

Section I

Notices of Development of Proposed Rules
and Negotiated Rulemaking**DEPARTMENT OF INSURANCE**

RULE TITLE: RULE NO.:

Confidentiality of Information and Records

Produced by the Division 4L-6.022

PURPOSE AND EFFECT: The purpose and effect of the rule is to facilitate compliance with the confidentiality requirements of Sections 440.185(11) and 440.125, F.S. by clarifying what constitutes information that would identify an injured worker which would be exempt from disclosure. The rule also provides a means for persons whose information is protected by the statutes to waive confidentiality of the information.

SUBJECT AREA TO BE ADDRESSED: Confidentiality of records of the Division of Workers' Compensation.

SPECIFIC AUTHORITY: 440.185(10), 440.591 FS.

LAW IMPLEMENTED: 440.125, 440.185(11) FS.

A RULE DEVELOPMENT WORKSHOP WILL NOT BE HELD.

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: Don Davis, Office of Data Quality and Collection, Division of Workers' Compensation, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-4228, (850)488-3030, Ext. 164

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4L-6.022 Confidentiality of Information and Records
Produced by the Division.

(1) Section 440.185(11), Florida Statutes provides that any information in a report of injury or illness filed with the Division pursuant to Section 440.185, Florida Statutes that would identify an ill or injured employee is confidential and exempt from the provisions of Section 119.07(1), Florida Statutes and Section 24(a), Article I of the Constitution of the State of Florida. Section 440.125, Florida Statutes, provides in part that any information identifying an injured employee in medical bills which are provided to the Division pursuant to Section 440.13, Florida Statutes is confidential and exempt from the provisions of Section 119.07(1), Florida Statutes and Section 24(a), Article I of the Constitution of the State of Florida.

(2) For purposes of maintaining the confidentiality of information as required pursuant to Sections 440.125 and 440.185(11), Florida Statutes, the following constitutes information that would identify an ill or injured employee: the ill or injured employee's

(a) Name or signature;

(b) Social security number;

(c) Business, residence, and mailing addresses;

(d) Residence and business telephone number; and;

(e) Other information based on particular facts that would enable a party to readily identify the ill or injured employee.

(3) In the Division's response to a public records request, information that would identify an ill or injured employee will be redacted from any report of injury or illness filed with the Division pursuant to Section 440.185, Florida Statutes, and from any medical bill provided to the Division pursuant to Section 440.13, Florida Statutes, unless the employee that would be identified in such records waives the confidentiality provisions of Sections 440.125 or 440.185(11), Florida Statutes and consents to the production of confidential information or records. The employee may waive the confidentiality provisions of Section 440.125 or 440.185(11), Florida Statutes and consent to the production of confidential information or records through submission to the Division of a completed Form DI4-1545 (DWC) (Rev. 9/02), Consent And Waiver For Release of Confidential Records, which is hereby adopted and incorporated by reference, or may otherwise establish with the Division through a submission that the employee waives the confidentiality provisions of Sections 440.125 or 440.185(11), Florida Statutes, and consents to the production of confidential information or records.

Specific Authority 440.185(10), 440.591 FS. Law Implemented 440.125, 440.185(11) FS. History—New

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Toll Enforcement 14-100

RULE TITLE: RULE NO.:

Training and Qualification Standards for

Toll Enforcement Officers 14-100.001

PURPOSE AND EFFECT: This amendment is needed to clarify the background investigation requirements for Toll Enforcement Officers. The term "good moral character" and all references to the Florida Department of Law Enforcement definition of that term and specific investigation requirements relating to that term are removed and replaced with a basic requirement for a background investigation as required by Section 110.1127, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: This is a proposed amendment to Rule Section 14-100.001(4), F.A.C., as it relates to background investigations for toll enforcement officers.

SPECIFIC AUTHORITY: 334.044(2) FS.

LAW IMPLEMENTED: 316.1001, 316.640(1) 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:

14-100.001 Training and Qualification Standards for Toll Enforcement Officers.

(1) Application and Scope. The purpose of this rule is to establish minimum training and qualification standards for toll enforcement officers. These standards shall be the minimum requirements necessary for eligibility to be a toll enforcement officer for the Department of Transportation (hereinafter Department). Toll enforcement officers are authorized to issue uniform traffic citations for failure to pay tolls on a toll facility owned or operated by a governmental entity, as defined in Section 334.03(12), Florida Statutes. This rule should not be construed to preclude a governmental entity operating a toll facility from establishing more stringent requirements for its toll enforcement officers.

(2) Compliance. Compliance with the rule standards shall be the responsibility of the respective governmental entity which operates the toll facility.

(3) Minimum Training. Toll enforcement officers shall successfully complete the following:

(a) A training course with the Department of Highway Safety and Motor Vehicles on the procedures for issuance of uniform traffic citations.

(b) A minimum of 40 hours of technical instruction on how to access, operate, and maintain the violation enforcement system. The components of the training shall include, at a minimum, equipment configuration and operation.

(4) Minimum Qualifications. The following minimum qualifications shall be applicable to toll enforcement officers:

(a) Toll enforcement officers shall, through their education and work experience, demonstrate to the satisfaction of the hiring governmental entity that they possess the following:

1. The ability to collect and evaluate data related to a violation enforcement system; and
2. The ability to understand and apply applicable agency, evidentiary, and violation enforcement system rules, regulations, policies, and procedures.

(b) Toll enforcement officers shall have visual acuity correctable to 20/20.

(c) Toll enforcement officers shall be subject to a security background check as a condition of employment pursuant to Section 110.1127, Florida Statutes, must:

~~1. Be certified pursuant to Section 943.13, Florida Statutes, and Chapter 11B-27, F.A.C.; or~~

~~2. Meet the requirements of Sections 943.13(1)-(4), Florida Statutes; and~~

~~3. Have good moral character, as described in Section 943.13(7), Florida Statutes, and Rule 11B-27.0011(2), (4)(a), (b), and (c)1-6, and (d), F.A.C. (Amended 1-2-97), as determined by a background investigation meeting the requirements of Rule 11B-27.0022(1) and (2), F.A.C. (Amended 1-2-97). The foregoing rules are incorporated herein by reference.~~

Specific Authority 334.044(2) FS. Law Implemented 316.1001, 316.640(1) FS. History—New 10-21-97, Amended 8-13-00, _____.

DEPARTMENT OF CORRECTIONS

RULE TITLE:

RULE NO.:

Basic Training Program Selection Process

33-601.234

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide clarity and ensure consistency with s. 958.045, F.S.

SUBJECT AREA TO BE ADDRESSED: Basic Training Program selection.

SPECIFIC AUTHORITY: 958.04, 958.045 FS.

LAW IMPLEMENTED: 946.40, 958.04, 958.045 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:

33-601.234 Basic Training Program Selection Process.

(1) In order to participate in the program, a youthful offender as defined by Chapter 958, F.S., shall meet the following criteria:

(a) No change.

(b) If designated by the department as a youthful offender, must be eligible for Meets control release pursuant to criteria identified in s. 947.146(3), F.S.;

(c) through (3) No change.

Specific Authority 958.04, 958.045 FS. Law Implemented 946.40, 958.04, 958.045 FS. History—New 2-26-89, Amended 11-2-90, 1-25-96, 10-23-97, Formerly 33-27.004, Amended 3-13-01, Formerly 33-506.204, Amended 1-17-02, _____.

LAND AND WATER ADJUDICATORY COMMISSION**Tuscany Community Development District**

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Tuscany Community Development

District 42GG-1

RULE TITLES: RULE NOS.:

Creation 42GG-1.001

Boundary 42GG-1.002

Supervisors 42GG-1.003

PURPOSE AND EFFECT: The purpose of this proposed rule is to establish a community development district (CDD), the Tuscany Community Development District ("District"), pursuant to Chapter 190, F.S. The petition to establish the District, filed by Beverly Hills Development Corporation, requests that the Commission establish by rule the Tuscany CDD. The land to be served by the District consists of two parcels of unimproved property in Citrus County. One parcel consists of approximately 951.14 acres located in the existing Beverly Hills Development of Regional Impact (DRI) and the other parcel consists of 560 acres located outside the Beverly Hills DRI for a total of 1,511.14 acres. The Petitioner has written consent to establish the District from the owner of 100% of the real property located within the proposed District. The proposed District is designed to provide community infrastructure, services, and facilities along with certain ongoing operations and maintenance. The development plan for the proposed lands within the District includes the construction of approximately 3,000 single family units within the DRI portion of the property, 1,120 low density residential units in the non-DRI portion of the property, 1,250 low density multi-family units, a life care center and approximately 307 acres of right-of-way, open space and other acreage.

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

SPECIFIC AUTHORITY: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 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 THIS HEARING WILL NOT BE HELD):

TIME AND DATE: 10:00 a.m. – 12:00 Noon, Thursday, November 7, 2002

PLACE: Room 2103, 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: Daren L. Shippy, Esquire, Rose, Sundstrom & Bentley, LLP, 2548 Blairstone Pines Drive, Tallahassee, Florida 32301, telephone

(850)877-6555 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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE TITLE: Disciplinary Guidelines **RULE NO.:** 61-20.010

PURPOSE AND EFFECT: The new rule is being created to implement requirements imposed by section 455.2273, Florida Statutes, relating to disciplinary guidelines. The effect will be to provide notice to the regulated public of potential penalties for violating regulatory provisions and to provide guidance to courts and the agency head on the assessment of penalties.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines for Community Association Managers.

SPECIFIC AUTHORITY: 455.2273(1) 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 IS: Eric R. Hurst, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61-20.010 Disciplinary Guidelines.

(1) PURPOSE. Pursuant to Section 455.2273, Florida Statutes, the department provides within this rule disciplinary guidelines which shall be imposed upon applicants, registrants, or licensees whom it regulates under Chapter 468, Part VIII, Florida Statutes. The purpose of this rule is to notify applicants, registrants, and licensees of the ranges of penalties which will routinely be imposed unless the department finds it necessary to deviate from the guidelines for the stated reasons given in subsection (2). The ranges of penalties provided in this rule are based upon a single count violation of each provision listed. Multiple counts of the violated provisions or a combination of the violation may result in a higher penalty than that for a single, isolated violation. Each range includes the lowest and highest penalty and all penalties falling between. The purposes of the imposition of discipline are to punish the applicants, registrants, or licensees for violations

and to deter them from future violations; to offer opportunities for rehabilitation, when appropriate; and to deter other applicants, registrants, or licensees from violations.

(2) AGGRAVATING AND MITIGATING CIRCUMSTANCES. The department shall be entitled to deviate from the disciplinary guidelines provided by this rule upon a showing of aggravating or mitigating circumstances by clear and convincing evidence presented to the department prior to the imposition of a final penalty. The department must make a specific finding of mitigating or aggravating guidelines. Based upon consideration of the facts present in an individual case, the department shall consider the following factors in aggravation and mitigation when deviating from the disciplinary guidelines set forth in this rule:

- (a) Danger to the public;
- (b) Physical or financial harm resulting from the violation;
- (c) Prior violations committed by the subject;
- (d) Length of time the registrant or licensee has practiced;
- (e) Deterrent effect of the penalty;
- (f) Correction or attempted correction of the violation;
- (g) Effect on the registrant's or licensee's livelihood;
- (h) Any efforts toward rehabilitation;
- (i) Any other aggravating or mitigating factor which is directly relevant under the circumstances.

(3) PENALTIES CUMULATIVE AND CONSECUTIVE. Where several violations occur in one or several cases being considered together, the penalties shall normally be cumulative and consecutive.

(4) STIPULATION OR SETTLEMENT. The provisions of this part are not intended and shall not be construed to limit the ability of the department to dispose disciplinary actions by stipulation, agreed settlement, or consent order pursuant to Section 120.57(4), Florida Statutes.

(5) VIOLATIONS AND RANGE OF PENALTIES. In imposing discipline upon applicants, registrants, and licensees in proceedings pursuant to Section 120.569 and 120.57(1) and (2), Florida Statutes, the department shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations as set forth in this subsection. The verbal identification of offenses is descriptive only. The full language of each statutory provision cited must be consulted in order to determine the conduct included.

VIOLATION:	PENALTY RANGE	
	MINIMUM	MAXIMUM
(a) Section 468.436(1)(b)1., F.S. – Violating any provision of this part, if not otherwise delineated in this rule.		
First Offense	Reprimand	\$1000 fine; costs
Second Offense	\$500 fine	Probation; \$2500 fine; costs
Third Offense	Probation; \$2500 fine	One year suspension; \$5000 fine; costs

(b) Section 468.436(1)(b)2., F.S.
– Violating any lawful order or rule, if not otherwise delineated in this rule.

First Offense	Reprimand	\$1000 fine; costs
Second Offense	\$500 fine	Probation; \$2500 fine; costs
Third Offense	Probation; \$2500 fine	One year suspension; \$5000 fine; costs

(c) Section 468.436(1)(b)3., F.S.
– Being convicted of or pleading nolo contendere to a felony.

First Offense	Reprimand; \$500 fine	Revocation; \$5000 fine; costs
Second Offense	One year suspension; \$1000 fine; costs	Revocation; \$5000 fine; costs
Third Offense	Two years suspension; \$1000 fine	Revocation; \$5000 fine; costs

(d) Section 468.436(1)(b)4., F.S.

– Obtaining a license or certification or any other order, ruling, or authorization by means of fraud, misrepresentation, or concealment of material facts.

First Offense	\$1000 fine; costs	Revocation; \$5000 fine; costs
Second Offense	One year suspension; \$1000 fine; costs	Revocation; \$5000 fine; costs
Third Offense	Revocation	Revocation; \$5000 fine; costs

(e) Section 468.436(1)(b)5., F.S.

– Committing acts of gross misconduct or gross negligence in connection with the profession.

First Offense	\$500 fine	Revocation; \$5000 fine; costs
Second Offense	\$2500 fine; costs	Revocation; \$5000 fine; costs
Third Offense	One year suspension; one year probation; \$2500 fine	Revocation; \$5000 fine; costs

(f) Rule 61-20.002(1), F.A.C. – Change of address, notification, license renewal.

First Offense	Reprimand	\$500 fine; costs
Second Offense	Reprimand	\$1000 fine; costs
Third Offense	Reprimand	\$2000 fine; costs

(g) Rule 61-20.002(3)(c), F.A.C. – Legal name change, notification.

First Offense	Reprimand	\$500 fine; costs
Second Offense	Reprimand	\$1000 fine; costs
Third Offense	Reprimand	\$2000 fine; costs

(h) Rule 61-20.503(2), F.A.C. – A licensee or registrant shall not make an untrue statement of a material fact or fail to state a material fact.

First Offense	Reprimand	One year suspension; \$1000 fine; costs
Second Offense	One year probation; \$500 fine; costs	One year suspension; two years probation; \$5000 fine; costs
Third Offense	Two years suspension; \$2500 fine; costs	Revocation; \$5000 fine; costs

(i) Rule 61-20.503(3), F.A.C. – A licensee or registrant shall perform only those services which he or she can reasonably expect to complete with professional competence.			First Offense	Reprimand; \$1000 fine; costs	One year suspension; two years probation; \$1000 fine; costs
First Offense	Reprimand	\$1000 fine; costs	Second Offense	One year suspension; two years probation; \$2500 fine; costs	Revocation; \$5000 fine; costs
Second Offense	One year probation; \$500 fine; costs	One year suspension; two years probation; \$5000 fine; costs	Third Offense	Two years suspension; two years probation; \$5000 fine; costs	Revocation; \$5000 fine; costs
Third Offense	Two years suspension; \$2500 fine; costs	Revocation; \$5000 fine; costs	(p) Rule 61-20.503(6)(d), F.A.C. – A licensee or registrant shall not fail to maintain records.		
(j) Rule 61-20.503(4)(a), F.A.C. – A licensee or registrant shall exercise due professional care.			First Offense	Reprimand	One year suspension; \$1000 fine; costs
First Offense	Reprimand	Fine \$1000; costs	Second Offense	\$500 fine; costs	Two years suspension; \$2500 fine; two years probation; costs
Second Offense	One year probation; \$500 fine	One year suspension; two years probation; \$5000 fine; costs	Third Offense	One year suspension; two years probation	Revocation; \$5000 fine; costs
Third Offense	Two years suspension; \$2500 fine; costs	Revocation; \$5000 fine; costs	(q) Rule 61-20.503(7), F.A.C. – Use funds for intended purpose.		
(k) Rule 61-20.503(4)(b), F.A.C. – A licensee or registrant shall not knowingly fail to comply with the requirements of the documents by which the association is created or operated.			First Offense	\$1000 fine; costs	Revocation; \$5000 fine; costs
First Offense	Reprimand	One year suspension; \$2500 fine; costs	Second Offense	\$2500; two years probation; costs	Revocation; \$5000 fine; costs
Second Offense	One year probation; \$1000 fine; costs	One year suspension; two years probation; \$5000 fine; costs	Third Offense	One year suspension; two years probation; \$5000 fine; costs	Revocation; \$5000 fine; costs
Third Offense	\$2500 fine; costs	Revocation; \$5000 fine; costs	(r) Rule 61-20.503(8)(a), F.A.C. – other license suspended, revoked, misconduct.		
(l) Rule 61-20.503(5), F.A.C. – A licensee or registrant shall not permit others to commit certain acts or omissions.			First Offense	Two years probation	Revocation; \$5000 fine; costs
First Offense	Reprimand	One year suspension; \$1000 fine; costs	Second Offense	\$1000 fine; costs	Revocation; \$5000 fine; costs
Second Offense	One year probation; \$500 fine; costs	Two years suspension; two years probation; \$5000 fine; costs	Third Offense	\$2500 fine; costs	Revocation; \$5000 fine; costs
Third Offense	Two years suspension; \$2500 fine; costs	Revocation; \$5000 fine; costs	(s) Rule 61-20.503(8)(b), F.A.C. – Perform services requiring licensure without requisite licensure.		
(m) Rule 61-20.503(6)(a), F.A.C. – A licensee or registrant shall not withhold possession of records.			First Offense	Reprimand	\$2500 fine; costs
First Offense	Reprimand	\$2500 fine; one year suspension; costs	Second Offense	\$1000 fine; costs	\$5000 fine; one year suspension; two years probation; costs
Second Offense	\$500 fine	\$2500 fine; Revocation; costs	Third Offense	\$2500 fine; costs	Revocation; \$5000 fine; costs
Third Offense	\$1000 fine	Revocation; \$5000 fine; costs	(t) Rule 61-20.503(8)(c), F.A.C. – Other licenses, reveal.		
(n) Rule 61-20.503(6)(b), F.A.C. – A licensee or registrant shall not deny access to association records.			First Offense	Reprimand	Reprimand; \$1000 fine; costs
First Offense	Reprimand	\$1000 fine; costs	Second Offense	\$500 fine; costs	One year suspension; two years probation; \$3000 fine; costs
Second Offense	\$500 fine; costs	\$2500 fine; one year suspension; one year probation; costs	Third Offense	\$1000 fine; costs	Revocation; \$5000 fine; costs
Third Offense	One year probation; \$3000 fine; costs	One year suspension; two years probation; \$5000 fine; costs	(u) Rule 61-20.508(1), F.A.C. – Continuing Education.		
(o) Rule 61-20.503(6)(c), F.A.C. – A licensee or registrant shall not create false records.			First Offense	Reprimand	One year probation; \$1000 fine; compliance; costs
First Offense	Reprimand	\$1000 fine; costs	Second Offense	\$250 fine; compliance within 60 days	Suspension until compliance; \$2500 fine; costs
Second Offense	\$500 fine; costs	One year suspension; two years probation; \$5000 fine; costs	Third Offense	\$1000 fine; compliance within 60 days	One year suspension or until compliance, whichever is greater; \$5000 fine; compliance; costs
Third Offense	One year probation; \$3000 fine; costs	One year suspension; two years probation; \$5000 fine; costs	(v) Rule 61-20.5083(5), F.A.C. – Continuing education audit, failure to respond.		

<u>First Offense</u>	<u>Reprimand</u>	<u>\$500 fine; costs</u>
<u>Second Offense</u>	<u>\$500 fine</u>	<u>\$2500 fine; costs</u>
<u>Third Offense</u>	<u>One year probation;</u> <u>\$2500 fine; costs</u>	<u>One year suspension; \$2500</u> <u>fine; costs</u>
<u>(w) Rule 61-20.003(2), F.A.C. –</u> <u>Practice through unregistered</u> <u>entity 3 months or less.</u>		
<u>First Offense</u>	<u>Reprimand</u>	<u>\$500 fine; costs</u>
<u>Second Offense</u>	<u>\$500 fine; costs</u>	<u>\$2500 fine; costs</u>
<u>Third Offense</u>	<u>One year probation;</u> <u>\$1000 fine; costs</u>	<u>One year suspension; \$5000</u> <u>fine; costs</u>
<u>(x) Section 455.271(1), F.S. –</u> <u>Practice on delinquent, inactive</u> <u>license.</u>		
<u>First Offense</u>	<u>Reprimand</u>	<u>\$100 per month fine</u>
<u>Second Offense</u>	<u>\$100 per month fine</u>	<u>\$2500 fine; costs</u>
<u>Third Offense</u>	<u>\$1000 fine; costs</u>	<u>Revocation; \$5000 fine; costs</u>
<u>(y) Section 455.227(1)(c), F.S. –</u> <u>Being convicted or found guilty of</u> <u>a crime related to the practice of a</u> <u>licensee's or registrant's</u> <u>profession.</u>		
<u>First Offense</u>	<u>Reprimand</u>	<u>Revocation; \$5000 fine; costs</u>
<u>Second Offense</u>	<u>One year suspension;</u> <u>\$1500 fine; costs</u>	<u>Revocation; \$5000 fine; costs</u>
<u>Third Offense</u>	<u>Two years suspension;</u> <u>\$3000 fine; costs</u>	<u>Revocation; \$5000 fine; costs</u>
<u>(z) Section 455.227(1)(g), F.S. –</u> <u>Filing a false report or complaint</u> <u>with the department.</u>		
<u>First Offense</u>	<u>\$500 fine</u>	<u>One year suspension; \$3000</u> <u>fine; costs</u>
<u>Second Offense</u>	<u>Two years probation;</u> <u>\$1000 fine; costs</u>	<u>Revocation; \$5000 fine; costs</u>
<u>Third Offense</u>	<u>One year suspension;</u> <u>\$2500 fine; costs</u>	<u>Revocation; \$5000 fine; costs</u>
<u>(aa) Section 455.227(1)(h), F.S. –</u> <u>Attempting, obtaining, or renewing</u> <u>a license by bribery or fraud.</u>		
<u>First Offense</u>	<u>\$1000 fine; costs</u>	<u>Revocation; \$5000 fine; costs</u>
<u>Second Offense</u>	<u>One year suspension;</u> <u>\$3000 fine; costs</u>	<u>Revocation; \$5000 fine; costs</u>
<u>Third Offense</u>	<u>Two years suspension;</u> <u>\$5000 fine; costs</u>	<u>Revocation; \$5000 fine; costs</u>
<u>(bb) Section 455.227(1)(i), F.S. –</u> <u>Failing to report any person in</u> <u>violation of this part or the chapter</u> <u>regulating the alleged violator.</u>		
<u>First Offense</u>	<u>Reprimand</u>	<u>One year suspension; \$3000</u> <u>fine; costs</u>
<u>Second Offense</u>	<u>Reprimand; one year</u> <u>probation</u>	<u>Two years suspension; \$5000</u> <u>fine; costs</u>
<u>Third Offense</u>	<u>Reprimand; two years</u> <u>probation; costs</u>	<u>Revocation; \$5000 fine; costs</u>
<u>(cc) Section 455.227(1)(j), F.S. –</u> <u>Aiding, assisting, unlicensed</u> <u>persons or entity.</u>		
<u>First Offense</u>	<u>Reprimand</u>	<u>One year suspension; \$3000</u> <u>fine; costs</u>
<u>Second Offense</u>	<u>\$1000 fine; costs</u>	<u>Two years suspension; two</u> <u>years probation; \$5000 fine;</u> <u>costs</u>
<u>Third Offense</u>	<u>One year suspension; one</u> <u>year probation; costs</u>	<u>Revocation; \$5000 fine; costs</u>

(dd) Section 455.227(1)(k), F.S. –
Failing to perform any statutory or
legal obligation placed on a licensee
or registrant, if the obligation is not
otherwise covered by this rule.

<u>First Offense</u>	<u>Reprimand</u>	<u>One year suspension; two</u> <u>years probation; \$3000 fine;</u> <u>costs</u>
<u>Second Offense</u>	<u>Reprimand</u>	<u>Two year suspension; two</u> <u>years probation; \$5000 fine;</u> <u>costs</u>
<u>Third Offense</u>	<u>Reprimand; \$500 fine;</u> <u>Costs</u>	<u>Revocation; \$5000 fine; costs</u>

(ee) Section 455.227(1)(l), F.S. –
Making a report that the licensee
or registrant knows to be false,
failing to file a required report.

<u>First Offense</u>	<u>\$500 fine; costs</u>	<u>Revocation; \$5000 fine; costs</u>
<u>Second Offense</u>	<u>\$1000 fine; costs</u>	<u>Revocation; \$5000 fine; costs</u>
<u>Third Offense</u>	<u>\$2500 fine; costs</u>	<u>Revocation; \$5000 fine; costs</u>

(ff) Section 455.227(1)(m), F.S. –
Making deceptive, untrue, or
fraudulent misrepresentations,
trick or scheme, related to the
practice or profession.

<u>First Offense</u>	<u>Reprimand; \$500 fine</u>	<u>Revocation; \$5000 fine; costs</u>
<u>Second Offense</u>	<u>One year probation;</u> <u>\$1000 fine; costs</u>	<u>Revocation; \$5000 fine; costs</u>
<u>Third Offense</u>	<u>One year suspension; two</u> <u>years probation; \$2500</u> <u>fine; costs</u>	<u>Revocation; \$5000 fine; costs</u>

(gg) Section 455.227(1)(p), F.S. –
Knowingly delegating or
contracting for the
performance of professional
responsibilities.

<u>First Offense</u>	<u>Reprimand; costs</u>	<u>One year suspension; \$3000</u> <u>fine; costs</u>
<u>Second Offense</u>	<u>Two years probation;</u> <u>\$500 fine; costs</u>	<u>Two years suspension; two</u> <u>years probation; \$5000 fine;</u> <u>costs</u>
<u>Third Offense</u>	<u>One year suspension; two</u> <u>years probation; \$2500</u> <u>fine; costs</u>	<u>Revocation; \$5000 fine; costs</u>

(hh) Section 455.227(1)(r), F.S. –
Improperly interfering with an
investigation or inspection
authorized by statute, or within any
disciplinary proceedings.

<u>First Offense</u>	<u>\$1000 fine</u>	<u>Revocation; \$5000 fine; costs</u>
<u>Second Offense</u>	<u>One year suspension;</u> <u>\$2500 fine; costs</u>	<u>Revocation; \$5000 fine; costs</u>
<u>Third Offense</u>	<u>Two years suspension;</u> <u>\$5000 fine; costs</u>	<u>Revocation; \$5000 fine; costs</u>

Specific Authority 455.227(1) FS. Law Implemented 455.2273 FS. History–
New

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE:

Fees

RULE NO.:

61G4-12.009

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

SUBJECT AREA TO BE ADDRESSED: Fees.

SPECIFIC AUTHORITY: 455.213(2), 455.217(2), 455.219(1), 455.271(8), 489.108, 489.118 FS.

LAW IMPLEMENTED: 119.07(1)(a), 455.213(2), 455.217(2), 455.219(1), 455.271(7),(8), 489.109 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: Robert Crabill, Executive Director, Construction Industry 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

Construction Industry Licensing Board

RULE TITLE: RULE NO.:

Qualification for Certification 61G4-15.001

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

SUBJECT AREA TO BE ADDRESSED: Qualification for Certification.

SPECIFIC AUTHORITY: 489.111 FS.

LAW IMPLEMENTED: 489.111 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: Robert Crabill, Executive Director, Construction Industry 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

Construction Industry Licensing Board

RULE TITLE: RULE NO.:

Examination and Reexamination 61G4-16.009

PURPOSE AND EFFECT: The Board proposes to review the existing rule to see if any amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Examination and Reexamination.

SPECIFIC AUTHORITY: 455.217(2), 455.219(1), 489.108, 489.129 FS.

LAW IMPLEMENTED: 455.217, 489.109, 489.111 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: Robert Crabill, Executive Director, Construction Industry 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 Landscape and Architecture

RULE TITLES: RULE NOS.:

Board Approval of Continuing Education Providers 61G10-18.002

Obligations of Continuing Education Providers 61G10-18.003

PURPOSE AND EFFECT: The Board proposes to review the above-referenced rules to determine if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Board Approval of Continuing Education Providers, and Obligations of Continuing Education Providers.

SPECIFIC AUTHORITY: 455.2124, 455.2179, 481.306, 481.313 FS.

LAW IMPLEMENTED: 455.2179, 481.313, 553.841 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: Immediately following the workshop for Rule 61G10-18.001 (separately noticed) which begins at 9:00 a.m., October 31, 2002

PLACE: Four Seasons Resort, 2800 South Ocean Boulevard, Palm Beach, FL 33480, (561)582-2800

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

Biegalski, Executive Director, Florida Board of Landscape Architecture, 1940 North Monroe Street, Northwood Centre, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 02-33R

RULE CHAPTER TITLE: Stationary Sources – General

RULE CHAPTER NO.:

Requirements

62-210

RULE TITLE:

RULE NO.:

Definitions

62-210.200

PURPOSE AND EFFECT: The Department is proposing to amend existing Title V program related definitions in Florida Administrative Code Rule 62-210.200, F.A.C., based on recent amendments to or applicability of federal regulations.

A rule development workshop has been scheduled.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us> under the link or button titled "Official Notices."

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 02-23R

RULE CHAPTER TITLE: Stationary Sources – General

RULE CHAPTER NO.:

Requirements

62-210

RULE TITLE:

RULE NO.:

Forms and Instructions

62-210.900

PURPOSE AND EFFECT: The Department is proposing to expand the scope of the application for air permit (DEP Form 62-210.900(1)) to accommodate air operation permit renewal for Title V sources and initial air operation permitting for sources assuming federally enforceable restrictions to stay below federal regulation applicability thresholds, and to clarify form use for major-source air construction permitting. In addition, the Department is proposing to amend the application for air permit (DEP Form 62-210.900(1)) in response to comments received September 10, 2002, from the Joint Administrative Procedures Committee (JAPC) and update the Phase II Acid Rain part application (DEP Form 62-210.900(1)(a)) in accordance with the U.S. Environmental Protection Agency's recent updates to the corresponding federal Acid Rain Program form.

A rule development workshop has been scheduled.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE CHAPTER TITLE: Examinations

RULE CHAPTER NO.:

64B-1

PURPOSE AND EFFECT: The Department of Health proposes to review the existing language in the entirety of this chapter to determine if amendments are necessary and/or new rules should be promulgated pertaining to all matters concerning examinations.

SUBJECT AREA TO BE ADDRESSED: Examinations.

SPECIFIC AUTHORITY: 456.004, 456.013, 456.017 FS.

LAW IMPLEMENTED: 456.013, 456.017 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: Christy Brown, Division of Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C90, Tallahassee, Florida 32399-3290

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

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE TITLE: Inactive and Delinquent Status Fees

RULE NO.:

64B11-5.006

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

SUBJECT AREA TO BE ADDRESSED: Inactive and delinquent status fees.

SPECIFIC AUTHORITY: 468.221 FS.

LAW IMPLEMENTED: 468.221 FS.

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

TIME AND DATE: 10:00 a.m., November 1, 2002

PLACE: Meet-Me Number (850)488-0979, Suncom 278-0979 (4042 Bald Cypress Way, Room 345N, Tallahassee, Florida 32399)

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision made by the board with respect to any matter considered at this hearing, they will need a record of proceedings, and for such purposes, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

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

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

DEPARTMENT OF HEALTH

School Psychology

RULE TITLE: RULE NO.:

Continuing Education Credit Guidelines 64B21-502.004

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

SUBJECT AREA TO BE ADDRESSED: Continuing education credit guidelines.

SPECIFIC AUTHORITY: 490.015 FS.

LAW IMPLEMENTED: 490.0085 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Department of Health, 4052 Bald Cypress Way, BIN C05, Tallahassee, Florida 32399-3255
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Division of Disease Control

RULE TITLES: RULE NOS.:

Notifiable Diseases or Conditions to be Reported, Human 64D-3.002

Notification by Laboratories 64D-3.003

Notifiable Disease Case Report Content 64D-3.004

Quarantine, Requirements 64D-3.007

Public Health Emergency 64D-3.0071

Procedures for Control of Specific Communicable Diseases 64D-3.013

PURPOSE AND EFFECT: The purpose of these amendments is to update provisions for reporting of diseases and to implement provisions in CS/SB 1262 regarding public health

emergencies. The draft amendments will update the list of reportable diseases to eliminate dengue and Hanson's disease and add acute arboviral disease, Creutzfeldt-Jakob Disease, and saxitoxin poisoning; clarify access to medical records by Department of Health; add provisions related to notification by laboratories; and clarify confidentiality of case report information. Quarantine provisions are revised to clarify the scope of quarantine orders and to change the incorporated materials regarding zoonotic quarantines. A new section of rule related to public health emergencies defines "practical method of quarantine" and provides circumstances for quarantine in private homes. Other changes are made related specifically to control of rabies and of shigella and salmonella infections.

SUBJECT MATTER TO BE ADDRESSED: Responsibilities for disease reporting by health care professionals and laboratories, diseases to be reported, information to be provided, quarantine, public health emergencies, and control of specific communicable diseases.

SPECIFIC AUTHORITY: 381.0011(6)(a),(13), 381.003(2), 381.0031(6), 381.006 (16), 384.25(2), 384.33, 392.66 FS.

LAW IMPLEMENTED: 381.0011(4),(6), 381.003(1), 381.0012, 381.0031, 381.00315(1)(b)4., 384.23, 384.25, 384.27, 385.202, 392.53 FS.

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

TIME AND DATE: 2:00 p.m., Monday, November 18, 2002

PLACE: Department of Health, Conference Room 310A, 2585 Merchants Row Blvd., Prather Building, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Rowe E. Rogero, Division of Disease Control, Department of Health, 4052 Bald Cypress Way, Bin A09, Tallahassee, FL 32399, (850)245-4322, rowe_rogero@doh.state.fl.us

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

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Public Swimming Pools and Bathing Places 64E-9

PURPOSE AND EFFECT: Revise existing rules for the purpose of clarification, incorporate necessary technical changes and to provide for the protection of public health and safety.

SUBJECT AREA TO BE ADDRESSED: Areas to be discussed include: Operational requirements, design criteria, construction standards, hydraulic requirements, existing system modification standards, permitting requirements, fees, definitions, forms, supervision and safety, bathing places, and pool service technicians requirements.

SPECIFIC AUTHORITY: 381.0011, 381.006, 514.0115, 514.021, 514.033, 514.05, 514.075 FS.

LAW IMPLEMENTED: 381.006, 381.0011, 381.0015, 381.0025, 386.01, 386.02, 386.03, 386.041, 386.051, 514.011, 514.0115, 514.021, 514.025, 514.028, 514.03, 514.031, 514.033, 514.04, 514.05, 514.06, 514.071 FS.

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

TIME AND DATE: 10:00 a.m. – 4:00 p.m., November 14, 2002

PLACE: Conference Room “A”, Hurston South Tower, 400 West Robinson Street, Orlando, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Robert Pryor, Department of Health, Bureau of Water Programs, Bin #C22, 4052 Bald Cypress Way, Tallahassee, FL 32399-1742, (850)245-4444, Ext. 2369

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

Section II Proposed Rules

DEPARTMENT OF STATE

Division of Elections

RULE TITLE: Polling Place Accessibility Survey

RULE NO.: 1S-2.035

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide a uniform survey for county supervisors of elections to determine the accessibility of polling places.

SUMMARY: This rule provides an actual physical survey for supervisors of elections to use in making their determination of the accessibility of a polling place. This rule provides guidance and graphics for such things as entrances, parking, door widths, rooms, stairs, elevators, rest rooms, and telephones along with a variety of other issues that would require accessibility.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 101.715 FS., Chapter 2002-281, Laws of Florida.

LAW IMPLEMENTED: 101.715 FS., Chapter 2002-281, Laws of Florida.

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

TIME AND DATE: 2:00 p.m., December 3, 2002

PLACE: The Betty Easley Conference Center, Room 166, 4075 Esplanade Way, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Marielba Torres, Division of Elections, Department of State, 107 West Gaines Street, Tallahassee, Florida 32399, (850)245-6200

Pursuant to the Americans with Disabilities Act, persons needing special accommodations to participate in this meeting should contact Marielba Torres, (850)245-6200, at least three days in advance of the meeting.

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.035 Polling Place Accessibility Survey.

The Department of State, Division of Elections, is required to establish a polling place accessibility survey, Form DS-DE 43 (10/02), which is hereby incorporated by reference and available from the Division of Elections, The Collins Building, Room 100, 107 West Gaines Street, Tallahassee, Florida 32399.

Specific Authority 101.715 FS. Law Implemented 101.715 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE: Amy Tuck Whitman, Assistant General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Edward C. Kast, Director, Division of Elections, Department of State

DATE OF PROPOSED RULE APPROVED BY AGENCY HEAD: October 7, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 30, 2002

DEPARTMENT OF BANKING AND FINANCE

Division of Finance and Securities

RULE TITLES: RULE NOS.:

Definitions 3E-7.001

Certification as a Certified Capital Company 3E-7.002

Capital Requirements for Certified

Capital Companies 3E-7.003

Annual Review 3E-7.004

Requirements to Update Information 3E-7.005

Renewal of Certification 3E-7.006

Books and Records Requirements 3E-7.007

Forms, Instructions and Manuals 3E-7.008

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.

SUMMARY: The rules update and conform the certification process and qualifications for Program Two of the Certified Capital Company Act.