

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF INSURANCE

RULE TITLE: Annual and Quarterly Reporting Requirements
RULE NO.: 4-137.001
PURPOSE AND EFFECT: To amend Florida Administrative Code to reflect the incorporation of the most recent version of the National Association of Insurance Commissioners Manuals for the completion of annual reports.
SUBJECT AREA TO BE ADDRESSED: Annual Reports.
SPECIFIC AUTHORITY: 624.308(1) FS.
LAW IMPLEMENTED: 624.307(1), 624.424(1) 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. – 11:00 a.m., October 2, 2001
PLACE: Room 142, 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 IS: Kerry Krantz, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-5038
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 the person listed above.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 4-137.001 Annual and Quarterly Reporting Requirements.
(1) through (3) No change.
(4) Manuals Adopted.
(a) Annual and quarterly statements shall be prepared in accordance with the following manuals, which are hereby adopted and incorporated by reference:
1. The NAIC’s Annual Statement Instructions, Property and Casualty, 2001 2000;
2. The NAIC’s Annual Statement Instructions/Life, Accident and Health, 2001 2000;
3. The NAIC’s Accounting Practices and Procedures Manual, as of March 2001 effective January 1, 2001.
(b) No change.

Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 624.424(1) FS. History–New 3-31-92, Amended 8-24-93, 4-9-95, 4-9-97, 4-4-99, 11-30-99, 2-11-01, 4-5-01, _____.

DEPARTMENT OF INSURANCE

RULE TITLE: NAIC Financial Examiners Handbook Adopted
RULE NO.: 4-138.001
PURPOSE AND EFFECT: To adopt and incorporate by reference the 2001 National Association of Insurance Commissioners (NAIC) Financial Examiners Condition Handbook.
SUBJECT AREA TO BE ADDRESSED: Uniform requirements for the financial examination of insurers.
SPECIFIC AUTHORITY: 624.308(1) FS.
LAW IMPLEMENTED: 624.307(1), 624.424(1) 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. – 11:00 a.m., October 2, 2001
PLACE: Room 142, 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 IS: Kerry Krantz, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-5038
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 the person listed above.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-138.001 NAIC Financial Examiners Handbook Adopted.

(1) The National Association of Insurance Commissioners Financial Condition Examiners Handbook Volume I (2001) (2000) is hereby adopted and incorporated by reference, with the exception of Part 8, Appendix A.

(2) through (3) No change.

Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 624.316(1)(c) FS. History–New 3-30-92, Amended 4-9-97, 4-4-99, 11-30-99, 2-11-01, _____.

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 amend CE Form 20 and CE Form 20-R in order to reduce the annual registration fee for Executive Branch Lobbyists from \$35 per principal to \$25 per principal.
SUBJECT AREA TO BE ADDRESSED: CE Form 20 and CE Form 20-R.

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., Monday, October 1, 2001
PLACE: Conference Room, 2822 Remington Green Circle, Suite 101, Tallahassee, Florida

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

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) through (i) No change.
- (j) Form 20, Executive Branch Lobbyist Registration. To be utilized by lobbyists for compliance with Subsection 112.3215(3), Florida Statutes. Effective 1/2002 ~~4/2000~~.
- (k) Form 20-R, Executive Branch Lobbyist Renewal. To be utilized by lobbyists for compliance with Subsection 112.3215(3), Florida Statutes. Effective 1/2002 ~~4/2000~~.

- (l) through (s) No change.
- (2) No change.

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 112.313(9),(12), 112.3143, 112.3144, 112.3145, 112.3148, 112.3149, 112.3215 FS., Art. II, Sec. 8(a),(f),(h), Fla. Const. History—New 4-11-76, Formerly 34-7.10-7.22, 8.10, Amended 2-23-77, 4-7-77, 5-17-77, 10-20-77, 2-25-79, 1-29-80, 4-29-81, 1-12-82, 3-25-82, 2-21-83, Formerly 34-7.10, Amended 7-10-88, 3-4-91, 10-6-91, 10-29-91, 12-22-91, 7-5-92, 10-15-92, 12-6-92, 11-10-93, 12-27-93, 11-21-94, 2-16-95, 12-26-95, 1-27-97, 1-1-98, 11-19-98, 12-28-99, 1-1-00, 12-4-00, 12-21-00, _____.

COMMISSION ON ETHICS

RULE CHAPTER TITLE:	Executive Branch Lobbyist	RULE CHAPTER NO.:	
	Registration		34-12
RULE TITLES:	Registration Fees	RULE NOS.:	34-12.310
	Annual Renewals		34-12.330

PURPOSE AND EFFECT: The purpose of this amendment is to lower the cost of the annual registration fee from \$35 per principal to \$25 per principal.

SUBJECT AREA TO BE ADDRESSED: The amount of the annual registration fee, which is presently \$35 per principal, is being reduced. Rules 34-12.310 and 34-12.330 both indicate the amount of the annual fee.

SPECIFIC AUTHORITY: 112.3215, 112.322(10) FS.

LAW IMPLEMENTED: 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., Monday, October 1, 2001
PLACE: Conference Room, 2822 Remington Green Circle, Suite 101, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Julia Cobb Costas, Staff Attorney, Commission on Ethics, P. O. Drawer 15709, Tallahassee, FL 32317-5709

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

34-12.310 Registration Fees.

In order to register, each lobbyist shall pay an annual registration fee of \$25.00 ~~35.00~~ for each principal represented, which shall be deposited into the Executive Branch Lobby Registration Trust Fund. The fee is payable on a calendar year basis; once having paid the fee, a lobbyist is not required to pay the fee again during the same calendar year regardless of how many additional agencies he may lobby.

Specific Authority 112.3215, 112.322(10) FS. Law Implemented 112.3215 FS. History—New 10-12-89, Amended 10-6-91, 1-1-97, 11-24-97, _____.

34-12.330 Annual Renewals.

Each lobbyist must renew his registration to lobby an agency on behalf of a principal on a calendar year basis by filing a Lobbyist Renewal Form 20-R and the annual registration fee of \$25.00 ~~35.00~~ for each principal represented. Prior to January 1 of each year, the Commission or other office established to administer lobbyist registration will mail to each currently registered lobbyist Commission Form 20-R, together with a notice which states that the lobbyist must renew his registration of those principals the lobbyist continues to represent before agencies of the executive branch by filing the form and paying the annual registration fee.

Specific Authority 112.3215, 112.322(10) FS. Law Implemented 112.3215 FS. History—New 10-12-89, Amended 10-6-91, 7-5-92, 12-6-92, 1-1-97, 11-24-97, _____.

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE TITLES:	School Readiness Program Eligibility	RULE NOS.:	60BB-4.001
	Definitions		60BB-4.002

Parent Fees 60BB-4.003
 School Readiness Program Standards 60BB-4.004
 Tiered Reimbursement Rates 60BB-4.005

PURPOSE AND EFFECT: The 2001 Legislature in SB 1162 amended Section 411.01, F.S., and transferred by type two transfer the Florida Partnership for School Readiness, the pre-kindergarten early intervention, subsidized childcare, and other related programs to the Agency for Workforce Innovation. The law also repealed various statutes related to those programs to be effective December 31, 2001. Section 411.01, F.S., requires the Florida Partnership for School Readiness to develop rules to prepare and implement the system for school readiness. The workshop is to hear public comment and develop rules in the areas that will be lost due to the repeal of those statutes under those programs, but are still vital and necessary to the effectiveness of those programs and the system for school readiness.

SUBJECT AREA TO BE ADDRESSED: School Readiness Programs.

SPECIFIC AUTHORITY: 411.01 FS., as amended by SB 1162 (2001-170)

LAW IMPLEMENTED: 411.01 FS., as amended by SB 1162 (2001-170)

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: 12:00 Noon – 7:00 p.m., October 3, 2001

PLACE: Pompano Beach Civic Center, 1801 Northeast 6th Street, Pompano Beach, Florida 33060, (954)786-4111

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Molly Jones, Director of Policy, Florida Partnership for School Readiness, 600 South Calhoun Street, Holland Building, Suite 252, Tallahassee, FL 32399, (850)488-0337

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE TITLE: Approval of Courses **RULE NO.:** 61G19-9.004

PURPOSE AND EFFECT: The Board proposes to update the above rule.

SUBJECT AREA TO BE ADDRESSED: Approval of Courses.

SPECIFIC AUTHORITY: 468.606, 468.627 FS.

LAW IMPLEMENTED: 468.627 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 IS: Anthony Spivey, Executive Director, Building Code Administrators and Inspectors, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self Sufficiency Program

RULE TITLE: Food Stamp Assets **RULE NO.:** 65A-1.606

PURPOSE AND EFFECT: This proposed rule would provide for the implementation of the food stamp regulations at 7 U.S.C. s. 2014(g)(20)(d) that provides for the adoption of the Temporary Assistance for Needy Families (TANF) vehicle value rules for determining food stamp eligibility. Currently, state eligibility rules for the food stamp program use the fair market value of certain non-excluded licensed vehicles and the fair market value, of other vehicles. The current food stamp vehicle rules are somewhat punitive to those who are employed as the fair market vehicle valuation is based on the trade in value of the vehicle.

For low-income and welfare transition families that need reliable transportation to obtain and retain a job, the food stamp vehicle resource standard has become inconsistent with the state’s welfare transition objectives. The current food stamp program asset allowance treatment of vehicles can turn a temporary setback into a longer term one when individuals must choose between reliable transportation and needed food assistance. Aligning the food stamp and temporary cash assistance (TCA) vehicle equity valuations should reduce the risk of error through the administration of two different vehicle standards and better serve participants with reliable transportation so that they may obtain and retain employment.

SUBJECT AREA TO BE ADDRESSED: The proposed rule would provide that the TCA vehicle allowance rules as defined in s. 414.075(2)(a), F.S., would apply to determine food stamp eligibility.

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.31, 414.075(2)(a) 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., September 27, 2001
 PLACE: 1317 Winewood Blvd., Bldg. 3, Room 455, Tallahassee, Florida 32399-0700
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Audrey Mitchell, Program Administrator, Economic Self-Sufficiency Program Support Unit, 1317 Winewood Boulevard, Building 3, Room 421, Tallahassee, Florida 32399-0700, Telephone (850)488-3090
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**Section II
 Proposed Rules**

DEPARTMENT OF BANKING AND FINANCE

Division of Banking

RULE TITLE: Appraisals, and Appraisal Standards and Policies of State Financial Institutions

RULE NO.: 3C-100.600

PURPOSE AND EFFECT: This rule is being revised to make it more consistent with the appraisal requirements imposed by federal regulators of financial institutions. In so doing, the regulatory burden of Florida-chartered financial institutions will be reduced.

SUMMARY: The rule calls upon the boards of directors of Florida-chartered financial institutions to adopt appraisal standards and policies that are reviewed and approved annually. Those standards and policies must require an appraisal by a state-certified or state-licensed appraiser when a Florida-chartered financial institution makes a loan secured by real estate that exceeds \$250,000 and is not otherwise exempted under the rule. Appraisals must be made for the financial institution making the loan and must be dated within one year prior to funding the loan.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No statement of regulatory cost has been prepared.

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

SPECIFIC AUTHORITY: 655.012(3), 655.60(2) FS.

LAW IMPLEMENTED: 655.60 FS.

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

TIME AND DATE: 10:00 a.m., October 8, 2001
 PLACE: Division of Banking Conference Room, 6th Floor, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alex Hager, Director, Division of Banking, Room 614, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9111

THE FULL TEXT OF THE PROPOSED RULE IS:

3C-100.600 Appraisals, and Appraisal Standards and Policies of State Financial Institutions.

(1) The board of directors of each state financial institution shall adopt appraisal standards and policies. Such standards and policies shall be reviewed and approved annually by the board of directors and such approval shall be recorded in the minutes of the meetings of the board of directors.

(2) At a minimum, the appraisal standards and policies shall require that ~~an~~ ~~(a)~~ ~~An~~ appraisal prepared by a state-certified or state-licensed appraiser must be obtained prior to funding any loan or extension of credit that is based on the security of real estate, except:

- (a) Loans with a total value of \$250,000 or less;
- (b) Loans with a lien on real property when such property has been taken as collateral solely in an abundance of caution;
- (c) When a lien on real estate has been taken for purposes other than the real estate's value;
- (d) The transaction is a business loan that:
 - 1. Has a transaction value of \$1 million or less; and
 - 2. Is not dependent on the sale of, or rental income derived from, real estate as the primary source of repayment;
- (e) A lease of real estate, unless the lease is the economic equivalent of a purchase or sale of the leased real estate;
- (f) The transaction involves an existing extension of credit at the lending institution, provided that:
 - 1. There has been no obvious and material deterioration in market conditions or physical aspects of the property that would threaten the institution's collateral protection after the transaction, even with the advancement of new monies; or
 - 2. There is no advancement of new monies, other than funds necessary to cover reasonable closing costs;
- (g) The transaction involves the purchase, sale, investment in, exchange of, or extension of credit secured by, a loan or interest in a loan, pooled loans, or interests in real property, including mortgage-backed securities, and each loan or interest in a loan, pooled loan, or real property interest met these appraisal requirements at the time of origination;
- (h) The transaction is wholly or partially insured or guaranteed by a United States government agency or United States government-sponsored agency; or
- (i) The transaction either:
 - 1. Qualifies for sale to a United States government agency or United States government-sponsored agency; or ~~Loans with a total value of \$250,000 or less;~~