

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF BANKING AND FINANCE

Division of Finance and Securities

Table with 2 columns: RULE TITLES and RULE NOS.:
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PURPOSE AND EFFECT: These rules will be amended to update and conform the certification procedures for the newly enacted Program Two of the Certified Capital Company Act in Section 288.99, F.S.

SUBJECT AREA TO BE ADDRESSED: The certification process and qualifications for Program Two of the Certified Capital Company Act.

SPECIFIC AUTHORITY: 288.99(4)(h) FS.

LAW IMPLEMENTED: 288.99(3),(4),(5),(8),(9),(10),(17) 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., October 3, 2002

PLACE: Department of Banking and Finance, The Fletcher Building, 101 E. Gaines Street, Room G-16C, The JAD Room, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michael Ramsden, 101 E. Gaines Street, Tallahassee, Florida 32399, (850)410-9805

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

Table with 2 columns: RULE TITLES and RULE NOS.:
Registration 5J-4.004
Exemption 5J-4.005
Reduction of Security 5J-4.007

PURPOSE AND EFFECT: The purpose and effect of Rule changes to 5J-4.004 and 5J-4.005, F.A.C., is to eliminate the effective date of form 10300 and corrects the name and address of the Department of Agriculture and Consumer Services,

Division of Consumer Services. Rule change 5J-4.005, F.A.C., identifies the Affidavit of Exemption form location and rule 5J-4.007 is being repealed.

SUBJECT AREA TO BE ADDRESSED: 5J-4.004 and 5J-4.005 rule changes correctly identify the name and current address of the Department of Agriculture and Consumer Services, Division of Consumer Services. Rule 5J-4.007 is being repealed.

SPECIFIC AUTHORITY: 501.014(2)(a) FS.

LAW IMPLEMENTED: 501.013, 501.015(1),(2),(4), 501.016(4), 501.016(6) FS.

IF REQUESTED 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., September 30, 2002

PLACE: Department of Agriculture and Consumer Services, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dee Keck, Regulatory Program Administrator, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3679

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5J-4.004 Registration.

Any person who intends to open or operate as a health studio shall, prior to engaging in such activities, register with the Department using ~~Form~~ DACS 10300, Health Studio Registration, ~~Revised 7-10-94, hereby incorporated by reference.~~ Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, 407 South Calhoun Street, Mayo Building, 2nd Floor, Attention: Health Studios, 2005 Apalachee Parkway, Terry L. Rhodes Building, Tallahassee, Florida 32399-~~65000800~~. The registrant shall submit with ~~Form~~ DACS 10300 a copy of each contract offered to the public relating to the sale of health studio services.

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

5J-4.005 Exemption.

(1) Any person claiming an exemption pursuant to the provisions of Section 501.013, Florida Statutes, from the health studio laws shall, prior to engaging in health studio activities, file with the Department ~~the executed an affidavit on Form 10301, Affidavit of Exemption, which is included in Form~~ DACS 10300. ~~Revised 7-10-94, hereby incorporated by reference.~~ Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, 407 South Calhoun Street, Mayo

~~Building, 2nd Floor, Attention: Health Studios, 2005 Apalachee Parkway, Terry L. Rhodes Building, Tallahassee, Florida 32399-6500~~

(2) The Department may request a person claiming an exemption under Section 501.013, Florida Statutes, to submit supporting documentation necessary to establish the person is entitled to such exemption.

Specific Authority 501.014(2)(a) FS. Law Implemented 501.013, 501.016(6),(7) FS. History—New 2-9-93, Amended 7-10-94, 5-24-95, Repealed.

5J-4.007 Reduction of Security.

~~Any person claiming a reduction shall file annually with the Department Form 10304, Application for Reduction, effective 2-9-93, hereby incorporated by reference. Copies of this form may be obtained from the Division of Consumer Services, 407 South Calhoun Street, Mayo Building, 2nd Floor, Attention: Health Studios, Tallahassee, Florida 32399-0800.~~

Specific Authority 501.014(2)(a) FS. Law Implemented 501.016(4) FS. History—New 2-9-93, Amended 7-10-94, 5-24-95, Repealed.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE TITLES:

RULE NOS.:

Licensing Requirement, Commercial Telephone Seller, Salesperson

5J-6.005

Exemption

5J-6.013

Denials

5J-6.014

PURPOSE AND EFFECT: The purpose and effect of the change to Rule 5J-6.005, F.A.C., is to correctly identify and locate Registration forms and correct the name and address of the Department of Agriculture, Division of Consumer Services. It also repeals subsections (2) and (3) of 5J-6.005, which deals with forms 10001 and 10002. Paragraph 5J-6.005(4)(a), F.A.C., clarifies the specific forms needed to obtain Interim Operating Authority as a Commercial Telephone Salesperson. In addition, Section (6), dealing with submitting a photocopy of the original submission for licensing, is repealed. Rule change to 5J-6.013, F.A.C., correctly identifies the Affidavit of Exemption's form number and corrects the address of the Division. Rule 5J-6.014, F.A.C., relates to Section 501.612(1), F.S., and sets guidelines for the denial of a license.

SUBJECT AREA TO BE ADDRESSED: 5J-6.005 and 5J-6.013 rule changes correctly identify Registration and Affidavit of Exemption forms, eliminate forms 10001 and 10002, specify what forms are necessary to submit for Interim Authority to operate as a Commercial Telephone Salesperson, and change the name and current address of the Department of Agriculture and Consumer Services, Division of Consumer Services. A new Rule 5J-6.014, F.A.C., Denials, relates to Section 501.612(1), F.S., dealing with denials of licenses. This rule sets the guidelines for denial of licenses.

SPECIFIC AUTHORITY: 501.626 FS.

LAW IMPLEMENTED: 501.612 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., September 30, 2002

PLACE: Department of Agriculture and Consumer Services, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dee Keck, Regulatory Program Administrator, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3679

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5J-6.005 Licensing Requirement, Commercial Telephone Seller, Salesperson.

(1) No person may act as a commercial telephone seller or salesperson without first obtaining a license to conduct such activity. All applications for a license shall be in writing, on a form DACS 10001, as provided ~~herein~~ by the Department, verified by the applicant, and accompanied by the required fee. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Telemarketing, 2005 Apalachee Parkway, Terry L. Rhodes Building, Tallahassee, Florida 32399-6500.

~~(2) The commercial telephone seller shall utilize Form 10001, effective 4-12-92, entitled Application for License, Commercial Telephone Seller, hereby adopted and incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attn: Telemarketing, Mayo Building, Second Floor, Tallahassee, Florida 32399-0800.~~

~~(3) The salesperson shall utilize Form 10002, effective 4-12-92, entitled Application for License, Salesperson, hereby adopted and incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attn: Telemarketing, Mayo Building, Second Floor, Tallahassee, Florida 32399-0800.~~

~~(2)(4)(a) In the event a licensed commercial telephone seller hires an employee to function as a salesperson, but the employee does not possess a current commercial telephone salesperson license, the licensed commercial telephone seller may obtain interim operating authority for the unlicensed salesperson from the Department by submitting the Application for license as a Commercial Telephone Salesperson and the Statement of Verification, which are included in Form DACS 10001 40002, and a written request that the applicant be granted interim operating authority.~~

(b) The interim operating authority shall be effective until such time as the Department notifies the applicant of denial or approval of license. In no event shall the interim operating authority exceed a period of 90 days.

(c) In the event a license is denied, the interim operating authority shall immediately terminate and the applicant for a salesperson license shall immediately discontinue operating as a salesperson.

~~(3)(5) The licensee shall notify the Department of all material changes in the information submitted in the application for license, including the original application for license, or any application for renewal of the license, occurring prior to renewal within 10 days of the change. The licensee shall utilize form DACS 10001 10003, effective 4-12-92 entitled Material Change, Commercial Telephone Seller/Salesperson, hereby adopted and incorporated by reference, and shall remit proper fees as applicable.~~

~~(6) The licensee shall attach a photocopy of the original information which was submitted as a condition of initial or renewal license to form 10003, Material Change, Commercial Telephone Seller/Salesperson, and the photocopy shall be Noted and conspicuously identified.~~

~~(4)(7) In the event that a salesperson licensee changes his/her company affiliation, the salesperson shall utilize form DACS 10001, 10003 Material Change, Commercial Telephone Seller/Salesperson. Additionally, the salesperson shall utilize a properly executed form 10004, effective 4-12-92, entitled Statement of Verification, hereby adopted and incorporated by reference, and pay the prescribed \$10 fee. Such change in status shall be submitted to the Department within 10 days of the change.~~

~~(5)(8) In the event that the salesperson intends to affiliate with more than one company, the salesperson shall indicate such, as provided on form DACS 10001, by executing the 10002 Application for License, Salesperson, and shall submit an executed form 10004, Statement of Verification, for each Commercial Telephone Seller with which the salesperson intends to affiliate.~~

Specific Authority 501.626 FS. Law Implemented 501.605, 501.607, 501.608, 501.609 FS. History--New 4-12-92, Amended 2-15-93, 6-26-94, 5-15-95, 2-11-98, _____.

5J-6.013 Exemption.

(1) Any business entity claiming an exemption pursuant to Section 501.608(1)(b), Florida Statutes, shall file the Affidavit of Exemption included in Form DACS 10001 10005 entitled Affidavit of Exemption, Florida Telemarketing Act, effective 6-26-94, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Telemarketing, 227 North Bronough Street, Suite 7200 2005 Apalachee Parkway, Terry L. Rhodes Building, Tallahassee, Florida 32301 32399-6500.

(2) Any business entity claiming to be exempt under Section 501.604(22), Florida Statutes, shall furnish the Department copies of occupational licenses, lease agreements, or tax returns which verify the entity has been operating a retail establishment at least one year under the same name as that used in connection with telemarketing; and

(a) Shall provide a written statement that products are displayed and offered for sale, or services are offered for sale, and provided at the business establishment; and

(b) Shall furnish the Department copies of sales records, customer lists, purchase orders, general ledger entries, journals, or other documents which verify that a majority of the seller's business involves the buyer obtaining such products or services at the seller's location. For the purposes of this rule, a "majority of the Seller's business" shall mean that at least 51% of each of the following occurs at the seller's business establishment:

1. The total annual dollar volume of sales;
2. The total number of individual customer transactions; and
3. The total number of sales.

Specific Authority 501.626 FS. Law Implemented 501.604, 501.608 FS. History--New 6-26-94, Amended 2-11-98, _____.

5J-6.014 Denials.

The purpose of this rule part is to implement s. 501.612(1), Florida Statutes. The department shall not issue an initial or renewal license to any person applying for a commercial telephone seller or salesperson license if the department finds that the applicant, or any of its owners, operators, officers, directors, partners, or other individuals engaged in the management activities of the applicant, has:

(1) Been convicted or found guilty of, or entered a plea of guilty or nolo contendere to, any misdemeanor crime within the last 5 years that involves racketeering or any offense involving fraud, theft, embezzlement, fraudulent conversion, or misappropriation of property, or any other crime involving moral turpitude.

(2) Been convicted or found guilty of, or entered a plea of guilty or nolo contendere to, any felony crime within the last 7 years that involves racketeering or any offense involving fraud, theft, embezzlement, fraudulent conversion, or misappropriation of property.

(3) Been convicted or found guilty of, or entered a plea of guilty or nolo contendere to any capital offense within the last 10 years.

(4) Been convicted or found guilty of, or entered a plea of guilty or nolo contendere to, any crime that involves racketeering, fraud, theft, embezzlement, fraudulent conversion, or misappropriation of property, or involving moral turpitude, and who has not successfully completed or satisfied all the conditions and/or terms of his or her sentencing, including any probation or parole.

(5) Had entered against him or her, or any business for which he or she has been affiliated as an owner, operator, officer, director, partner, or worked in the management activities, an injunction, a temporary restraining order, or a final judgment or order, including a stipulated judgment or order, an assurance of voluntary compliance, or any similar document, in any civil or administrative action involving racketeering, fraud, theft, embezzlement, fraudulent conversion, or misappropriation of property, or the use of any untrue or misleading representation in an attempt to sell or dispose of real or personal property or the use of any unfair, unlawful, or deceptive trade practice and who has not satisfied all the conditions and/or terms of his or her judgment or order.

Specific Authority 501.626 FS. Law Implemented 501.612 FS. History—New

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE TITLE: Registration
 RULE NO.: 5J-8.003

PURPOSE AND EFFECT: The purpose and effect of this rule change is to identify form DACS 10700 and eliminate the effective date for Form 10700, Dance Studio Registration, and correct the address of the Department of Agriculture and Consumer Services, Division of Consumer Services.

SUBJECT AREA TO BE ADDRESSED: This rule correctly identifies form DACS 10700, eliminates the old effective date for Form 10700 and updates the current address of the Division of Consumer Services.

SPECIFIC AUTHORITY: 501.143(12) FS.

LAW IMPLEMENTED: 501.143(3),(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., September 30, 2002

PLACE: Department of Agriculture and Consumer Services, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dee Keck, Regulatory Program Administrator, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3679

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5J-8.003 Registration.

(1) Any person who intends to open or operate as a dance studio shall, prior to engaging in such activity, register with the Department using ~~Form~~ DACS 10700, Dance Studio Registration, ~~effective March 22, 1993, revised June 23, 1994,~~

~~hereby incorporated by reference.~~ Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, ~~Attention Attn:~~ Dance Studio Registration, 2005 Apalachee Parkway, Terry L. Rhodes Building ~~Mayo Building, Second Floor,~~ Tallahassee, Florida 32399-~~6500~~0800. The registrant shall submit the registration fee to the Department at the time of registration for each of the dance studio's locations. The registration fee shall be non-refundable. The registrant shall submit with ~~Form~~ DACS 10700 a copy of each contract offered to the public relating to the sale of dance studio services.

(2) For the purpose of Section 501.143(4), Florida Statutes, and these rules, a "contract for ballroom dance studio services or lessons" shall not include:

(a) A single contract sold by a ballroom dance studio for a duration of seven (7) calendar days or less to any customer without any option for renewal or any other condition which establishes any right in the term;

(b) Which requires an advance payment of \$250 or less; and

(c) Which does not require the customer to provide payments in installments.

(3) In the event a contract for ballroom dance studio lessons or services meets the requirements of subsection (2) above, the contract need not be in writing.

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE TITLES: Registration, Document Submission
 SECURITY REQUIREMENT

RULE NOS.: 5J-9.002
 5J-9.006

PURPOSE AND EFFECT: The purpose and effect of 5J-9.002(1),(2), F.A.C., rule change is to identify the registration package for a Seller of Travel and correct the mailing address for the Division of Consumer Services. Rule change to subsection 5J-9.006(1), F.A.C., is to correctly identify the Surety Bond form as being included in the Registration packet and eliminate an outdated address for the Department of Agriculture and Consumer Services. Rule change 5J-9.006(2),(3) correctly identifies the Application for Reduction of Security form as being included in the Registration packet and deletes an outdated address for the Department of Agriculture and Consumer Services.

SUBJECT AREA TO BE ADDRESSED: This rule correctly identifies the package a Seller of Travel must complete to comply with the registration requirement under Section 559.928, F.S., and corrects the mailing address for the Division.

SPECIFIC AUTHORITY: 559.9355(3) FS.

LAW IMPLEMENTED: 559.928, 559.929, 559.935(3) FS.

IF REQUESTED 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: 11:30 a.m., September 30, 2002

PLACE: Department of Agriculture and Consumer Services, Conference Room, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dee Keck, Regulatory Program Administrator, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3782

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5J- 9.002 Registration, Document Submission.

The following statement in bold print:

(1) Any person who intends to operate as a seller of travel shall submit form DACS 10200, Seller of Travel the registration and fee to the Department at the time of registration. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Sellers of Travel Section, 2005 Apalachee Parkway, Terry L. Rhodes Building, Tallahassee, Florida 32399-6500. If the application is withdrawn or denied, the registration fee shall be retained by the Department to cover the administrative cost of implementing Sections 559.926-~~559.939~~, Florida Statutes.

(2) Any person claiming an exemption pursuant to the provisions of Section 559.935(3), Florida Statutes, shall file an affidavit of exemption with the Department using form DACS 10211 ST-10210 effective 9/95, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Sellers of Travel Section, 2005 Apalachee Parkway, Terry L. Rhodes Building, Tallahassee, Florida 32399-6500.

(3) No change.

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

5J-9.006 Security Requirement.

(1) Prior to engaging in any activities as a seller of travel, each seller of travel shall file with the Department an original performance bond in an amount determined by subsection (2) below. The applicant shall utilize the use Form ST-10203, Surety Bond Form, an example of which is included in form DACS 10200 Registration packet effective February 8, 1994, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer

~~Services, Division of Consumer Services, Attention: Sellers of Travel, Mayo Building, Second Floor, Tallahassee, Florida 32399-0800.~~

(2) The amount of the security for sellers of travel that do not offer vacation certificates shall be \$25,000; however, the seller of travel may apply for a reduction by completing the Security Reduction Application, which is included in form DACS 10200 Registration packet filing Form 10208, Application for Reduction of Security, effective February 8, 1994, hereby incorporated by reference, and providing. The Seller of Travel must provide copies of its federal income tax return or an audited financial statement for the immediately preceding fiscal year. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Attention: Sellers of Travel, Mayo Building, Second Floor, Tallahassee, Florida 32399-0800. To apply for reduction of the security, the seller of travel must have a satisfactory consumer complaint history. The amount of the security reduction shall be determined by the seller of travel's dollar amount of gross annual sales, as follows:

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

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

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

(3) The amount of the security for a newly established business or a business under new ownership shall be \$25,000; however, the seller of travel may apply to reduce its security to \$10,000 by executing the Application for Reduction of Security included in form DACS 10200 Registration Packet filing Form 10208. To be eligible for a reduction in security, a newly established seller of travel must meet the following criteria:

(a) Has not been in operation for more than one year;

(b) None of its owners, directors, officers, or general partners have had any civil, criminal, or administrative action instituted against him in the vacation or travel business, and none of its owners, directors, officers, or general partners have been affiliated with any seller of travel that has had any civil, criminal, or administrative action instituted against it in the vacation or travel business; and

(c) None of its owners, directors, officers, or general partners have an unsatisfactory consumer complaint history with the Department or have been affiliated with any seller of travel that has had an unsatisfactory consumer complaint history with the Department.

(4) No change.

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE TITLE: Franchises
RULE NO.: 5J-10.002

PURPOSE AND EFFECT: The purpose and effect of this rule change is to eliminate the effective date for form DACS 10500 and to correct the address of the Department of Agriculture and Consumer Services, Division of Consumer Services.

SUBJECT AREA TO BE ADDRESSED: This rule change eliminates the effective date for form DACS 10500 and updates the current address of the Division of Consumer Services.

SPECIFIC AUTHORITY: 570.07(23) FS.

LAW IMPLEMENTED: 559.802 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., September 30, 2002

PLACE: Department of Agriculture and Consumer Services, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dee Keck, Regulatory Program Administrator, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3679

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5J-10.002 Franchises.

Every franchisor claiming an exemption pursuant to Section 559.802, Florida Statutes, shall file form ~~number~~ DACS 10500, ~~Annual Franchise Notice of Exemption Application, effective 11-15-94, hereby incorporated by reference.~~ Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, 2005 Apalachee Parkway, Terry L. Rhodes Building 407 South Calhoun Street, Mayo Building, 2nd Floor, Attention: Business Opportunities, Tallahassee, Florida 32399-6500~~0800~~. The franchisor shall submit a filing fee of \$100 with ~~f~~Form DACS 10500. The filing fee shall be non-refundable. The exemption may be renewed each year by filing ~~f~~Form DACS 10500 and paying a renewal fee of \$100.

Specific Authority 570.07(23) FS. Law Implemented 559.802 FS. History—New 11-15-94, Amended 6-4-95.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

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

PURPOSE AND EFFECT: The purpose and effect of this rule change is to eliminate the effective date of form DACS 10900 and correct the address of the Department of Agriculture and Consumer Services, Division of Consumer Services.

SUBJECT AREA TO BE ADDRESSED: This rule eliminates the effective date of form DACS 10900 and updates the current address of the Division of Consumer Services.

SPECIFIC AUTHORITY: 570.07(23) FS.

LAW IMPLEMENTED: 559.904, 559.916 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: 11:00 a.m., September 30, 2002

PLACE: Department of Agriculture and Consumer Services, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dee Keck, Regulatory Program Administrator, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3679

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5J-12.002 Registration.

(1)(a) Any person who intends to operate a motor vehicle repair shop shall, before engaging in such activities, annually apply for and obtain a registration certificate from the Department using ~~f~~Form DACS 10900, Registration Application Form, Motor Vehicle Repair Act, ~~effective 1-18-95, hereby incorporated by reference.~~ Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Bureau of Motor Vehicle Repair, 2005 Apalachee Parkway, Terry L. Rhodes Building 227 North Bronough Street, City Centre Building, Suite 7200, Tallahassee, Florida 32399-6500~~32301-1329~~.

(b) If the motor vehicle repair shop is located in a municipality or county that has an ordinance containing standards that the Department has determined are at least equal to the requirements of the Florida Motor Vehicle Repair Act, the motor vehicle repair shop must register with the Department and provide one of the following to evidence compliance with the local ordinance:

their current financial statement prepared by a person who is part of an accounting firm or holds a permit to practice public accounting in Florida licensed accountant. In lieu of the financial statement, a person may file a copy of their most recently filed federal income tax return.

(2) If filing a surety bond pursuant to Section 539.001(4)(a)2., F.S., the applicant shall utilize the use Form DACS-10113, Surety Bond example form included in form DACS 10111, effective 12-10-96, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Pawnshops, Mayo Building, Tallahassee, Florida 32399-0800.

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE CHAPTER TITLE: Florida Building Commission –

RULE CHAPTER NO.: 9B-3

Operational Procedures

9B-3

RULE TITLE:

RULE NO.:

Forms for Alternative Plan Review

9B-3.053

and Inspection Procedure

PURPOSE AND EFFECT: The purpose of the amendment is to adopt forms for use in conjunction with the private provider system of plan review and inspection enacted during 2002 legislative session. The effect of the amendment is to adopt forms for use to notify a building official of the election of the alternate procedure and an affidavit of compliance for plan reviewers.

SUBJECT AREA TO BE ADDRESSED: Private plan review and inspection services.

SPECIFIC AUTHORITY: 553.791(4),(5) FS.

LAW IMPLEMENTED: 553.791(4),(5) FS.

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

TIME AND DATE: 1:30 p.m., September 30, 2002

PLACE: Department of Community Affairs, Room 310M, 2555 Shumard Oak Boulevard, Tallahassee, Florida

Any person requiring special accommodations at the workshop 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 workshop. 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)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)922-6091

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE CHAPTER TITLE: Special District Information Program

RULE CHAPTER NO.: 9B-50

RULE TITLES:

RULE NOS.:

Fee Schedule and Annual Invoicing

and Data Updating 9B-50.003

Updating of the Special District Database 9B-50.004

PURPOSE AND EFFECT: Revise the invoicing and annual updating processes to provide that they shall be carried out at the same time; provide that each special district in noncompliance with its fee requirements may be reported to the Office of the Comptroller for further action.

SUBJECT AREA TO BE ADDRESSED: Streamlines invoicing and database updating procedures, provides a process for collecting delinquent annual fees.

SPECIFIC AUTHORITY: 189.425 FS.

LAW IMPLEMENTED: 189.4035, 189.412, 189.427 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 (IF NOT REQUESTED, THIS WORKSHOP WILL NOT BE HELD):

TIME AND DATE: 10:00 a.m., September 30, 2002

PLACE: Department of Community Affairs, 2555 Shumard Oak Boulevard, Room 210L, Tallahassee, Florida

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact Jack Gaskins Jr., Operations and Management Consultant II, Division of Housing and Community Development, Special District Information Program, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1457, Suncom 292-1457, 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)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jack Gaskins Jr., 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1457, Suncom 292-1457

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

9B-50.003 Fee Schedule and Annual Invoicing and Data Updating.

(1) On or about October 1 of each year, and at least 60 days prior to the due date, the Department shall annually, at least 60 days prior to the due date, send the Special District Fee Invoice and Update Form DCA-SDIP-001, 3-1-2003 Fee Assessment Form DCA-SDIP-002, 3-17-99 (hereby incorporated by reference and available from the Special District Information Program, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100) by regular mail to the registered agent of each special district registered with the Special District Information Program. For newly created special districts, the Department shall send the Special District Fee Invoice and Update Form Fee Assessment Form by regular mail to the registered agent of the special district, or an appropriate contact person if a registered agent has not yet been appointed, at the time of registering the special district with the Special District Information Program. The failure of a special district to receive the Fee Assessment Form from the Department shall not excuse the special district from its obligation to comply with the fee schedule.

(2) By the due date on the Special District Fee Invoice and Update Form Fee Assessment Form, each registered agent special district shall make any necessary changes to the information on the form about the special district and comply with the fee schedule by signing, dating, and returning the upper lower portion of the Special District Fee Invoice and Update Form Fee Assessment Form to the Department along with the appropriate fee as follows:

(a) through (e)2. No change.

3. The special district is not a component unit of a general purpose local government as defined in the Governmental Accounting Standards Board's Statement No. 14, issued in June 1991, effective after December 15, 1992, as amended; and

4. The special district's registered agent has fully completed the certification section on the Special District Fee Invoice and Update Form Fee Assessment Form certifying the special district meets the conditions for a zero annual fee, and has returned the Special District Fee Invoice and Update Form Fee Assessment Form to the Department by the due date.

(f) No change.

(3) The Department shall verify the conditions for a zero annual fee within 30 days of receiving the completed certification section on the Special District Fee Invoice and Update Form Fee Assessment Form. If the Department determines that a special district did not meet any condition in Rule 9B-50.003(2)(e), F.A.C., the Department shall notify the registered agent of the special district, and the special district shall be responsible for paying the appropriate fee when invoiced by the Department.

(4) If a special district fails to comply with the fee schedule requirements by the due date set forth on the Special District Fee Invoice and Update Form Fee Assessment Form, the special district shall be assessed a fine within the limits set by statute. Department shall assess a fine of an additional \$25.00, the total fee and fine being due within 30 days. If upon second notice, a special district again fails to remit the required annual fee to the Department by the due date, the Department shall assess a fine of an additional \$25.00, the total fee and fines being due within 30 days. The Department shall, at least 30 days prior to the due date, send any late fee invoice by regular mail to the registered agent of the special district. The Department shall use the post-marked date as a determination of whether or not a special district complies with the fee schedule by the due date. The Department may report each special district in noncompliance with its fee requirements to the Office of the Comptroller for further action.

EFFECTIVE DATE: March 1, 2003.

Specific Authority 189.425 FS. Law Implemented 189.427 FS. History--New 5-1-90, Amended 3-14-91, 12-3-91, 8-10-97, 3-17-99, 3-1-03.

9B-50.004 Annual Updating of the Special District Database.

The Department shall use any updated data from each returned Special District Fee Invoice and Update Form to help ensure that its database remains up-to-date for the purpose of meeting its responsibilities associated with the Official List of Special Districts.

(1) By June 1 of each year, and at least 30 days prior to the due date, the Department shall send the Special District Update Form, DCA-SDIP-001, Effective 3-17-99, (hereby incorporated by reference and available from the Special District Information Program, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100) by regular mail to the registered agent of each special district registered with the Special District Information Program.

(2) On or before July 1 of each year, each special district shall fully complete and return to the Department the Special District Update Form. The Department shall use this form to update its database in preparation for the annual updating and distribution of the Official List of Special Districts.

EFFECTIVE DATE: March 1, 2003.

Specific Authority 189.425 FS. Law Implemented 189.4035, 189.412 FS. History--New 5-1-90, Amended 8-10-97, 3-17-99, 3-1-03.

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Prototype Buildings Plan Review and Approval 9B-74

RULE TITLES: RULE NOS.:

Definitions 9B-74.010

Administration and Fees 9B-74.020

Plan Review and Approval 9B-74.030

PURPOSE AND EFFECT: The purpose of the amendment to the referenced sections of Rule 9B-74 are to allow the prototype plan approval process to address alternative design features of one general set of plans; to limit the scope of the process to buildings that are less than a prescribed size and to make editorial corrections. The amendment is intended to define "alternate design features" and prescribe conditions for the approval thereof; to define a size limitation for buildings subject to approval; and make editorial corrections.

SUBJECT AREA TO BE ADDRESSED: Definitions, Administrative requirements, and substantive requirements for Plan Approval.

SPECIFIC AUTHORITY: 553.77(5) FS.

LAW IMPLEMENTED: 553.77(5) FS.

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

TIME AND DATE: 1:00 p.m., September 30, 2002

PLACE: Department of Community Affairs, Room 310M, 2555 Shumard Oak Boulevard, Tallahassee, Florida

Any person requiring special accommodations at the workshop 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 workshop. 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)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)922-6091

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

DEPARTMENT OF CORRECTIONS

RULE TITLE: Inmate Orientation RULE NO.: 33-601.100

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to create a new rule for inmate orientation procedures, removing orientation language from Rule 33-602.101, F.A.C., Care of Inmates, in order to provide clarity in organization of rule provisions.

SUBJECT AREA TO BE ADDRESSED: Inmate orientation.

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: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.100 Inmate Orientation.

Upon initial arrival in the Department of Corrections, as well as upon transfer within the department, each inmate shall be provided with orientation at which time the rules and procedures of the Department of Corrections, as well as the local institutional operating procedures shall be explained to him. The warden shall review and approve the contents of the orientation to ensure that the security of the institution is not compromised. The reception centers shall provide a more in-depth orientation of overall department rules, while the receiving institutions which serve as the inmates' permanent locations shall emphasize the local operating procedures in their orientation. As inmates are received into the department they shall be provided with a printed copy of Rules 33-601.301-601.314, F.A.C., Inmate Discipline. Translations or translation assistance shall be provided as needed. Copies of the rules and procedures shall be available to inmates upon request to read or review (not for retention). In cases where the inmate is unable to read or comprehend English, translation shall be made available. Copies of the rules and procedures shall also be available for inmate inspection in the institutional library.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History—New

DEPARTMENT OF CORRECTIONS

RULE TITLE: Care of Inmates RULE NO.: 33-602.101

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to delete orientation language which is being moved to a new orientation rule in order to provide clarity in organization of rule provisions, and to provide guidelines for receipt and possession of books on tape by impaired inmates.

SUBJECT AREA TO BE ADDRESSED: Inmate orientation, books on tape for impaired inmates.

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: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.101 Care of Inmates.

~~(1) Upon initial arrival in the Department of Corrections, as well as upon transfer within the department, each inmate shall be provided with orientation at which time the Rules and Regulations and Directives of the Department of Corrections, as well as the local institutional operating procedures shall be explained to him. The warden shall review and approve the contents of the orientation to ensure that the security of the institution is not compromised. The reception centers shall provide a more in-depth orientation of overall department rules, while the receiving institutions which serve as the inmates' permanent locations shall emphasize the local operating procedures in their orientation. As inmates are received into the department they shall be provided with a printed copy of Rules 33-601.301-601.314, F.A.C., Inmate Discipline. Translations or translation assistance shall be provided as needed. Copies of the Department Rules shall be available to inmates upon request to read or review (not for retention). In cases where the inmate is unable to read or comprehend English, translation must be made available. Copies of the Rules and Regulations shall also be available for inmate inspection in the institutional library.~~

(2) through (10) renumbered (1) through (9) No change.

~~(10)(11)~~ Inmates who are unable to handle or read written material due to physical impairment (this includes those who are visually impaired, paraplegic or quadriplegic, or severely affected with arthritis) and who receive assistance from the Bureau of Braille and Talking Book Library Services shall be allowed to possess a tape player or record player from the Bureau. Any alteration of equipment provided by the Bureau shall result in confiscation of the equipment and suspension of those privileges. A tape recorder shall be available for inmate use at a location determined by the warden which allows for supervision of use and which does not unduly restrict access. Inmates shall obtain approval from the chief health officer to utilize the tape recorder in lieu of pen and paper for correspondence purposes. Any material or equipment that an inmate receives from the Bureau of Braille and Talking Book Library Services remains the Bureau's property and must be returned to the Bureau if an inmate loses the use of this material or equipment for disciplinary reasons. Impaired

inmates shall be limited to possession of four books on tape. An inmate who has four books on tape in his possession will not be allowed to receive additional books until some are returned to the Bureau of Braille and Talking Book Library Services.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New 10-8-76, Formerly 33-3.02, Amended 4-19-79, 4-24-80, 1-9-85, 11-3-87, 9-16-88, 7-23-89, 8-27-91, 3-30-94, 11-14-95, 6-2-99, Formerly 33-3.002, Amended 11-21-00, 1-25-01,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Education Requirements
 RULE NO.: 61J1-4.001

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to bring the rule into compliance with statutory changes.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to education requirements.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.613, 475.615, 475.617 FS.

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

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, October 1, 2002

PLACE: Division of Real Estate, Commission Meeting Room 901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Experience Requirement
 RULE NO.: 61J1-6.001

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to bring the rule into compliance with statutory changes.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to experience requirements.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.617 FS.

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

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, October 1, 2002

PLACE: Division of Real Estate, Commission Meeting Room 901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: RULE NO.:

Display and Disclosure of Registration, 61J1-7.001
License or Certification Designation

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to clarify the language relating to appraiser abbreviations or designations.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to appraiser abbreviations or designations.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.622 FS.

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

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, October 1, 2002

PLACE: Division of Real Estate, Commission Meeting Room 901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: RULE NO.:

Disciplinary Guidelines 61J1-8.002

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to clarify or modify the disciplinary guideline recommendations.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to disciplinary guidelines.

SPECIFIC AUTHORITY: 455.2273, 475.614 FS.

LAW IMPLEMENTED: 455.227, 475.622, 475.624, 475.626 FS.

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

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, October 1, 2002

PLACE: Division of Real Estate, Commission Meeting Room 901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE TITLE: RULE NO.:

Food Stamp Program Income and Expenses 65A-1.603

PURPOSE AND EFFECT: The Food Stamp Act of 1977 has been amended to allow multiple levels of utility allowances in determining eligibility for the Food Stamp Program and to disallow the use of actual utility expenses. This proposed rule amendment states that actual utility expenses are not allowed and clarifies budgeting of standard and basic allowances.

SUBJECT AREA TO BE ADDRESSED: In addition to disallowing the use of actual utility expenses, this proposed amendment: clarifies budgeting for utilities when expenses are shared; clarifies budgeting the basic utility allowance; deletes utility expenses for an unoccupied home; and, revises the shelter standard estimate for the homeless.

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.31 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: 3:00 p.m., September 30, 2002
PLACE: Building 3, Room 100, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Audrey Mitchell, Program Administrator, 1317 Winewood Boulevard, Building 3, Room 421, Tallahassee, FL 32399-0700, (850)488-3090
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 Program Issuance
RULE NO.: 65A-1.604

PURPOSE AND EFFECT: Section 409.942, F.S., established the Electronic Benefit Transfer (EBT) program. EBT electronically provides state administered cash and food stamp benefits to eligible participants. This proposed rule amendment changes food stamp benefit issuance to describe and include the Electronic Benefit Transfer (EBT) program in rule. This program allows a participant to authorize the transfer of government benefits from a federal or state account to a retailer account by using a machine-readable card to pay for products received.

SUBJECT AREA TO BE ADDRESSED: This rule amendment updates the process used to issue food stamp benefits by describing and including the Electronic Benefit Transfer (EBT) program in rule. Under the statewide Electronic Benefit Transfer program, a participant authorizes transfer of government benefits from a federal or state account to a retailer account by using a machine-readable card to pay for products received.

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 409.942, 414.31 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: 1:00 p.m., September 30, 2002
PLACE: Building 3, Room 100, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Audrey Mitchell, Program Administrator, 1317 Winewood Boulevard, Building 3, Room 421, Tallahassee, FL 32399-0700, (850)488-3090
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE CHAPTER TITLE: Temporary Cash Assistance
RULE CHAPTER NO.: 65A-4

RULE TITLE: Family Cap Requirements
RULE NO.: 65A-4.214

PURPOSE AND EFFECT: This proposed amendment deletes a portion of the Family Cap policy that has been removed from state law.

SUBJECT AREA TO BE ADDRESSED: This rule amendment deletes date of conception exceptions to the Family Cap requirements. The statutory base for this policy no longer exists.

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.115 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.

TIME AND DATE: 10:00 a.m., September 30, 2002
PLACE: Building 3, Room 100, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Audrey Mitchell, Program Administrator, 1317 Winewood Boulevard, Building 3, Room 421, Tallahassee, FL 32399-0700, telephone (850)488-3090

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

**Section II
Proposed Rules**

DEPARTMENT OF STATE

Division of Library and Information Services

RULE TITLE: Library Grant Programs
RULE NO.: 1B-2.011

PURPOSE, EFFECT AND SUMMARY: The proposed amendment revises the guidelines and forms for the Public Library Construction grant program. Guidelines for this grant program are outlined in the application packet that contain information on eligibility requirements, application and review procedures, evaluation and funding criteria, grant administration procedures and application forms.

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