 9B-3

Operational Procedures 9B-3

RULE TITLES: RULE NOS.:

Commission Organization and Operations 9B-3.004

Statewide Amendments to the Florida Building Code 9B-3.050

Local Amendments to the Florida Building Code 9B-3.051

Notice of Rights 9B-3.052

PURPOSE, EFFECT AND SUMMARY: The purpose and effect of the proposed rule is to provide for Commission organization and committee structure, voting requirements, procedures for processing statewide amendments to the Florida Building Code by the Commission and its technical advisory committees, and procedures for transmittal, review and incorporation of local amendments to the Florida Building Code.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None has been prepared by the Commission.

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

SPECIFIC AUTHORITY: 553.73(3),(6), 553.76(1), 553.77(1)(a),(h) FS.

LAW IMPLEMENTED: 553.73(3),(6), 553.74, 553.75, 553.77(1)(h) FS.

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

TIME AND DATE: 8:50 a.m., August 28, 2001

PLACE: Rosen Plaza Hotel, 9700 International Drive, Orlando, Florida

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824 at least seven days before the date of the hearing. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824

THE FULL TEXT OF THE PROPOSED RULES IS:

9B-3.004 Commission Organization and Operations.

(1) The Commission is headed by a Chairman who is appointed by the Governor.

(2) The Chairman presides over all Commission meetings, appoints Program Oversight Committees, Technical Advisory Committees and Ad Hoc Committees ~~subcommittees~~, serves as official spokesman for the Commission, and delegates staff and Committee assignments. The Chairman shall review the membership of Program Oversight and Technical Advisory Committees and reappoint or replace members annually.

(3) The Chairman may appoint a vice-chairman to act in his absence and appoints the chairman for all Program Oversight, Technical Advisory and Ad Hoc Committees, ~~for the purpose of expediting Commission functions, appoint subcommittees with specifically delegated responsibilities in any area of concern to the Commission.~~

(4) Program Oversight Committees shall be standing Committees composed of not less than five (5) members of the Florida Building Commission whose purpose/mission is to provide oversight of the programs the Legislature has assigned to the Commission.

~~(5)~~(4) Ad Hoc SubCommittees shall consist of members of the Florida Building Commission as appointed by the Chairman from time to time to whose purpose/mission is to conduct investigations within the areas for which they are created and report all findings along with recommendations to the Commission for action. Members serve until the Ad Hoc completes assigned task(s).

(6) The Chairman shall appoint members of the Commission and other interested parties as members of standing Technical Advisory Committees that reflect each of the technical sections of the Florida Building Code. Membership on each Committee shall be balanced to represent the interests of consumers, producers and a general interest category in conformance with ANSI consensus standards committee membership criteria for regulatory standards. The purpose/mission of the Committees is to review and advise the Commission regarding requests for declaratory statement, proposed amendments to the Florida Building Code pursuant to Rule 9B-3.050, and in other areas of interest to the Commission as delegated by the Chairman. Non-Commission members of the Committees will serve on a voluntary basis without compensation for travel or per diem.

(7) The Commission and all of its Committees (Ad Hoc Committees, Program Oversight Committees, and Technical Advisory Committees) shall make decisions only when a