

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLE RULE NO.:

Certificate of Authority; Financial Requirements 3F-5.0016

PURPOSE AND EFFECT: The Board proposed to amend this rule to clarify that when an applicant does not have sufficient net worth, liquid assets or sufficient long-term assets, the Department may request additional financial information in an effort to verify that the assets are available.

SUBJECT AREA TO BE ADDRESSED: Certificate of Authority, Financial Requirements..

SPECIFIC AUTHORITY 408.103 FS.

LAW IMPLEMENTED 497.405, 497.407 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: Diana Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, Tallahassee, Florida 32399-0350

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3F-5.0016 Certificate of Authority; Financial Requirements.

(1) A Certificate of Authority holder or applicant must meet and maintain the following requirements on an annual basis, demonstrating its ability to discharge its liabilities as they become due in the normal course of business and must have sufficient funds available to perform its obligation under its existing preneed contracts.

(2) A Certificate of Authority holder or applicant must submit its most recent year-end financial statements (including a balance sheet and income statement), with the Certificate of Authority application and annually thereafter as provided in Section 497.407(1), F.S. The financial statements must be prepared in accordance with generally accepted accounting principles (GAAP) as those principles have been defined by the Florida Board of Accountancy in Chapter 61H1-20, F.A.C. If the applicant does not have the minimum net worth as set forth in section three or lacks sufficient liquid assets to satisfy current liabilities or does not appear to have any substantial long term assets, the Department may request additional

financial information including, but not limited to The financial statements may omit notes to financial statements and the statement of cash flows.

(3) For the purpose of this rule, total preneed contracts will mean the total retail value of all outstanding preneed contracts. The Certificate of Authority holder’s financial statements must demonstrate the following levels of net worth:

(a) Certificate of Authority holder that has total preneed contracts of \$100,000 or less – \$10,000 net worth;

(b) Certificate of Authority holder that has total preneed contracts of \$100,001 to \$200,000 – \$20,000 net worth;

(c) Certificate of Authority holder that has total preneed contracts of \$200,001 to \$400,000 – \$40,000 net worth;

(d) Certificate of Authority holder that has total preneed contracts of \$400,001 to \$600,000 – \$60,000 net worth;

(e) Certificate of Authority holder that has total preneed contracts of \$600,001 to \$800,000 – \$80,000 net worth;

(f) Certificate of Authority holder that has total preneed contracts in excess of \$800,000 – \$100,000 net worth.

(4) In the case of a Certificate of Authority holder or applicant offering preneed sales through a subsidiary agent, as provided in Rule 3F-5.0015, the Certificate of Authority holder or applicant shall execute a guarantee agreement with respect to any contract obligations resulting from preneed sales of such a selling agent.

(5) If the Certificate of Authority holder or applicant does not meet the financial requirements in (3) above, the entity may voluntarily submit to the Board additional evidence or agree to additional oversight as to its meeting the requirements of (1) above and as a condition of receiving and retaining a Certificate of Authority. Such additional evidence or oversight agreement shall include as appropriate:

(a) Agreement to submit monthly financial statements of the entity,

(b) Agreement to submit quarterly financial statements of the entity,

(c) Appraisal of the entity’s property or broker’s opinion of value of entity’s assets,

(d) Credit report of the entity or its principal owners,

(e) Subordination of debt agreement from the entity’s principal owners,

(f) Indemnification/subrogation agreement binding the entity and principal owners,

(g) Guarantee agreement for the entity from its principal owners,

(h) Written explanation of past financial activity,

(i) Submission of a twelve month projected business plan which shall include:

1. Statement of cash flows,
2. Proforma income statement with sources of revenue identified, and

- 3. Marketing initiatives,
 - (j) Submission of previous Department examination reports,
 - (k) 100% voluntary trusting agreement by the entity,
 - (l) Provide a surety bond acceptable to the Department and the Board.

Upon the Board’s review of such additional information or agreements, submitted as stated above, the Board shall issue a Certificate of Authority if such information or agreement results in the Board determining that the applicant or certificate holder meets the requirements of Sections 497.405 and 497.407, F.S.

(6) As to all new applicants, this rule will become effective 20 days after filing with the Department of State. As to renewals of existing Certificates of Authority, this rule will become effective on April 1, 2001.

Specific Authority 497.103 FS. Law Implemented 497.405, 497.407 FS. History–New 5-21-95, Amended 12-7-98, 10-18-99, 12-12-00,_____.

**DEPARTMENT OF BANKING AND FINANCE
Board of Funeral and Cemetery Services**

RULE TITLE: Request for Additional Information – Applications
RULE NO.: 3F-5.008

PURPOSE AND EFFECT: The Board is updating this rule to add Rule 3F-5.009 to the cited rules that provide methods, procedures, and supporting documentation for the licensing of new cemeteries, existing cemeteries, transferred cemeteries and for conversion procedures. Further, this amendment will add the Board of Funeral and Cemetery Services along with the department with authority to deny an application in accordance with Section 120.60(2), F.S.

SUBJECT AREA TO BE ADDRESSED: Request for Additional Information – Applications.

SPECIFIC AUTHORITY: 497.103 FS.

LAW IMPLEMENTED: 120.60(2), 497.201(2)(a), 497.209 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: Diana Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, Tallahassee, Florida 32399-0350

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3F-5.008 Request for Additional Information – Applications.

Rules 3F-5.004, 3F-5.005, 3F-5.006, ~~and~~ 3F-5.007 and 3F-5.009, F.A.C., provide methods, procedures and supporting documentation for the licensing of new cemeteries, existing cemeteries, transferred cemeteries and for conversion procedures. All information the applicant wants to present in order to support the application should be submitted with the original filing. The required exhibits in the application forms are not intended to limit the applicant’s presentation of any of the requirements, but merely represent the minimum information to be filed. Additional information must be submitted within 60 days after a request therefore if specifically requested by the department within 30 days after receipt of the application. Failure to respond to such request within 60 days after the date of the request will may be construed by the department and the Board of Funeral and Cemetery Services as grounds for denial of an application in accordance with the provisions of Section 120.60(2), Florida Statutes, and the file may be closed, unless good cause is shown that it remain open. Should the file be closed pursuant to these provisions, the applicant shall be duly notified. (See Rule 3-3.012(1)(a) and (3), F.A.C.)

Specific Authority 497.103 FS. Law Implemented 120.60(2), 497.201(2)(a), 497.209 FS. History–New 12-22-81, Formerly 3D-30.29, 3D-30.029, Amended.

DEPARTMENT OF INSURANCE

RULE TITLES: Premium Growth Reporting 4-137.003
Reinsurance Summary Statement 4-137.011

PURPOSE AND EFFECT: The proposed amendment to Rule 4-137.003 would adopt a revised form for property and casualty insurers to report premium growth information to the Department. The information and filing requirement is contained in Section 624.4243(3), Florida Statutes. The revision is necessary to correct the formula used for calculating the percentage of change in premium growth. Proposed new Rule 4-137.011 would adopt a form for all insurers to report information relating to reinsurance. Section 624.610(11), Florida Statutes, requires the filing of this information for specific types of reinsurance agreements. Neither the form nor the filing requirement is new. However, the form has never been adopted by rule.

SUBJECT AREA TO BE ADDRESSED: Reinsurance reports by all insurers and premium growth reports by property and casualty insurers.

SPECIFIC AUTHORITY: 624.308(1), 624.4243(3) FS.
 LAW IMPLEMENTED: 624.4243(3), 624.610(11) 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: 1:30 – 3:30 p.m., November 26, 2001
 PLACE: Room 143, Larson Building, 200 E. Gaines St., Tallahassee, Florida
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Lee Roddenberry, Bureau Chief, Bureau of Property and Casualty Insurer Solvency and Market Conduct, Division of Insurer Services, Department of Insurance, 200 E. Gaines Street, Room 216 B, Larson Building, Tallahassee, FL 32399-0329, (850)413-5200
 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:

4-137.003 Premium Growth Reporting.

Section 624.4243(3), Florida Statutes, requires that a form for reporting premium growth be adopted by rule for each insurer that has been authorized to transact property and casualty insurance in Florida for less than three years. Form DI4-1229 (rev. ~~7/01~~ 10/96) is hereby incorporated by reference to be the form specified in Section 624.4243(3), Florida Statutes, for reporting premium growth.

Specific Authority 624.4243(3) FS. Law Implemented 624.4243 FS. History–New 3-26-98, Amended _____.

4-137.011 Reinsurance Summary Statement.

Section 624.610(11), Florida Statutes, requires each domestic or commercially domiciled insurer ceding directly written risks of loss to file with the department one copy of a summary statement containing information about each treaty. The required information shall be filed on Form DI4-1433 (rev. 07/01), which is hereby incorporated by reference. Form DI4-1433 shall be filed within 30 days after receipt of a cover note or similar confirmation of coverage, or, without exception, no later than 6 months after the effective date of the reinsurance treaty.

Specific Authority 624.308(1) FS. Law Implemented 624.610(11) FS. History–New _____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agriculture Environmental Services

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Licensed Pesticide Applicators and Dealers	5E-9
RULE TITLES:	RULE NOS.:
Pesticide Applicator Licenses	5E-9.019
Categories of Licensure for Pesticide Applicators	5E-9.021
Category Certification Standards	5E-9.024
Procedures for Pesticide Dealer Licensure and License Renewal	5E-9.027
License Fees	5E-9.028
Procedures for Pesticide Applicator Recertification	5E-9.029
Pesticide Dealer Records	5E-9.033
Direct Supervision	5E-9.034

PURPOSE AND EFFECT: The purpose of the proposed rule change is to adjust fees to cover program costs; revise requirements and procedures relating to license categories, continuing education, and renewal to meet industry needs and better reflect current educational standards; update forms and addresses; revise pesticide dealer record requirements to provide for more complete and usable records; and provide clarification of direct supervision for unlicensed pesticide applicators and assistants.

SUBJECT AREA TO BE ADDRESSED: License fees, pesticide recertification, Continuing Education Units (CEUs), pesticide dealer records, and direct supervision.

SPECIFIC AUTHORITY: 570.07(23), 487.045, 487.046, 487.048, 487.049 FS.

LAW IMPLEMENTED: 487.0435, 487.044, 487.045, 487.046, 487.048, 487.049, 487.1585 FS.

IF REQUIRED 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., November 28, 2001
 PLACE: George Eyster Auditorium, 3125 Conner Blvd., Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT: Mr. Dale Dubberly, Chief, Bureau of Compliance Monitoring, Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services, 3125 Conner Blvd., Bldg. 8. (L29), Tallahassee, Florida 32399-1650, telephone (850)488-8731

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5E-9.019 Pesticide Applicator Licenses.

Each individual licensed as a pesticide applicator must be licensed in one of three license types and must be licensed in a minimum of one primary category.

(1) License types.

(a) Private applicator license. A private applicator license is valid for use by private applicators as defined in Section 487.021(52), F.S.

(b) Public applicator license. A public applicator license is valid for use by public applicators as defined in Section 487.021(55), F.S.

(c) Commercial applicator license. A commercial applicator license is valid for use by commercial applicators as defined in Section 487.021(16), F.S. A commercial applicator shall not be required to have a private applicator license to function as a private applicator; nor shall a commercial applicator be required to have a public applicator license to function as a public applicator; provided the commercial categories in which the applicator is licensed are the appropriate categories for the applications to be made.

(2) No change.

Specific Authority 487.0435, 570.07(23) FS. Law Implemented 487.0435 FS. History—New 6-9-94, Amended 7-2-95, _____.

5E-9.021 Categories of Licensure for Pesticide Applicators.

(1) Description of primary categories.

(a) through (p) No change.

(q) Category 11 – Aerial Application. This category is applicable to individuals who apply any pesticide from an aircraft. This category is valid for licensure of private, public, and commercial applicators for treatment sites that may legally (according to product label direction) be treated by aerial application under Chapter 487, F.S.

~~(r)(q)~~ Category 20 – Regulatory Inspection and Sampling. This category is applicable to government employees who collect regulatory samples of restricted use pesticides or conduct inspections involving the handling of opened containers of restricted use pesticides to determine compliance with applicable laws and regulations. Licensure in this category shall not be required of government inspection or sampling employees licensed in another public or commercial pesticide applicator category in accordance with this chapter, Chapter 388, Florida Statutes, or Chapter 482, Florida Statutes. This category is valid solely for licensure of public applicators. Licensure in this category does not authorize the application of restricted use pesticides.

~~(s)(r)~~ Category 21 – Natural Areas Weed Management. This category is applicable to individuals who use or supervise the use of restricted use herbicides to control unwanted vegetation to protect natural communities of conservation and

recreation lands and natural areas. This category is valid for licensure of commercial and public applicators. Applicators acting under the authority of another license category prior to this category being established may continue activities under the alternate category until license renewal or expiration.

(2) Description of secondary categories.

(a) No change.

~~(b) Category 11 – Aerial Application. This category is applicable to individuals who apply any pesticide from an aircraft. This category is valid for licensure of public and commercial applicators in combination with a primary category including treatment sites that may legally (according to product label direction) be treated by aerial application. This category is valid for licensure of private applicators in combination with the private applicator agricultural pest control category.~~

(3) Requirements and restrictions on category licensure.

(a) Private applicators who apply restricted use pesticides by ground application must be licensed in Category 1C – Private Applicator Agricultural Pest Control. Private applicators who apply pesticides aerially must ~~also~~ be licensed in Category 11 – Aerial Application. No other primary or secondary categories are available for licensure of private applicators.

(b) No change.

(c) Public and commercial applicators must be licensed in all primary and secondary categories applicable to the types of pesticide applications to be made. Exceptions: 1) Category 1C does not apply to public or commercial applicators; 2) individuals licensed in Category 9 need not be licensed in Category 1D or 1E; 3) Aerial applicators who make no ground applications do not need to be licensed in any category except Category 11.

Specific Authority 487.0435, 570.07(23) FS. Law Implemented 487.0435 FS. History—New 6-9-94, Amended 7-2-95, 9-24-98, 6-28-99, _____.

5E-9.024 Category Certification Standards.

(1) Primary categories.

(a) through (p) No change.

(q) Category 11 – Aerial Application. Applicators seeking licensure in this category shall demonstrate a practical knowledge of the principles and practices of aerial pest control and the safe application of pesticides by aerial delivery means.

~~(r)(q)~~ Category 20 – Regulatory Inspection and Sampling. There are no specific certification standards for this category. The general certification standards listed in Rule 5E-9.023 are all that is required for licensees in this category.

~~(s)(r)~~ Category 21 – Natural Areas Weed Management. Applicators seeking licensure in this category shall demonstrate practical knowledge of pest plants that invade natural communities in Florida, the chemical control measures that pertain to such pests, and the equipment or methodologies required to safely implement such pest control measures. This

knowledge shall include special techniques and proper herbicide selection to effectively control target species and minimize adverse effects to the natural community. Knowledge of herbicide characteristics including toxicity to wildlife, behavior in plants, behavior in soil, persistence, and environmental fate, as well as methods for herbicide dilution and rate calculations will be demonstrated.

(2) Secondary categories.

(a) No change.

~~(b) Category 11 Aerial Application. Applicants seeking licensure in this category shall demonstrate a practical knowledge of the principles and practices of aerial pest control and the safe application of pesticides by aerial delivery means.~~

Specific Authority 487.0435, 570.07(23) FS. Law Implemented 487.0435, 487.044 FS. History—New 6-9-94, Amended 7-2-95, 9-24-98, 6-28-99, _____

5E-9.027 Procedures for Pesticide Dealer Licensure and License Renewal.

(1) Licensure. Requests for pesticide dealer licensure shall be made by submitting a completed pesticide dealer license application, form ~~DACS-13337~~ ~~DACS 130337~~, and the appropriate license fee to the Pesticide Certification Office, P. O. Box 6710, Tallahassee, Florida 32314-6710. Pesticide dealer licenses shall expire at the end of the month one (1) year from issue date.

(2) License Renewal. It shall be the responsibility of the pesticide dealer to renew the license at the time of expiration. Request for renewal of a pesticide dealer license shall be made by submitting a signed request for renewal and the appropriate license fee to the Pesticide Certification Office at the above address. Renewed pesticide dealer licenses shall expire one (1) year from the previous expiration date. Licenses that have not been renewed by the expiration date cannot be renewed.

(3) Forms. The following form is hereby incorporated by reference: Application for ~~Restricted Use~~ Pesticide Dealer License (~~DACS-13337~~ ~~DACS 130337~~, Rev. ~~10/01 2/98~~). This form may be obtained from the Florida Department of Agriculture and Consumer Services, Pesticide Certification Office, 3125 Conner Boulevard, ~~Building 8 (L29) MD 1 (L33)~~, Tallahassee, Florida 32399-1650, telephone (850)488-3314 ~~488-6838~~.

Specific Authority 487.048(1), 570.07(23) FS. Law Implemented 487.048(1) FS. History—New 6-9-94, Amended 7-2-95, 9-24-98, _____

5E-9.028 License Fees.

(1) Private and public pesticide applicator license. The fee for either initial licensure or license renewal is ~~\$60~~ ~~\$35~~, with no additional fee for added categories.

(2) Commercial pesticide applicator license. The fee for either initial licensure or license renewal is ~~\$160~~ ~~\$90~~, with no additional fee for added categories.

(3) Pesticide dealer license. The fee for either initial licensure or license renewal is ~~\$175~~ ~~\$150~~.

(4) Fee submission. All fees shall be submitted to the Pesticide Certification Office, P. O. Box 6710, Tallahassee, Florida 32314-6710. Checks or money orders shall be payable to the Florida Department of Agriculture and Consumer Services.

Specific Authority 487.045, 487.048(1), 570.07(23) FS. Law Implemented 487.045, 487.048(1) FS. History—New 6-9-94, Amended 7-2-95, 9-24-98, _____

5E-9.029 Procedures for Pesticide Applicator Recertification.

(1) Reexamination shall be required for pesticide applicator recertification in the following circumstances:

~~(a) The licensee failed to renew the license within a 60 day period following the expiration date, provided the delay was, in the judgment of the department, not beyond the control of the applicator; or~~

~~(a)(b)~~ The license was revoked or suspended for 6 months or longer; or

~~(b)(e)~~ It is deemed by the department that new information makes reexamination essential for continued certification. In the latter case, the department shall give adequate notice to all applicators affected.

(2) In all other circumstances, applicators shall have two options for recertification as follows:

(a) Reexamination. An applicator may become recertified by successfully retaking the examination(s) required for initial certification as specified in this chapter.

(b) Continuing Education Units (CEUs). An applicator may become recertified by accumulating a specified number of Continuing Education Units (CEUs) during the four (4) year licensure period. CEUs shall be earned by attending Department approved professional training meetings and seminars or by completing and receiving passing scores on Department approved educational modules. ~~The number of CEUs required for applicator recertification in each specific category is as follows:~~

(3) Effective January 1, 2005, all applicators recertifying by means of CEUs must earn 4 CEUs approved for the general standards of pesticide use and safety (core material) plus the following number of CEUs approved for each specific license category to be renewed:

PRIMARY CATEGORIES	CEU'S REQUIRED
Category 1A1 Agricultural Row Crop Pest Control	8
Category 1A2 Agricultural Tree Crop Pest Control	8
Category 1B Agricultural Animal Pest Control	4
Category 1C Private Applicator Agricultural Pest Control	8
Category 1D Soil and Greenhouse Fumigation	4
Category 1E Raw Agricultural Commodity Fumigation	4
Category 2 Forest Pest Control	8
Category 3 Ornamental and Turf Pest Control	12
Category 4 Seed Treatment	4

Category 5A	Aquatic Pest Control	16
Category 5B	Organotin Antifouling Paint Pest Control	4
Category 6	Right-of-Way Pest Control	8
Category 7A	Wood Treatment	4
Category 7B	Chlorine Gas Infusion	4
Category 7C	Sewer Root Control	4
Category 9	Regulatory Pest Control	12
Category 11	<u>Aerial Application</u>	<u>16</u>
Category 20	Regulatory Inspection and Sampling	4
Category 21	Natural Areas Weed Management	16
<u>SECONDARY CATEGORIES</u>		<u>CEUs REQUIRED</u>
Category 10	Demonstration and Research	4
Category 11	Aerial Application	8

~~(4)~~⁽³⁾ Applicators seeking recertification in more than one category by means of CEUs must accumulate the sum of the number of CEUs required for each category in which they hold licensure and seek recertification. As of January 1, 2005, this number of CEUs is in addition to the general standard (core) CEUs required.

~~(5)~~⁽⁴⁾ Until January 1, 2005, fFor each primary category renewed by means of CEUs, a minimum of 2 CEUs earned must consist of CEUs approved for general core competency standards and a minimum of half the CEUs earned must consist of CEUs approved specifically for that category. The remainder of the total number of CEUs earned must consist of CEUs approved either for general core competency standards or for that specific category.

~~(6)~~ For each secondary category renewed by means of CEUs, all CEUs earned must consist of CEUs approved for that specific category. ~~This subsection becomes effective January 1, 2000.~~

~~(7)~~⁽⁵⁾ Categories added to a license after the initial license issue date may be renewed with fewer CEUs per category than stated in paragraph (3) above if the category was added less than two (2) full years before the license expiration date. In this case, the applicator may become recertified in the added category by earning half the required number of CEUs shown for that category above, provided the CEUs were earned between issuance of licensure in the additional category and one year 60 days after license expiration. If a licensee adds a category during the last 12 months of licensure, recertification is not required to renew licensure in that category.

~~(8)~~⁽⁶⁾ CEU program approval. The department shall approve professional meetings or seminars for granting of continuing education units (CEUs) in pesticide use and safety through execution of an agreement between the department and the sponsoring organization and provided the seminar or meeting and sponsor comply with the criteria set forth below. The agreement shall clearly stipulate the sponsoring organization's responsibilities and the department's authority to withhold credits for any seminar or meeting determined not

to be in compliance with the approved criteria or the points specified in the agreement. Criteria for allocation of CEUs and procedures for program approval and granting of CEUs to individual licenses are specified below.

~~(9)~~⁽⁷⁾ CEU program criteria. The following specifications shall be met before a meeting or seminar shall be considered for approval:

(a) The sponsoring organization shall submit a written request for approval to grant CEUs on form DACS-13326 ~~DACS-130326~~ prescribed by the department. The completed form must be received by the department no later than two (2) weeks prior to the date of the program, unless a different time frame is approved by the department on a case by case basis, based on circumstances beyond the control of the sponsoring organization.

(b) A program agenda indicating the start time, duration, instructor or speaker, and description of each program segment for which CEU approval is requested shall be submitted with form DACS-13326 ~~DACS-130326~~. The description of each program segment must be sufficient for verification of content and applicability.

(c) The subject matter presented for CEU credit shall relate directly to the certification standards outlined in this chapter for the appropriate licensure types and categories.

(d) Documentation attesting that the instructors or speakers possess the expertise required to impart the specified information to the attendees shall be submitted with form DACS-13326 ~~DACS-130326~~.

(e) The sponsoring organization shall distribute an official record of attendance, form DACS-13325 ~~DACS-130325~~, provided by the department, to each licensee in attendance and shall monitor attendance to ensure these records are accurate. A designee of the sponsoring organization shall sign the record of attendance forms to verify each licensee's attendance.

(f) Authorized department agents may attend any approved CEU session unannounced and without paying any associated registration fee. If such agents desire to earn CEU credit while monitoring approved training programs, they must follow the same protocol as other attendees for registering and paying fees, if applicable.

~~(10)~~⁽⁸⁾ Allocation of CEUs. Each 50 minutes of applicable lecture time will be allocated 1 CEU. Program segments consisting of only field trips, demonstrations, and other non-lecture instruction will be assigned 0.5 CEUs per 50 minutes of applicable non-lecture instruction. Each applicable program segment or combination of segments will be designated as an approved CEU session and assigned a distinct number of CEUs, with a minimum of 0.5 CEUs assigned per approved CEU session. Program segments of less than 30 minutes duration will not be assigned individual CEUs, but will be combined with other approved segments into approved

CEU sessions with assigned CEUs. A program segment shall be approved for CEU credit only in the areas of licensure to which it is directly germane.

~~(11)(9)~~ Procedure for determining CEUs.

(a) through (b) No change.

~~(12)(40)~~ Procedure for granting CEUs to licensees.

(a) A licensee may earn CEUs for license renewal only after the license has been issued and no later than one year ~~60 days~~ after license expiration.

(b) through (c) No change.

(d) Completed and signed record of attendance forms must be received by the department no later than one year ~~60 days~~ after license expiration.

(e) Record of attendance forms will be reviewed by the department and incomplete forms returned to the licensee. Corrected forms may be resubmitted to the department for reevaluation provided resubmissions are received by the department no later than one year ~~60 days~~ after license expiration.

(f) No change.

(g) The licensee is responsible for ensuring that the CEUs required for license renewal are earned according to guidelines specified in this chapter. The licensee is also responsible for maintaining the completed record of attendance forms (form ~~DACS-13325~~ DACS-130325) and submitting these records to the department at the time of request for license renewal.

~~(13)(44)~~ Forms.

The following forms are hereby incorporated by reference. These forms may be obtained from the Florida Department of Agriculture and Consumer Services, Pesticide Certification Office, 3125 Conner Boulevard, ~~Building 8 (L29) MD-1 (L33)~~, Tallahassee, Florida 32399-1650, telephone (850)~~488-3314~~ 488-6838.

(a) Request for Granting Continuing Education Units (CEUs) for Renewal of ~~Restricted Use~~ Pesticide Applicator Licenses (~~DACS-13326~~ DACS-130326, Rev. 10/01 8/97).

(b) Record of Attendance for Continuing Education Units (CEUs) (~~DACS-13325~~ DACS-130325, Rev. 10/01 7/97).

Specific Authority 487.049, 570.07(23) FS. Law Implemented 487.049 FS. History--New 6-9-94, Amended 7-2-95, 9-24-98, 6-28-99,_____.

5E-9.033 Pesticide Dealer Records.

(1) Licensed pesticide dealers shall maintain the following records relating to the sale or transfer of ownership of restricted use pesticides:

(a) Date of sale;

(b) Name and license number of licensed applicator making or authorizing the purchase ~~or authorized purchase agent purchasing the pesticide product~~;

(c) Name of authorized purchase agent purchasing the pesticide product, if applicable ~~License number of the applicator authorizing the purchase~~;

(d) Brand name and EPA registration number of each product sold or transferred;

(e) Size and number of containers of each product sold or transferred; and

(f) No change.

(2) The information listed in (1)(a) through (1)(e) shall be recorded immediately at the time of sale or transfer and may be incorporated into billing invoices or other business transaction records.

(3) No change.

(4) All required information shall be retained for a period of two (2) years from the date of sale or transfer in a manner that is accessible by authorized department representatives.

(5) No change.

Specific Authority 487.048(2), 570.07(23) FS. Law Implemented 487.048(2) FS. History--New 6-9-94, Amended 7-2-95,_____.

5E-9.034 Direct Supervision.

(1) Licensed applicators are responsible for the pesticide use activities and actions of individuals under their direct supervision and shall be in a location from which they can physically arrive on site before or during pesticide use, if and when their presence is needed. The licensed applicator must be immediately available for verbal communication with persons under his or her immediate supervision to provide direction and instruction during all times pesticides are being used. The applicator is responsible for providing information to all persons applying or otherwise using pesticides under his or her direct supervision on how he or she may be immediately contacted.

(2) through (3) No change.

Specific Authority 487.1585(1), 570.07(23) FS. Law Implemented 487.1585(1) FS. History--New 6-9-94, Amended 7-2-95,_____.

**AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid**

RULE TITLE: PROVIDER REQUIREMENTS
RULE NO.: 59G-5.020

PURPOSE AND EFFECT: The purpose of this rule is to incorporate by reference the revised Florida Medicaid Provider Reimbursement Handbook, HCFA-1500 and Child Health Check-Up 221, July 2001. The effect will be to incorporate by reference in the rule the revised Florida Medicaid Provider Handbook, HCFA-1500 and Child Health Check-Up 221.

SUBJECT AREA TO BE ADDRESSED: Medicaid provider requirements.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.906, 409.907, 409.908 FS.

IF REQUESTED IN WRITING BY AN AFFECTED PERSON 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., November 30, 2001
PLACE: 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, FL 32308
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Angela Smith, Medicaid Contract Management, 2308 Killlearn Center Blvd., Suite 200, Tallahassee, FL, (850)922-7342

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-5.020 Provider Requirements.

All advanced registered nurse practitioners; assistive care providers; ambulatory surgery centers; audiologists; birthing centers; child health check-up providers; chiropractors; community mental health services providers; county health departments; county health department certified match providers; dentists (when submitting claims on the HCFA-1500 claim form); durable medical equipment and medical supply providers; early intervention service providers; federally qualified health centers; freestanding dialysis centers; hearing aid specialists; home health agencies; independent laboratories; licensed midwives; Medicaid certified school match providers; medical foster care providers; opticians; optometrists; physicians; physician assistants; podiatrists; portable x-ray providers; prescribed pediatric extended care centers; registered nurse first assistants; rural health clinics; therapists; and visual services providers enrolled in the Medicaid program and their billing agents must comply with the provisions of the Florida Medicaid Provider Reimbursement Handbook, HCFA-1500 and Child Health Check-Up 221, updated July 2001 ~~May 2001~~, which is incorporated by reference and available from the fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.912 FS. History--New 9-22-93, Formerly 10P-5.020, Amended 7-8-97, 1-9-00, 4-24-01, 8-6-01,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE TITLE: General Information and Forms
RULE NO.: 61G3-15.006
PURPOSE AND EFFECT: The Board proposes to update the existing rule.
SUBJECT AREA TO BE ADDRESSED: General Information.
SPECIFIC AUTHORITY: 120.53(1), 119.07(1)(a), 476.064(4) FS.
LAW IMPLEMENTED: 120.53(1), 455.205, 119.07(1)(a) 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: Julie Baker, Executive Director, Barbers' Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE TITLE: Change of Ownership of Barbershops
RULE NO.: 61G3-19.013
PURPOSE AND EFFECT: The Board proposes to update the existing rule.
SUBJECT AREA TO BE ADDRESSED: Change of Ownership or location of Barbershops.
SPECIFIC AUTHORITY: 476.064(4) FS.
LAW IMPLEMENTED: 476.184(7) 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: Julie Baker, Executive Director, Barbers' Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE TITLE: Aggravating and Mitigating Circumstances
RULE NO.: 61G3-21.002
PURPOSE AND EFFECT: The Board proposes to update the existing rule.
SUBJECT AREA TO BE ADDRESSED: Aggravating and Mitigating Circumstances.
SPECIFIC AUTHORITY: 455.2273(3), 476.064(4) FS.
LAW IMPLEMENTED: 455.2273 (3), 476.184(7) 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: Julie Baker, Executive Director, Barbers' Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLE: Schedule of Fees Adopted by Board RULE NO.: 61G15-24.001

PURPOSE AND EFFECT: The Board proposes to review this rule to determine if any amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Schedule of fees adopted by Board.

SPECIFIC AUTHORITY: 455.213, 455.217(3), 455.219, 455.271, 471.011, 471.019 FS.

LAW IMPLEMENTED: 119.07(1)(a), 455.217(3), 471.011, 471.019 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Natalie Lowe, Administrator, Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Disciplinary Guidelines RULE NO.: 64B8-55.001

PURPOSE AND EFFECT: The Electrolysis Council proposes to update the existing rule.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

SPECIFIC AUTHORITY: 456.072, 476.079, 478.52(4) FS.

LAW IMPLEMENTED: 456.072, 456.079, 478.52(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 IS: Kaye Howerton, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Citations RULE NO.: 64B8-55.002

PURPOSE AND EFFECT: The Electrolysis Council proposes to update the existing rule.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 456.077(1),(2) FS.

LAW IMPLEMENTED: 456.072(3)(b) 456.077(1),(2), 478.51, 478.52 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLES: Definitions RULE NOS.: 64B9-3.001

Qualifications for Examination 64B9-3.002

PURPOSE AND EFFECT: The Board proposes to review these rules to determine if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Definitions and qualifications for examination.

SPECIFIC AUTHORITY: 464.006, 464.022(4) FS.

LAW IMPLEMENTED: 112.011(1)(b), 455.561(1), 464.008(1)(b), 464.015(4), 464.022(4), 464.019 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dr. Ruth Steihl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, Florida 32207

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

DEPARTMENT OF HEALTH**Board of Nursing Home Administrators**

RULE TITLES: RULE NOS.:

Application for Licensure 64B10-12.002

Reexamination Fee 64B10-12.003

PURPOSE AND EFFECT: The purpose and effect of these rule amendments is to properly reflect the costs of both exam sections, so that the cost for both portions of the exam will be borne by the applicant.

SUBJECT AREA TO BE ADDRESSED: The fees for both the national and the Florida portions of the exam for nursing home administrators.

SPECIFIC AUTHORITY: 456.017(2), 468.1685, 468.1695(2) FS.

LAW IMPLEMENTED: 456.017(2), 468.1695 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: 10:30 a.m., Tuesday, November 27, 2001

PLACE: General Counsel's Conference Room, Office of General Counsel, Suite 110, Prather Building, 2585 Merchant's Row Boulevard, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: John Taylor, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-1753

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B10-12.002 Application for Licensure.

The application and examination fee for licensure shall be four hundred thirty dollars (\$430.00) if both parts of the examination are taken and if one part is taken, two hundred thirty-five (\$235.00) dollars for NAB or one hundred ninety-five(\$195.00) dollars for laws and rules two hundred fifty dollars (\$250.00).

Specific Authority 468.1685(1), 468.1695(2) FS. Law Implemented 468.1695(3) FS. History--New 12-26-79, Formerly 21Z-12.02, Amended 1-22-90, Formerly 21Z-12.002, 61G12-12.002, 59T-12.002, Amended.

64B10-12.003 Reexamination Fee.

The reexamination fee shall be four hundred thirty two hundred fifty dollars (\$430.00 250.00) if both parts of the examination are retaken and if one part is retaken, two hundred thirty-five one hundred seventy-five (\$235.00 175.00) dollars for NAB or one hundred ninety-five fifty (\$195.00 150.00) dollars for laws and rules.

Specific Authority 456.017(2), 468.1685 FS. Law Implemented 456.017(2), 468.1695 FS. History--New 12-26-79, Amended 6-14-82, Formerly 21Z-12.03, Amended 1-22-90, Formerly 21Z-12.003, 61G12-12.003, Amended 2-13-95, Formerly 59T-12.003, Amended.

DEPARTMENT OF HEALTH**Board of Occupational Therapy Practice**

RULE TITLE: RULE NO.:

HIV/AIDS Education for Initial Licensure 64B11-2.007

PURPOSE AND EFFECT: The Board proposes to update the existing rule text to include prevention of medical error education.

SUBJECT AREA TO BE ADDRESSED: HIV/AIDS Education for Initial Licensure.

SPECIFIC AUTHORITY: 456.033, 468.204 FS.

LAW IMPLEMENTED: 456.033 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 A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, 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 NOT AVAILABLE AT THIS TIME.

DEPARTMENT OF HEALTH**Board of Occupational Therapy Practice**

RULE TITLE: RULE NO.:

Requirement for License Renewal of an 64B11-5.001
Active License

PURPOSE AND EFFECT: The Board proposes to update the existing rule text to include prevention of medical error education.

SUBJECT AREA TO BE ADDRESSED: Requirement for License Renewal of an Active License.

SPECIFIC AUTHORITY: 456.036, 468.219 FS.

LAW IMPLEMENTED: 456.033, 456.036, 468.219 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: Kaye Howerton, Executive Director, Board of Occupational Therapy Practice, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
PART I ADMINISTRATION	
Purpose and Intent	67-50.001
Definitions	67-50.005
Fees	67-50.010
Notice of Funding Availability (“NOFA”)	67-50.020
Application and Selection Procedures for Developments	67-50.030
Administrative Appeal Procedures	67-50.040
Credit Underwriting Procedures and Loan Origination	67-50.050
Disbursement of Funds, Draw Requests, and Loan Servicing	67-50.060
Compliance and Monitoring	67-50.070
PART II HOMEOWNERSHIP ASSISTANCE PROGRAM	
General Program Restrictions	67-50.080
Terms and Conditions of HAP Construction Loans	67-50.090
Terms and Conditions of HAP Permanent Loans	67-50.100
PART III HOME INVESTMENT PARTNERSHIP PROGRAM	
General Program Restrictions	67-50.110
Match Contribution Requirement	67-50.120
Eligible HOME Activities	67-50.130
Eligible HOME Applicants	67-50.140
Eligible & Ineligible Development Costs	67-50.150
Eligible Applicant’s Responsibilities	67-50.160
Terms and Conditions of HOME Construction Loans	67-50.170
Terms and Conditions of HOME Permanent Loans	67-50.180

PURPOSE AND EFFECT: The purpose of this rule chapter is to establish the procedures by which the Corporation shall:

- (1) Administer the Application process, determine loan amounts, and make and service mortgage loans for new construction of housing under the Florida Home Ownership Assistance Program (HAP)/Construction Loan Program, authorized by Sections 420.507 and 420.5088, Florida Statutes; and
- (2) Administer the Application process, determine loan amounts, and make and service mortgage loans for new construction of housing under the HOME Investment Partnerships (HOME) Homeownership Construction Loan Program, authorized by Section 420.5089, Florida Statutes.

The adoption of this rule chapter will increase the efficiency and effectiveness of Program service and will provide greater clarification of the Program.

SUBJECT AREA TO BE ADDRESSED: The Rule Development Workshop will be held to receive comments and suggestions from interested persons relative to program requirements as specified in Rule Chapter 67-50, Florida Administrative Code.

SPECIFIC AUTHORITY: 420.507, 420.5088, 420.5089 FS.

LAW IMPLEMENTED: 420.507(23), 420.5088, 420.5089(2) FS.

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

TIME AND DATE: 11:00 a.m., Tuesday, November 27, 2001

PLACE: Florida Housing Finance Corporation, Seltzer Conference Room, 227 North Bronough Street, Tallahassee, Florida 32301

TIME AND DATE: 11:00 a.m., Wednesday, November 28, 2001

PLACE: East Central Florida Regional Planning Council, 631 N. Wynmore Road, Suite 100, Maitland, Florida 32751

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Lainie Lowery, HOME Homeownership Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

Any person requiring special accommodation at this hearing 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)955-8770 (Voice) or 1(800)955-9771 (TDD).

**Section II
Proposed Rules**

DEPARTMENT OF STATE

Division of Elections

RULE TITLE:	RULE NO.:
State Write-in Ballot	1S-2.028

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to prescribe the form of the state write-in ballot as required by Section 48, Chapter 2001-40, Laws of Florida.

SUMMARY: An overseas voter who is not able to receive an absentee ballot may request a state write-in ballot up to 180 days before the election. Section 48, Chapter 2001-40, Laws of Florida, provides the procedures for the state write-in ballot. This rule provides the actual form of the state write-in ballot.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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.