

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF INSURANCE

RULE TITLE: Effect of Law Enforcement Records on Applications for Licensure
 RULE NO.: 4-211.042

PURPOSE AND EFFECT: The purpose of the workshop is to discuss amending Rule 4-211.042(21)(aa), F.A.C., to insert the words “with intent to defraud” after “passing worthless check(s)” in the list of class A crimes. This is to explicitly conform the rule to case law construing the meaning of “moral turpitude” in the context of writing a bad check; e.g., *The Florida Bar v. Davis*, 361 So2d 159.

SUBJECT AREA TO BE ADDRESSED: The explicit inclusion of fraudulent intent to “passing worthless check(s)” in the list of crimes involving moral turpitude for the purpose of insurance representative licensure application evaluation.

SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 112.011, 624.307(1), 626.161, 626.171, 626.201, 626.207, 626.211, 626.291, 626.601, 626.611(7),(14), 626.621(8), 626.631, 626.641 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., October 15, 2002

PLACE: Room 143, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting the person listed below.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Audrey Huggins, Chief, Bureau of Agent and Agency Licensing, Division of Agent and Agency Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0319, (850)413-5405

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-211.042 Effect of Law Enforcement Records on Applications for Licensure.

(1) through (20) No change.

(21) Class “A” Crimes include all those listed in this subsection, where such crimes are felonies, and all are of equal weight notwithstanding from which subparagraph they are drawn. The Department finds that each felony crime listed in this subsection is a crime of moral turpitude.

(a) through (z) No change.

(aa) Passing worthless check(s) with intent to defraud.

(bb) through (ll) No change.

(22) through (24) No change.

Specific Authority 624.308 FS. Law Implemented 112.011, 624.307(1), 626.161, 626.171, 626.201, 626.207, 626.211, 626.291, 626.601, 626.611(7), (14), 626.621(8), 626.631, 626.641 FS. History–New 10-17-02, Amended

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: Logo Sign Program
 RULE CHAPTER NO.: 14-85

RULE TITLE: Logo Sign Program
 RULE NO.: 14-85.004

PURPOSE AND EFFECT: The proposed amendment to Sections (11)(c)6., (11)(e) and (12)(a) is needed to streamline the renewal process and to more closely follow standard business practice. There also is a clarification to eliminate a conflict with another section in the rule.

SUBJECT AREA TO BE ADDRESSED: Sections (11)(c)6., (11)(e), and (12)(a) are being amended to streamline the renewal process and to more closely follow standard business practice.

SPECIFIC AUTHORITY: 334.044(2) FS.

LAW IMPLEMENTED: 334.044(28), 479.261 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: James C. Myers, Management Analyst 4, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-85.004 Logo Sign Program.

(1) through (10) No change.

(11) Permitting.

(a) through (b) No change.

(c) Initial Permit Application. A business applying for a business logo sign must submit a completed Logo Application/Annual Permit Renewal, Form Number FLI-163, Rev. 09/01, incorporated herein by reference, to the address specified on the form. The Logo Application/Annual Permit Renewal, Form Number FLI-163, Rev. 09/01, may be obtained from the Program Administrator.

1. Completed applications will be approved or denied within 90 days of receipt. A written notice of the approval or denial will be furnished to the applicant.

2. Permit fees must be received by the Program Administrator within 30 days of the notification of permit approval.

3. After notification of approval of the application, the applicant shall be responsible for providing the Program Administrator with a business logo sign which meets the specifications provided herein.

4. The business logo sign will be affixed to the display panel by the Department or its agent within 30 days of receipt of the sign or the permit fee, whichever is later.

5. Whenever space is not available on a logo structure for a business logo sign, the Program Administrator shall review the application for distance pursuant to paragraph (10)(b) above, and for operating hours pursuant to paragraph (10)(e)4., and will place the business on a waiting list in the order of the dates on which they were received. A notice will be provided to the business indicating its position on the waiting list. When space becomes available, notice will be provided to the business with the highest priority allowing the business 30 days within which to submit an application in accordance with this section.

6. For gas, food, and lodging all categories only, applications received for businesses within three miles of an interchange have priority over businesses that are within three to six miles of an interchange.

(d) No change.

(e) Annual Permit Renewal.

1. On or before November 1 of each year, the Program Administrator will provide a Notice of Annual Permit Renewal to each holder of a valid permit. Failure to receive the Notice will not excuse timely submission of the permit renewal application by the permit holder.

2. Each permit holder must submit a completed Logo Application/Annual Permit Renewal, form number FLI-163, Rev. 09/01, to the Program Administrator by fax, mail, or hand delivery no later than December 1. The Annual Permit Renewal must be postmarked no later than December 1. If the application is mailed or faxed it must be received no later than 5:00 p.m. on December 1. If the application is hand delivered it must arrive and be date and time stamped by the Program Administrator no later than 5:00 p.m. on December 1.

3. The ~~annual~~ permit fee amount must be received and be date and time stamped by the Program Administrator no later than 5:00 p.m. on December 1, submitted with the Annual Permit Renewal.

4. If the completed application and permit fee are not received by the Program Administrator Failure to submit the Annual Permit Renewal by 5:00 p.m. on December 1, will result in expiration of the permit will expire and removal of the business logo sign will be removed from the display panel. Should the business subsequently reapply for a permit, such reapplication will be processed as an initial permit application in accordance with this section.

(12) Denial, revocation, suspension, voiding, or cancellation of permit.

(a) Denial. An application for a business logo permit will be denied if:

1. Space is not available;
2. The business does not meet the eligibility requirements;

or

3. A completed Logo Application/Annual Permit Renewal, form FLI-163, Rev. 09/01, and applicable permit The required fees are not received by the Program Administrator by 5:00 p.m. on December 1 submitted with the application.

(b) through (f) No change.

(13) No change.

Specific Authority 334.044(2) FS. Law Implemented 334.044(28), 479.261 FS. History—New 6-26-85, Formerly 14-85.04, Amended 3-20-91, 10-10-96, 12-31-96, 10-8-97, 5-25-99, 8-31-99, 7-15-02, _____.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Chaplaincy Services

RULE NO.: 33-503.001

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the circumstances under which inmates may attend and participate in religious services.

SUBJECT AREA TO BE ADDRESSED: Inmate participation in religious services

SPECIFIC AUTHORITY: 944.09, 944.11 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.11 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:

33-503.001 Chaplaincy Services.

(1) through (2) No change.

(3) Religious Services and Rituals.

(a) through (b) No change.

(c) In the interest of security, order or effective management of the institution, the warden may limit the number of religious services or activities inmates may attend per week. When it is considered necessary for security or good order of the institution, the warden may limit attendance at or discontinue completely a religious service or activity. The warden may not restrict or allow the religious group itself to restrict attendance at or participation in a religious service or activity on the basis of race, color, or nationality, or creed. Inmates are allowed to visit religious services other than their

own so long as the services are not scheduled by call-out, the inmate visits the religious service during his own free time, and the inmate does not provoke disruption of the service. The volunteer clergy or religious leader is authorized to limit participation in specific sacraments to members of the faith according to the faith tradition. Inmates attending a religious service or activity may be required to sign an attendance record.

(d) through (12) No change.

Specific Authority 944.09, 944.11 FS. Law Implemented 20.315, 944.09, 944.11 FS. History—New 1-6-82, Formerly 33-3.14, 33-3.014, Amended 10-18-01, _____.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Inmate Drivers
 RULE NO.: 33-601.605

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to delete obsolete language and to clarify: selection criteria for work release center inmate drivers; procedures for taking license examinations; payment of routine license fees; and search procedures for inmate drivers returning to the WRC.

SUBJECT AREA TO BE ADDRESSED: Inmate drivers.

SPECIFIC AUTHORITY: 944.09, 945.091 FS.

LAW IMPLEMENTED: 20.315, 322.03, 322.04, 322.15, 944.09, 945.091 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:

33-601.605 Inmate Drivers.

(1) Definitions.

(a) through (b) No change.

~~(c) Commercial Vehicle Driving Vocational Program—a vocational program designed to prepare inmates for employment as tractor trailer or truck drivers. Instruction will include 1000 miles of road driving under the supervision of a qualified commercial vehicle driver prior to completion of the program. Road driving activities will include experience on two lane, four lane, interstate and city streets and highways. Twenty percent or more of the experience will occur at night on both wet and dry roads.~~

~~(c)~~(d) No change.

(e) Work Release Center (WRC), where used herein, refers to a facility where a community based transition program is conducted for approved minimum custody inmates prior to release from custody ~~is conducted~~.

(2) No change.

(3) Selection Criteria for WRC Inmate Drivers.

(a) The inmate must meet the criteria for the work release program and not have a current or prior conviction in any of the following categories:

1. Any degree of murder or attempted murder,

2. Homicide,

3. Manslaughter,

4. Driving under the influence,

5. Driving while licensed suspended or revoked,

6. Kidnapping,

7. False imprisonment,

8. Escape, or a disciplinary report for escape or attempted escape for which the inmate was found guilty, ~~or~~

9. Vehicle theft, or

10. Fleeing or eluding a police officer.

(b) No change.

(c) The inmate must be in community ~~minimum~~ custody and have proven his or her trustworthiness by performing in an outside community ~~minimum~~ custody assignment thirty ~~ninety~~ days prior to his or her selection.

(d) No change.

(e) The inmate must have a favorable driving record which does not reflect any moving violations within the last two ~~three~~ years prior to incarceration.

(4) The classification officer considering an inmate as a work release center driver shall review the inmate’s driving history utilizing the Kirkman Data Center database. Questions or concerns regarding the Kirkman Data Center database are to be directed to the work release coordinator in the Bureau of Classification and Central Records for resolution.

(5) No change.

(6) Obtaining licenses for non-licensed inmate drivers.

(a) No change.

(b) An inmate shall be authorized to use a department vehicle for the purpose of taking a driver’s license examination. The selection of the vehicle shall be made by the WRC chief. A correctional officer shall escort the inmate to DHSMV for the scheduled appointment and shall remain with the inmate while he or she completes the license examination.

(c) Routine fees for driver’s examinations, licenses and renewals will be paid from funds as determined by the inmate bank section of the Office of the Chief of Staff ~~by the work release center where the inmate is assigned at the time the fee is incurred~~. Any additional costs to obtain a driver’s license will be the financial responsibility of the inmate and will be paid directly to the DHSMV Driver’s License Office.

- (d) No change.
- (7)(a) No change.

(b) The Correctional Officer in the control room will make the appropriate documentation on the Control Room Log, DC6-207, every time a driver’s license and keys are given to and received from an inmate. Form DC6-207 is hereby incorporated by reference. A copy of this form is available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. ~~Requests for copies to be mailed must be accompanied by a self-addressed stamped envelope.~~ The effective date of this form is August 29, 2000.

(8) Supervision of WRC Inmate Drivers. A correctional officer sergeant at the work release center will be assigned to ensure the inmate driver fulfills the driving duties in the prescribed manner:

(a) The responsibilities of the assignment will be thoroughly explained to the inmate and the inmate will be required to sign the Inmate Driver Agreement Form, DC6-116. Form DC6-116 is hereby incorporated by reference. A copy of this form is available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. ~~Requests for copies to be mailed must be accompanied by a self-addressed stamped envelope.~~ The effective date of this form is August 29, 2000.

- (b) through (f) No change.

(g) Each time an inmate driver returns to the work release center a correctional officer shall conduct a clothed physical search of the inmate for the detection of contraband and shall document the search on the control room log. An inmate found with contraband will have his or her driving privileges immediately suspended pending review by the approving authority and shall be subject to the disciplinary process.

- (9) No change.

~~(10) Commercial Vehicle Driving Vocational Program.~~

~~(a) In order to qualify for the Commercial Vehicle Driving Vocational Program designed to prepare an inmate for employment as a tractor trailer or truck driver, an inmate must exhibit a safe driving record, be at least 21 years of age, comply with State and Federal licensing requirements, and be otherwise eligible pursuant to subsection (3) of this rule.~~

~~(b) An inmate who does not have a valid Florida Driver’s License on file shall be permitted to obtain his driver’s license in order to participate in the Commercial Vehicle Driving Vocational Program. The license will be obtained as described in subsection (6) of this rule. The inmate will be required to purchase the license and Commercial Driver’s License (CDL) at his own expense and pay such fees to the DHSMV Driver’s License Office.~~

~~(c) Under no circumstances will an inmate be permitted to operate the tractor trailer or truck outside of the state.~~

~~(d) An inmate will be authorized to retain his CDL on his person only when necessary for that specific part of the program which requires driving. When not in use, the driver’s license and the keys to the vehicle shall be returned to the instructor for safe storage. Under no circumstances will an inmate be permitted to complete the field training part of the program that occurs outside the parameters of an institution without proper supervision and the accompaniment of a skilled professional.~~

Specific Authority 944.09, 945.091 FS. Law Implemented 20.315, 322.03, 322.04, 322.15, 944.09, 945.091 FS. History—New 8-29-00, Amended 1-1-01,_____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Water Levels and Rates of Flow
 RULE CHAPTER NO.: 40D-8

PURPOSE AND EFFECT: To amend Chapter 40D-8, F.A.C., to incorporate the next set of priority lakes pursuant to Section 373.042, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Establishment of a “Category 3” minimum lake level methodology and minimum lake levels for for Lake Letta, Lake Lotela, Lake Jackson and Little Lake Jackson in Highlands County, Florida, and for Lake Clinch, Eagle Lake, Lake McLeod and Lake Wales (Wailes) in Polk County, Florida.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.0395, 373.042, 373.0421, 373.086, 373.216, 373.219, 373.223, 373.229, 373.413, 373.414, 373.416 FS.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 7:00 p.m., October 22, 2002

PLACE: Sebring Civic Center, 355 West Center Avenue, Sebring, FL 33870

PURPOSE: Public workshop on minimum levels for Lake Letta, Lake Lotela, Lake Jackson and Little Lake Jackson in Highlands County, Florida.

TIME AND DATE: 6:00 p.m., October 24, 2002

PLACE: City of Lake Wales Municipal Building, 201 Central Avenue, West, Lake Wales, FL 33859-1320

PURPOSE: Public workshop on minimum levels for Lake Clinch, Eagle Lake, Lake McLeod and Lake Wales (Wailes) in Polk County, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Doug Leeper, Senior Environmental Scientist, Resource Conservation and Development Department, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4272

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

WATER MANAGEMENT DISTRICTS**Southwest Florida Water Management District**

RULE CHAPTER TITLE: RULE CHAPTER NO.:
Water Levels and Rates of Flow 40D-8

PURPOSE AND EFFECT: To amend 40D-8 to incorporate the next set of priority lakes pursuant to Section 373.042, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Establishment of a "Category 3" minimum lake level methodology and minimum lake levels for for Lake Calm, Church Lake, Cypress Lake, Echo Lake, Fairy lake (a.k.a. Lake Maurine), Halfmoon Lake, Lake Raleigh, and Lake Rogers in Hillsborough County, Florida.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.0395, 373.042, 373.0421, 373.086, 373.216, 373.219, 373.223, 373.229, 373.413, 373.414, 373.416 FS.

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

TIME AND DATE: 7:00 p.m., October 23, 2002

PLACE: Keystone Civic Center, 17928 Gunn Highway, Odessa, FL 33556

PURPOSE: Rule Development Public workshop on minimum levels for Lake Calm, Church Lake, Cypress Lake, Echo Lake, Fairy lake (a.k.a. Lake Maurine), Halfmoon Lake, Lake Raleigh, and Lake Rogers in Hillsborough County, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Doug Leeper, Senior Environmental Scientist, Resource Conservation and Development Department, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4272

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

WATER MANAGEMENT DISTRICTS**South Florida Water Management District**

RULE CHAPTER TITLE: RULE CHAPTER NO.:
General and Procedural 40E-1

PURPOSE AND EFFECT: The purpose and effect of the rule development is to modify and update the District's forms and application processing fees.

SUBJECT AREA TO BE ADDRESSED: Amend the water use compliance forms, water use permit application, and supporting information forms and amend the application processing fees for individual public water supply permits, individual irrigation permits, individual mining (dewatering) permits, individual industrial permits, and minor permit modifications.

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

LAW IMPLEMENTED: Parts I and II, Chapter 373 FS.

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

TIME AND DATE: 10:00 a.m., October 22, 2002

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based.

Persons with disabilities or handicaps who need assistance may contact Garrett Wallace, District Clerk, (561)682-6371, at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Julie Jennison, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6294 or (561)682-6294 (internet:jjenniso@sfwmd.gov)

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON THE DISTRICT'S WEBSITE AT [HTTP://WWW.SFWMD.GOV/ORG/WSD/WATERUSE/B_LIST.HTML](http://WWW.SFWMD.GOV/ORG/WSD/WATERUSE/B_LIST.HTML) OR CONTACT RUFINO OSORIO, (561)682-6261, ROSORIO@SFWMD.GOV.

WATER MANAGEMENT DISTRICTS**South Florida Water Management District**

RULE CHAPTER TITLE: RULE CHAPTER NO.:
Consumptive Use 40E-2

PURPOSE AND EFFECT: The purpose and effect of the rule development is to modify and update the District's Water Use Rules to reflect new legislative direction, new policy development and regional water supply plan implementation.

SUBJECT AREA TO BE ADDRESSED: The following topics will be discussed:

Supplemental irrigation requirement, pollution remediation; interference with existing legal uses; offsite land use impacts; pasture irrigation; use of reclaimed water; wellfield operational plans; diversion/impoundment allocation; permit duration; permit renewal process; impact evaluations; local sources first; aquifer storage and recovery; wetland protection; areas with maximum developable limits; year round water conservation measures, including those for the Lower West Coast region; water shortage plan; fees and forms. The changes will also correct citations and make changes to clarify language currently in the rule.

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

LAW IMPLEMENTED: Parts I and II, Chapter 373 FS.

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

TIME AND DATE: 10:00 a.m., October 22, 2002

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Julie Jennison, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6294 or (561)682-6294 (internet:jjenniso@sfwmd.gov)

Regarding procedural questions: Julie Jennison, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6294 or (561)682-6294 (internet:jjenniso@sfwmd.gov); regarding substantive questions: Scott Burns, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6817 or (561)682-6817.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON THE DISTRICT'S WEBSITE AT [HTTP://WWW.SFWMD.GOV/ORG/WSD/WATERUSE/B_LIST.HTML](http://www.sfwmd.gov/org/wsd/wateruse/b_list.html) OR CONTACT RUFINO OSORIO, (561)682-6261, ROSORIO@SFWMD.GOV.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: Artificial Recharge RULE CHAPTER NO.: 40E-5

PURPOSE AND EFFECT: The purpose and effect of the rule development is to modify and update the rules regarding artificial recharge systems pursuant to sections 373.106 and 373.219, F.S.

SUBJECT AREA TO BE ADDRESSED: Artificial recharge systems in conjunction with aquifer recharge, aquifer storage and recovery systems, and heat exchange and the intentional introduction of water into any underground formation, except activities under Chapter 377, F.S. The changes will also correct citations and make changes to clarify language currently in the rule.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.106 FS.

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

TIME AND DATE: 10:00 a.m., October 22, 2002

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based.

Persons with disabilities or handicaps who need assistance may contact Garrett Wallace, District Clerk, (561)682-6371, at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Julie Jennison, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6294 or (561)682-6294 (internet:jjenniso@sfwmd.gov)

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON THE DISTRICT'S WEBSITE AT [HTTP://WWW.SFWMD.GOV/ORG/WSD/WATERUSE/B_LIST.HTML](http://www.sfwmd.gov/org/wsd/wateruse/b_list.html) OR CONTACT RUFINO OSORIO, (561)682-6261, ROSORIO@SFWMD.GOV.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: General Water Use Permits RULE CHAPTER NO.: 40E-20

PURPOSE AND EFFECT: The purpose and effect of the rule development is to modify and update the District's Water Use Rules to reflect new legislative direction, new policy development and regional water supply plans.

SUBJECT AREA TO BE ADDRESSED: Conditions for permit issuance, conditions for permit modifications, conditions for dewatering permits, and permit durations. The changes will also correct citations and make changes to clarify language currently in the rule.

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

LAW IMPLEMENTED: Parts I and II, Chapter 373 FS.

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

TIME AND DATE: 10:00 a.m., October 22, 2002

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based.

Persons with disabilities or handicaps who need assistance may contact Garrett Wallace, District Clerk, (561)682-6371, at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Julie Jennison, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6294 or (561)682-6294 (internet:jjenniso@sfwmd.gov)

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WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: Water Shortage Plan

RULE CHAPTER NO.: 40E-21

PURPOSE AND EFFECT: The purpose and effect of the rule development is to amend and update Chapter 40E-21 relating to the Water Shortage Plan.

SUBJECT AREA TO BE ADDRESSED: Water Shortage Restrictions and water shortage basin boundaries. The changes will also correct citations and make changes to clarify language currently in the rule.

SPECIFIC AUTHORITY: 120.54, 373.044, 373.113 FS.

LAW IMPLEMENTED: 120.54, 373.026, 373.042, 373.0421, 373.103, 373.119, 373.175, 373.246, 373.603, 373.609 FS.

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

TIME AND DATE: 10:00 a.m., October 22, 2002

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based.

Persons with disabilities or handicaps who need assistance may contact Garrett Wallace, District Clerk, (561)682-6371, at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Julie Jennison, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6294 or (561)682-6294 (internet:jjenniso@sfwmd.gov)

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON THE DISTRICT’S WEBSITE AT HTTP://WWW.SFWMD.GOV/ORG/WSD/WATERUSE/B_LIST.HTML OR CONTACT RUFINO OSORIO, (561)682-6261, ROSORIO@SFWMD.GOV.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: Regional Water Shortage Plans

RULE CHAPTER NO.: 40E-22

PURPOSE AND EFFECT: The purpose and effect of the rule development is to amend and update the Regional Water Shortage Plans.

SUBJECT AREA TO BE ADDRESSED: Basin specific water shortage criteria for aquifers in the Lower West Coast region and basin boundaries for the Lake Istokpoga/Indian Prairie Area.

SPECIFIC AUTHORITY: 120.54, 373.044, 373.113 FS.

LAW IMPLEMENTED: 120.54, 373.026, 373.042, 373.0421, 373.103, 373.119, 373.175, 373.246, 373.603, 373.609 FS.

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

TIME AND DATE: 10:00 a.m., October 22, 2002

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based.

Persons with disabilities or handicaps who need assistance may contact Garrett Wallace, District Clerk, (561)682-6371, at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Regarding procedural questions: Julie Jennison, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6294 or (561)682-6294 (internet:jjenniso@sfwmd.gov); regarding substantive questions: Scott Burns, South Florida Water Management

District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6817 or (561)682-6817.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON THE DISTRICT'S WEBSITE AT [HTTP://WWW.SFWMD.GOV/ORG/WSD/WATERUSE/B_LIST.HTML](http://www.sfwmd.gov/org/wsd/wateruse/B_LIST.HTML) OR CONTACT RUFINO OSORIO, (561)682-6261, ROSORIO@SFWMD.GOV.

LAND AND WATER ADJUDICATORY COMMISSION

Bellalago Community Development District

RULE CHAPTER TITLE: Bellalago Community Development

RULE CHAPTER NO.: 42II-1

District 42II-1
 RULE TITLES: RULE NOS.:
 Creation 42II-1.001
 Boundary 42II-1.002
 Supervisors 42II-1.003

PURPOSE, EFFECT AND SUMMARY: The purpose of this proposed rule is to establish a community development district (CDD), the Bellalago Community Development District ("District"), pursuant to Chapter 190, F.S. The petition to establish the District, filed by Avatar Properties, Inc., (Petitioner), requests that the Florida Land and Water Adjudicatory Commission establish by rule the Bellalago CDD. A Notice of Receipt of Petition for the Bellalago CDD was published in the April 26, 2002, edition of the *Florida Administrative Weekly*. The land area proposed to be served by the District consists of approximately 1,313 acres located within the boundaries of Osceola County. The District is bounded on the east by Lake Tohopekaliga and undeveloped property; bounded on the west by Pleasant Hill Road; bounded on the north by Osceola County Regional Park; and bounded on the south by undeveloped property and a single-family residence, which is located in the southwest corner bordering the proposed District. The District is planned as a residential community of approximately 1,700 single-family and 600 multi-family residential dwelling units, passive recreational areas, parks, and a clubhouse. The land use designation on the Osceola County Comprehensive Plan Future Land Use Map for the District is "Rural/Agricultural" and "Suburban/Overlay." The Petitioner is pursuing approval of a Development of Regional Impact and related Comprehensive Plan amendment that would permit development of a total of approximately 2,300 units within the District. The District, if established, currently intends to fund off-site roadway improvements, stormwater management, drainage structures, mitigation creation, mitigation area acquisition, stormwater land acquisition, a potable water supply system, and a sanitary sewer system for the lands within the District.

SUBJECT AREA TO BE ADDRESSED: Establishment of the Bellalago Community Development District.

SPECIFIC AUTHORITY: 120.53(1), 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005, 190.006(1) 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 (IF NOT REQUESTED, A HEARING WILL NOT BE HELD):

TIME AND DATE: 10:00 a.m. – 12:00 Noon, Tuesday, October 22, 2002

PLACE: Room 1703G, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Barbara Leighty, (850)487-1884, at least 2 business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Julie Kendig-Schrader, Greenberg Traurig, P.A., 450 South Orange Avenue, Sixth Floor, Orlando, Florida 32801, (407)420-1000 or Barbara Leighty, Senior Governmental Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, telephone (850)487-1884

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE CHAPTER TITLE: Part I, Hospital and Other

RULE CHAPTER NO.: 59A-3

Licensed Facilities 59A-3

PURPOSE AND EFFECT: The proposed Rule reorganizes Chapter 59A-3, F.A.C., to present a more logical flow of the licensing requirements and creates sections from numerous subsections in the existing Rule for easier location and use.

Sections 59A-3.007-.081, F.A.C., proposed Rule development adds sections dealing with failure and external emergency communications; revises references to codes and standards for the review of freestanding emergency facilities; revises documentation for plans submission and the restrictive location of ambulatory surgical centers and other medical facilities attached to hospitals; deletes all design and construction requirements for hospitals buildings; and, revises code and reference standards for the review of intensive residential treatment facilities.

Sections 59A-3.201 through 59A-3.232, F.A.C., proposed Rule development deletes definitions not used in the Rule; corrects definition citations; clarifies the hospital licensing procedures and imposes financial penalty for late filing of a renewal application; expands infectious diseases control, prevention and surveillance; adds criteria when a full licensing survey will be conducted; provides for a plan of correction on areas of non-compliance; provides that the agency shall have full

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractor’s Licensing Board

RULE TITLE: Specialty Electrical Contractors
 RULE NO.: 61G6-7.001
 PURPOSE AND EFFECT: The Board proposes to review this rule to determine the necessity of amendments.
 SUBJECT AREA TO BE ADDRESSED: Specialty Electrical Contractors.
 SPECIFIC AUTHORITY: 489.511(5) FS.
 LAW IMPLEMENTED: 489.511(5), 489.503(14), 489.505(19) 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: Anthony Spivey, Executive Director, Electrical Contractors’ Licensing 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 Pilot Commissioners

RULE TITLE: Guidelines for the Disposition of Disciplinary Cases
 RULE NO.: 61G14-17.004
 PURPOSE AND EFFECT: The Board proposes to amend this rule to clarify the offenses and sanctions the board can take disciplinary cases.
 SUBJECT AREA TO BE ADDRESSED: Guidelines for the Disposition of Disciplinary Cases.
 SPECIFIC AUTHORITY: 310.101, 310.185, 455.2273 FS.
 LAW IMPLEMENTED: 455.2273 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: Anthony

Spivey, Executive Director, Board of Professional Surveyors and Mappers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE TITLE: Re-examination
 RULE NO.: 64B7-27.004
 PURPOSE AND EFFECT: The Board proposes to review the existing text in this rule to determine if amendments are necessary.
 SUBJECT AREA TO BE ADDRESSED: Re-examination.
 SPECIFIC AUTHORITY: 480.035(7), 480.044(1) FS.
 LAW IMPLEMENTED: 480.044(1)(g) 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: Pamela King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE TITLE: Citations
 RULE NO.: 64B15-19.007
 PURPOSE AND EFFECT: The Board proposes to update the rule to add practice violations that may be disposed of by citations consistent with Section 456.077, Florida Statutes.
 SUBJECT AREA TO BE ADDRESSED: Practice violations that may be disposed of by citation.
 SPECIFIC AUTHORITY: 456.073, 456.077 FS.
 LAW IMPLEMENTED: 456.073, 456.077 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD SCHEDULED FOR THE BOARD’S NEXT MEETING ON DECEMBER 7, 2002 IN ORLANDO, FLORIDA.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pam King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B15-19.007 Citations.

(1) As used in this rule, "citation" means an instrument which meets the requirements set forth in Section ~~456.077, 455.621~~, Florida Statutes, and which is served upon a licensee or certificateholder for the purpose of assessing a penalty in an amount established by this rule.

(2) In lieu of the disciplinary procedures contained in Section ~~456.073, 455.225~~, Florida Statutes, the Agency is hereby authorized to dispose of any violation designated herein by issuing a citation to the subject for a complaint that is the basis for the citation, within six months after the filing of the complaint that is the basis for the citation. If a violation for which a citation may be issued is discovered during the course of an investigation for an unrelated violation, the citation must be issued within 6 months from the discovery of the violation and filing of the uniform complaint form by the investigator.

(3) The following violations with accompanying fines may be disposed of by citation.

(a) through (c) No change.

(d) First time failure of the licensee to satisfy continuing education hours. The fine shall be \$150 for each hour not completed or completed late. In addition, \$2,000 and for each hour of continuing education not completed or completed late, the licensee shall make up all hours not completed, and shall be required to take 1 additional hour of continuing education for each hour not completed or completed late. All missing CEUs shall be made up within four (4) months of the date the citation becomes a Final Order. Respondent must submit certified documentation of completion of all CEU requirements for the period for which the citation was issued prior to renewing the license for the next biennium. Respondent must document compliance with the CEU requirements for the relevant period.

(e) Failure to report to the Board within 30 days after the licensee has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction. The fine shall be ~~\$800~~ \$500.

(f) through (g) No change.

(h) Failure to conspicuously list the name of the osteopathic physician in an advertisement as required in paragraph 64B15-14.001(2)(k), F.A.C. The fine shall be \$500.

(i) Advertising or holding oneself out as a board-certified specialist, if not qualified under Section 459.0152, F.S. The fine shall be \$1,500.

(j) Failure to include the disclosure statement in an advertisement as required in Section 456.062, F.S. The fine shall be \$750.

(k) Failure to timely provide medical records of only one patient. The fine shall be \$500.

(l) Excessively charging copying fees for patient records as defined in Rule 64B15-15.003, F.A.C. The fine shall be \$750.

(m) Failure to update physician profile as required in Sections 456.039(3) and 459.008, F.S. The fine shall be \$50 per day not in compliance not to exceed \$5,000.

(n) Failure to comply with Section 381.0261, F.S., by failing to inform patients of the address and telephone number of the agency responsible for responding to patient complaints or failure to make available a summary of rights to patients as required in Sections 459.015(1)(g) and 456.072(1)(k), F.S.; Section 381.0261(b), F.S. The fine shall be \$100 non-willful and \$500 willful.

(o) First time failure to pay fine or costs. The fine shall be 10% of the fine and/or costs imposed plus the fine and costs. Failure to pay citation shall result in an administrative complaint.

(4) through (7) No change.

Specific Authority 456.073, 456.077 FS. Law Implemented 456.073, 456.077 FS. History—New 10-28-91, Amended 8-24-92, 11-17-92, Formerly 21R-19.007, 61F9-19.007, 59W-19.007, Amended 11-27-97, 11-12-00.

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE TITLE: Educational Requirements

RULE NO.: 64B20-2.002

PURPOSE AND EFFECT: The Board proposes to review the existing text in this rule to determine if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Educational requirements.

SPECIFIC AUTHORITY: 468.1135(4) FS.

LAW IMPLEMENTED: 468.1155, 468.1185 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: Pamela E. King, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE CHAPTER TITLE: Certification of Environmental

RULE CHAPTER NO.: 64E-1

Testing Laboratories

64E-1

PURPOSE AND EFFECT: The department proposes to adopt applicable laboratory standards approved in May 2001 at the National Environmental Laboratory Accreditation Conference (NELAC). Accordingly, the scope of certification offered will be reorganized from accreditation tiers based on EPA program, method, and analytes into tiers based on matrix, technology/method, and analytes.

SUBJECT AREA TO BE ADDRESSED: Certification of drinking water and environmental testing laboratories, the scope of certification to be offered, proficiency testing, and other criteria for laboratories to be certified.

SPECIFIC AUTHORITY: 403.0625(1), 403.863(1), 403.8635(3), 381.00591 FS.

LAW IMPLEMENTED: 403.0625(1), 403.0625(2), 403.863(1), 403.863(4), 403.8635(1), 403.8635(3), 381.00591 FS.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 1:00 p.m., Tuesday, October 29, 2002

PLACE: Florida Department of Environmental Protection, Twin Towers, 2600 Blair Stone Road, Room 609, Tallahassee, FL

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

PLACE: Florida Department of Health, Tampa Branch Laboratory, 3602 Spectrum Blvd., Tampa, FL

TIME AND DATE: 9:00 a.m., Thursday, October 31, 2002

PLACE: Ft. Myers Regional Service Center, 2295 Victoria Ave., Room 165, Ft. Myers, FL

TIME AND DATE: 9:00 a.m., Friday, November 1, 2002

PLACE: A. G. Holley Hospital, Auditorium, 1199 West Lantana Road, Lantana, FL

TIME AND DATE: 1:00 p.m., Monday, November 4, 2002

PLACE: Florida Department of Health, Bureau of Laboratories, Porter Auditorium, 1217 North Pearl Street, Jacksonville, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Stephen A. Arms, Florida Department of Health, Bureau of Laboratories, P. O. Box 210, Jacksonville, FL 32231, (904)791-1502, SunCom 866-1502

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

Section II Proposed Rules

DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Finance

RULE TITLE: Sales of Certificates of Deposit **RULE NO.:** 3E-600.0132

PURPOSE, EFFECT AND SUMMARY: The Department of Banking and Finance and the Department of Insurance jointly announce the following public rule hearing to which all persons are invited. The purpose of the rule is to establish standards for the regulation of the sale of certificates of deposit by insurance agents rules pursuant to recently enacted legislation that affects insurance agents and the sale of certificates of deposit issued by certain types of financial institutions.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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.

SPECIFIC AUTHORITY: 517.03(1) FS.

LAW IMPLEMENTED: 517.12(20), 517.201, 517.211, 517.191, 517.221, 517.301(1), 517.302, 517.311(1)-(3), 517.312 FS.

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

TIME AND DATE: 10:00 a.m. – 12:00 p.m., October 30, 2002

PLACE: Room 143, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Don B. Saxon, Director, Department of Banking and Finance, Office of the Comptroller, Tallahassee, Florida 32399-0350; (850)410-9805

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting the person listed above.