

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF INSURANCE

Division of Workers' Compensation

RULE TITLES: Definitions 4L-26.002 Requesting Assistance 4L-26.004

PURPOSE AND EFFECT: Rule 4L-26.002, F.A.C., is being amended to correct a statutory citation [from Sections 440.191(2)(d) to 440.191(2)(a), Florida Statutes] in subsection 4L-26.002(2), F.A.C., and to include in the rule the form and manner of written notice of the availability of services from the Employee Assistance Office that the employer or carrier must provide the employee, pursuant to Section 440.185(12), Florida Statutes. Rule 4L-26.004, F.A.C., is being amended to delete the requirement in subsection 4L-26.004(1), F.A.C., that an injured party or any other party to a dispute involving a workers' compensation issue shall contact and request assistance from the Employee Assistance Office before filing a petition for a hearing before a Judge of Compensation Claims.

SUBJECT AREA TO BE ADDRESSED: Contacts with the Employee Assistance Office of the Division of Workers' Compensation and the form of written notification of the availability of services from the Employee Assistance Office that the employer or carrier must provide to an injured employee.

SPECIFIC AUTHORITY 440.185(12), 440.191(1)(b), 440.591 FS.

LAW IMPLEMENTED 440.185(12), 440.191(2) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:30 p.m., Tuesday, October 14, 2003

PLACE: 104J Hartman Building, 2012 Capital Circle, Southeast, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Andrew Sabolic, Policy Coordinator, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4220, (850)488-2514

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

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

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE TITLE: Fair Consumer Practices RULE NO.: 6E-1.0032

PURPOSE AND EFFECT: The Commission proposes development of this rule to clarify the antihazing standards and make them consistent with the statute.

SUBJECT AREA TO BE ADDRESSED: Fair Consumer Practices.

SPECIFIC AUTHORITY: 1005.22(1)(e)1., 1005.34 FS.

LAW IMPLEMENTED: 1005.04, 1005.22(1)(k), 1005.31(13), 1005.32(5), 1005.34 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: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6E-1.0032 Fair Consumer Practices.

(1) through (5) No change.

(6) Each prospective student shall be provided a written copy, or shall have access to an electronic copy, of the institution's catalog prior to enrollment or the collection of any tuition, fees or other charges. The catalog shall contain the following required disclosures, and catalogs of licensed institutions must also contain the information required in subsections 6E-2.004(11) and (12), F.A.C.:

(a) through (k) No change.

(7) through (8) No change.

~~(9) Licensed colleges and universities shall adopt, publish, and uniformly enforce an antihazing policy as required by Section 1005.31(13), Florida Statutes, and provide a copy to the Commission.~~

~~(9)(10) No change.~~

Specific Authority 1005.22(1)(e)1., 1005.34 FS. Law Implemented 1005.04, 1005.22(1)(k), 1005.31(13), 1005.32(5), 1005.34 FS. History--New 10-19-93, Amended 4-2-96, 11-5-00, 1-7-03, _____.

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE TITLE: Approved Applicant Status RULE NO.: 6E-2.001

PURPOSE AND EFFECT: The Commission proposes the development of this rule to clarify the process for Approved Applicant status.

SUBJECT AREA TO BE ADDRESSED: Approved Applicant Status.

SPECIFIC AUTHORITY: 1005.31(2),(3) FS.

LAW IMPLEMENTED: 1005.31(2),(3),(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6E-2.001 Approved Applicant Status.

All new or out-of-state institutions applying for initial licensure to operate in Florida, whether planning to offer degrees or nondegree programs, must file an application for a Provisional License. When the application is deemed complete, as defined in subsection 6E-1.003(10), F.A.C., the institution will be placed on Approved Applicant status while final preparations are made.

(1) No change.

(2) Review and recommendation. If the initial application has omissions, staff shall contact the applicant and request all omitted materials. When the application for a Provisional License is deemed complete by Commission staff, and the background checks required by law for appropriate personnel have been completed and grounds for ineligibility for licensure have not been found, the application shall be presented to the Commission ~~at its next meeting with a recommendation to grant Approved Applicant status.~~

(3) through (8) No change.

Specific Authority 1005.31(2),(3) FS. Law Implemented 1005.31(2),(3),(4) FS. History—Repromulgated 12-5-74, Formerly 6E-4.01(1)(a)-(e), Readopted 11-11-75, Amended 5-7-79, 10-13-83, Formerly 6E-2.01, Amended 11-27-88, 11-29-89, 12-10-90, 10-19-93, 4-2-96, 4-11-00, 1-7-03, _____.

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE TITLE:

RULE NO.:

Standards and Procedures for Licensure

6E-2.004

PURPOSE AND EFFECT: The Commission proposes development to the rules to address changes to language and to clarify the required continuing education hours.

SUBJECT AREA TO BE ADDRESSED: Standards and Procedures of Licensure.

SPECIFIC AUTHORITY: 1005.22(1)(e), 1005.31(2),(3), 1005.34, 1005.39 FS.

LAW IMPLEMENTED: 1005.04, 1005.31, 1005.33(1), 1005.34, 1005.39 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: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6E-2.004 Standards and Procedures for Licensure.

Each institution applying for a license or moving to a new level of licensure shall provide to the Commission the following specific information, in English. All information and documentation submitted pursuant to the provisions of these rules shall be accompanied by certification signed by the chief administrative officer of the institution, affirming that the information and documentation submitted is accurate. Any application or review which is not substantially complete shall be returned to the institution with a request to complete and resubmit the material.

(1) Standard 1: Name.

(a) An institution's name must clearly indicate that the primary purpose of the institution is education, and must not be misleading to the public. Noncollegiate schools shall not use the words "college" or "university" in their names. No institution shall use a name that may lead the student to believe that the institution is a public institution, unless it is an institution provided, operated, or supported by the State of Florida or its political subdivisions, another state, or the federal government. The license will be issued in the official corporate name, or an official fictitious name if the institution school provides documentation that such name is registered with the Florida Secretary of State, or comparable official in the appropriate jurisdiction. If using a fictitious name, the institution school must disclose its official corporate name in its catalog.

(b) through (d) No change.

(2) No change.

(3) Standard 3: Administrative Organization.

(a) No change.

(b) Each institution and additional location shall have as its designated administrator a person who has at least two years of supervisory experience in an executive or managerial position in a similar institution school or related business.

(c) through (d) No change.

(e) Pursuant to Section 1005.39, Florida Statutes, individuals holding the following or similar positions in licensed institutions shall complete at least eight continuing education contact hours of training related to their positions each year from the Commission or another provider which the Commission has determined to include relevant information in its training programs: school director, Florida director, or chief executive officer; chief education/academic officer or director of education or training; placement director; admissions director; and financial aid director. ~~Each institution shall provide, at the time of initial application or review of licensure, documentation that the required training was received.~~ If an individual holds more than one of these positions, the documentation shall indicate for which position the training was appropriate. Compliance with this requirement is a condition of licensure or renewal of licensure.

(f) through (h) No change.

(4) Educational programs and curricula. The following standards shall apply to all institutions licensed by the Commission for Independent Education, except as expressly stated otherwise.

(a) through (i) No change.

(j) At least ~~25~~ 20 percent of the credits or hours required for completion of a program must be earned through instruction taken at the institution awarding the credential, unless a different standard has been adopted by the recognized accrediting body accrediting the institution, or by a governmental agency whose policies apply to the institution. This standard shall not apply if any of the training was taken at accredited institutions as defined in Section 1005.02(1), Florida Statutes, while the student was a member of the U.S. armed services.

(k) through (r) No change.

(5) through (12) No change .

Specific Authority 1005.22(1)(e), 1005.31(2),(3), 1005.34, 1005.39 FS. Law Implemented 1005.04, 1005.31, 1005.33(1), 1005.34, 1005.39 FS. History—Repromulgated 12-5-74, Formerly 6E-3.01(1), Readopted 11-11-75, Amended 3-7-77, 5-7-79, 10-13-83, Formerly 6E-2.04, Amended 11-27-88, 11-29-89, 12-10-90, 10-19-93, 4-2-96, 4-11-00, 1-7-03,_____.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: Prepaid Escrow Accounts
RULE TITLE: Prepaid Escrow Accounts
RULE CHAPTER NO.: 14-114
RULE NO.: 14-114.0011

PURPOSE AND EFFECT: This amendment includes an editorial revision to incorporate a new version of the Prepaid Escrow Account Application, Form 350-060-10. The form is being revised to show a change resulting from the September 4, 2003, amendment.

SUBJECT AREA TO BE ADDRESSED: A revised version of the Prepaid Escrow Account Application, Form 350-060-10, also is being incorporated by reference.

SPECIFIC AUTHORITY: 334.044(2), 334.187(4) FS.

LAW IMPLEMENTED: 334.187 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, Clerk of Agency Proceedings, 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:

14-114.0011 Prepaid Escrow Accounts.

(1) through (2) No change.

(3) Initial Application. Application for a Prepaid Escrow Account with the Department will be made by submitting a Prepaid Escrow Account Application, Department of Transportation Form 350-060-10, R. ~~01/02~~ 09/03, and the appropriate deposit as set forth in paragraph 14-114.004(4)(b), F.A.C., to the Florida Department of Transportation, Office of Comptroller, Cashier, 3717 Apalachee Parkway, East, Tallahassee, Florida 32311-3400.

(4) through (6) No change.

(7) Forms. The following forms, which are incorporated by reference and made a part of these rules, are to be used by the applicants for Prepaid Escrow Accounts:

Form Number	Date	Title
350-060-10	01/02 <u>09/03</u>	Prepaid Escrow Account Application
350-060-08	01/02	Account Bond

These forms may be obtained from the Department of Transportation Office of the Comptroller, Accounts Receivable Section, 3717 Apalachee Parkway East, Tallahassee, Florida 32311-3400.

Specific Authority 334.044(2), 334.187(4) FS. Law Implemented 334.187 FS. History—New 6-4-02, Amended 9-4-03,_____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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 THE LOTTERY

RULE TITLE: Salary Additives
RULE NO.: 53-13.003

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to amend the salary additives provisions for Lottery employees whose positions are assigned to a shift for which a shift differential is approved.

SUBJECT AREA TO BE ADDRESSED: Salary Additives.

SPECIFIC AUTHORITY: 24.105(9)(j), 24.105(19)(d) FS.

LAW IMPLEMENTED: 24.105(19)(d) 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: Diane D. Schmidt, Office of the General Counsel, Florida Lottery, 250 Marriott Drive, Tallahassee, FL 32301, (850)487-7724

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Funeral Directors and Embalmers

RULE TITLE: Minor Violations, Notice of Noncompliance
RULE NO.: 61G8-30.0021

PURPOSE AND EFFECT: To seek to improve efficiency, reduce paperwork, or decrease costs to government and the private sector.

SUBJECT AREA TO BE ADDRESSED: The Board proposes to address the rule on minor violations.

SPECIFIC AUTHORITY: 455.225(3) FS.

LAW IMPLEMENTED: 455.225(3) 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: Juanita

Chastain, Executive Director, Board of Funeral Directors and Embalmers, 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

Florida Real Estate Appraisal Board

RULE TITLE: Refund of Applicant and License Fees
RULE NO.: 61J1-2.007

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to bring the rule into compliance with statutory changes, which took effect July 1, 2003.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to the refund of applicant and license fees.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.6147 FS.

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

TIME AND DATE: 8:30 a.m., or as soon thereafter as possible, October 7, 2003

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

IF REQUESTED, AN ADDITIONAL 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: Ashley Dashnaw, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE, UPON WRITTEN REQUEST.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

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

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to bring the rule into compliance with statutory changes, which took effect July 1, 2003.

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

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.613, 475.615, 475.617 FS.

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

TIME AND DATE: 8:30 a.m., or as soon thereafter as possible, October 7, 2003

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

IF REQUESTED, AN ADDITIONAL 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: Ashley Dashnaw, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE, UPON WRITTEN REQUEST.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Equivalency Education

RULE NO.: 61J1-4.002

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to bring the rule into compliance with statutory changes, which took effect July 1, 2003.

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

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.613, 475.615, 475.617 FS.

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

TIME AND DATE: 8:30 a.m., or as soon thereafter as possible, October 7, 2003

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

IF REQUESTED, AN ADDITIONAL 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: Ashley Dashnaw, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE, UPON WRITTEN REQUEST.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Continuing Education

RULE NO.: 61J1-4.003

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to bring the rule into compliance with statutory changes, which took effect July 1, 2003.

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

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.613, 475.618 FS.

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

TIME AND DATE: 8:30 a.m., or as soon thereafter as possible, October 7, 2003

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

IF REQUESTED, AN ADDITIONAL 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: Ashley Dashnaw, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE, UPON WRITTEN REQUEST.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Renewal of Inactive Registrations, Licenses, and Certifications

RULE NO.: 61J1-4.007

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to bring the rule into compliance with statutory changes, which took effect July 1, 2003.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to the refund of applicant and license fees.

SPECIFIC AUTHORITY: 475.614, 475.619 FS.

LAW IMPLEMENTED: 475.618, 475.619 FS.

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

TIME AND DATE: 8:30 a.m., or as soon thereafter as possible, October 7, 2003

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

IF REQUESTED, AN ADDITIONAL 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: Ashley Dashnaw, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE, UPON WRITTEN REQUEST.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Continuing Education for School Instructors
 RULE NO.: 61J1-4.008

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to bring the rule into compliance with statutory changes, which took effect July 1, 2003.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to the continuing education requirements for school instructors.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.618 FS.

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

TIME AND DATE: 8:30 a.m., or as soon thereafter as possible, October 7, 2003

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

IF REQUESTED, AN ADDITIONAL 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: Ashley Dashnaw, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE, UPON WRITTEN REQUEST.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Post Licensing Education for Registered Trainee Appraisers
 RULE NO.: 61J1-4.009

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to bring the rule into compliance with statutory changes, which took effect July 1, 2003.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to the refund of applicant and license fees.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.6175 FS.

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

TIME AND DATE: 8:30 a.m., or as soon thereafter as possible, October 7, 2003

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

IF REQUESTED, AN ADDITIONAL 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: Ashley Dashnaw, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE, UPON WRITTEN REQUEST.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Supervision of Registered Trainee Appraiser
 RULE NO.: 61J1-4.010

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to bring the rule into compliance with statutory changes, which took effect July 1, 2003.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to the refund of applicant and license fees.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.611, 475.6221, 475.6222 FS.

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

TIME AND DATE: 8:30 a.m., or as soon thereafter as possible, October 7, 2003

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

IF REQUESTED, AN ADDITIONAL 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: Ashley

Dashnaw, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE, UPON WRITTEN REQUEST.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Appraisal Examination Areas of Competency RULE NO.: 61J1-5.001

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to bring the rule into compliance with statutory changes, which took effect July 1, 2003.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to appraisal examination areas of competency.

SPECIFIC AUTHORITY: 455.217, 475.614 FS.

LAW IMPLEMENTED: 455.217, 475.616 FS.

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

TIME AND DATE: 8:30 a.m., or as soon thereafter as possible, October 7, 2003

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

IF REQUESTED, AN ADDITIONAL 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: Ashley Dashnaw, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE, UPON WRITTEN REQUEST.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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

Board of Nursing

RULE CHAPTER TITLE: The Role of the Nurse in RULE CHAPTER NO.: 64B9-17

Conscious Sedation

RULE TITLES: Statement of Intent and Purpose 64B9-17.001
 Definitions 64B9-17.002
 Competency and Knowledge Requirements 64B9-17.003

PURPOSE AND EFFECT: The Board proposes the new rule chapter and rules to determine the permissible scope of practice of the registered nurse in the administration of new and advanced treatments and medications for conscious sedation.

SUBJECT AREA TO BE ADDRESSED: The new proposed rule chapter and rules set forth the definitions of conscious sedation and the competency and knowledge requirements of registered nurses.

SPECIFIC AUTHORITY: 464.003(3)(a), 464.006 FS.

LAW IMPLEMENTED: 464.003(3)(a), 464.012(3), 464.015(1),(5) 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 FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Dan Coble, Executive Director, Board of Nursing/MQA, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

THE ROLE OF THE NURSE IN CONSCIOUS SEDATION

64B9-17.001 Statement of Intent of Purpose.

(1) The "practice of professional nursing" as defined by Section 464.003(3)(a), Florida Statutes, includes "the administration of treatments and medications as prescribed or authorized by a duly licensed practitioner authorized by the laws of this state to prescribe such medicines and treatments." As medical science advances, new drugs and procedures are introduced to provide health services to the public. A registered nurse, when qualified by training and education and when approved by the institution at which the registered nurse is employed, may engage in the limited administration of drugs for conscious and deep sedation under specific conditions.

(2) The purpose of this rule is to protect the public by ensuring that competent registered nurses administer conscious sedation and deep sedation. The rule sets out the education and/or competency verification necessary to administer conscious sedation and deep sedation under specific conditions.

(3) To allow institutions time to evaluate the competency and knowledge of or to train the registered nurse who may want to administer conscious or deep sedation, the provisions of this rule chapter shall become operable in six months from

the date this rule chapter is adopted, effective _____.
Nothing shall prohibit those individuals who meet the requirements specified in this rule chapter at the time of its adoption from engaging in the administration of conscious or deep sedation as delineated in this rule chapter.

Specific Authority 464.003(3)(a), 464.006 FS. Law Implemented 464.003(3)(a), 464.012(3), 464.015(1),(5) FS. History—New _____.

64B9-17.002 Definitions.

Conscious sedation is produced by the administration of pharmacological agents administered singly or in combination. A patient under conscious sedation has a depressed level of consciousness, but retains the ability to independently and continuously maintain a patent airway and respond appropriately to physical stimulation and/or to verbal command. Conscious sedation may easily be converted into deep sedation or the loss of consciousness, because of the unique characteristics of the drugs used, as well as the physical status and drug sensitivities, of the individual patient. The administration of conscious sedation requires continuous monitoring of the patient and the ability to respond immediately to deviations from the norm. Conscious sedation should only be provided by an individual who is competent in thorough patient assessment, is able to administer drugs through a variety of routes, is able to identify responses which are a deviation from the norm, and is able to intervene as necessary. Conscious sedation is used in short-term, therapeutic, diagnostic, or surgical procedures. It is important to differentiate between conscious sedation, deep sedation and general anesthesia.

(1) "Conscious sedation" is a medically controlled state of depressed level of consciousness, which allows the patient to independently and continuously maintain a patent airway, retain protective reflexes and respond appropriately to non-painful physical or verbal commands.

(2) "Deep sedation" is a medically controlled state of depressed consciousness or unconsciousness during which the patient cannot maintain a patent airway independently, which may include loss of protective reflexes, from which the patient is not easily aroused and is unable to purposely respond to physical stimulation and/or verbal command. Anesthetic agents may be used to achieve deep sedation.

(3) "General anesthesia" is a medically controlled state of unconsciousness accompanied by loss of protective reflexes, inability to maintain an airway independently and inability to respond to physical stimulation or verbal command.

Specific Authority 464.003(3)(a), 464.006 FS. Law Implemented 464.003(3)(a), 464.012(3), 464.015(1),(5) FS. History—New _____.

64B9-17.003 Competency and Knowledge Requirements.

(1) The Registered Nurse (RN) may administer conscious sedation and manage patients who are receiving and recovering from conscious sedation. Further, the Board believes that this role is beyond the scope of practice for the Licensed Practical Nurse or the tasks allowed for unlicensed assistive personnel.

(2) A Registered Nurse may administer medication to achieve conscious sedation during therapeutic, diagnostic, or surgical procedures provided the following criteria are met:

(a) The Registered Nurse administers only non-anesthetic drugs for conscious sedation, unless the Registered Nurse is also certified as a nurse anesthetist or unless the Registered Nurse administers anesthetic agents during an emergency under the direction and supervision of a physician:

(b) The Registered Nurse must have demonstrated skill in age-specific airway management and emergency resuscitation through advanced cardiac life support (ACLS), pediatric advanced life support (PALS), or equivalent training:

(c) The Registered Nurse must have successfully completed a program, either formal or informal, in conscious sedation. The content of that program must, at a minimum, contain information on drugs used during conscious sedation, including reversal agents, their actions, side-effects and untoward effects. The program must also address appropriate interventions and physiologic measurements for evaluating respiratory rate, oxygen saturation, blood pressure, cardiac rate and rhythm, and the patient's level of consciousness:

(d) The Registered Nurse administers medications to achieve sedation by executing the order of a qualified anesthesia provider or attending physician:

(e) The Registered Nurse assures that a physician will be present in the facility and available to respond immediately during the course of sedation (initiation through recovery) and other qualified persons will be available to respond in the event of an emergency:

(f) A continuous patent intravenous access must be in place throughout the procedure and until the patient is recovered:

(g) The Registered Nurse is responsible for monitoring the patient throughout the procedure as well as through the recovery phase. While the Registered Nurse is managing the care of patients receiving conscious sedation, he/she shall have no other responsibility that would leave the patient unattended or compromise continuous monitoring:

(h) Emergency and resuscitative equipment must be available in the immediate area where the procedure is being performed:

(i) The institution or practice setting must have written protocols in place to include, but not be limited to, patient monitoring, drug administration, and directions for dealing with potential complications or emergency situations. These protocols must be reviewed at frequent intervals to assure that

they are within current and accepted standards of practice. The frequency of review should be consistent with review of other policies in the institution or practice setting; and.

(j) The employer must have a mechanism for determining and documenting education/training, clinical competency and a process for documenting the individual's demonstration of knowledge, skills, and ability related to management of patients during conscious sedation. Both evaluation and documentation of competence shall be done on a periodic basis according to institutional policy and within current and expected standards of nursing practice.

(3) A Registered Nurse may administer medication to achieve deep sedation only to a monitored, intubated and mechanically ventilated patient who is located in an intensive care, critical care or emergency setting provided the following criteria in paragraphs 64B9-17.004(1)(a)-(d), F.A.C., and paragraphs 64B9-17.004(1)(f)-(j), F.A.C., are met.

(4) A Registered Nurse shall not administer general anesthesia unless licensed per Section 464.012, Florida Statutes, as a certified registered nurse anesthetist or unless licensed as a certified nurse midwife.

Specific Authority 464.003(3)(a), 464.006 FS. Law Implemented 464.003(3)(a), 464.012(3), 464.015(1),(5) FS. History—New _____.

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE TITLES:	RULE NOS.:
Definitions	66B-1.003
Policy	66B-1.004
Funds Allocation	66B-1.005
Project Eligibility	66B-1.008

PURPOSE AND EFFECT: The purpose of the proposed rule development is to include the following provisions in the program rule: Add specific definitions to the definitions section of the rule; Add specific waterways essential to the Inland Waterway Navigation system to the definition of eligible waterways; Clarify the rule regarding third-party eligibility; revise funding ratios for dredging projects; revise the eligibility of certain items and applicant personnel and equipment costs; and limit the amount available to law enforcement vessels.

The effect of the rule development is to implement changes in the administration of the District's Waterways Assistance Program that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

SUBJECT AREA TO BE ADDRESSED: Cooperative Assistance Program rule sections: Definitions, Policy, Funds Allocation and Project Eligibility.

SPECIFIC AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3) FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 11:00 a.m., October 21, 2003

PLACE: The District office, 1314 Marcinski Road, Jupiter, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, (561)627-3386

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

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE TITLES:	RULE NOS.:
Definitions	66B-2.003
Policy	66B-2.004
Funds Allocation	66B-2.005
Project Eligibility	66B-2.008

PURPOSE AND EFFECT: The purpose of the proposed rule development is to include the following provisions in the program rule: Add specific definitions to the definitions section of the rule; Add specific waterways essential to the Inland Waterway Navigation system to the definition of eligible waterways; Clarify the rule regarding third-party eligibility; revise funding ratios for dredging projects; revise the eligibility of certain items and applicant personnel and equipment costs; and limit the amount available to law enforcement vessels.

The effect of the rule development is to implement changes in the administration of the District's Waterways Assistance Program that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

SUBJECT AREA TO BE ADDRESSED: Waterways Assistance Program rule sections: Definitions, Policy, Funds Allocation and Project Eligibility.

SPECIFIC AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3) FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 11:00 a.m., October 21, 2003

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, (561)627-3386
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Definitions	67-21.002
Application and Selection Process for Loans	67-21.003
Applicant Administrative Appeal Procedures	67-21.0035
Federal Set-Aside	67-21.004
Public Policy Criteria Requirements and Qualified Resident Programs	67-21.0041
Determination of Method of Bond Sale	67-21.0045
Selection of Qualified Lending Institutions as Credit Underwriters, Originators and Servicers	67-21.005
Development Requirements	67-21.006
Fees	67-21.007
Terms and Conditions of Loans	67-21.008
Interest Rate on Mortgage Loans	67-21.009
Issuance of Revenue Bonds	67-21.010
No Discrimination	67-21.011
Advertisements	67-21.012
Private Placements of Multifamily Mortgage Revenue Bonds	67-21.013
Credit Underwriting Procedures	67-21.014
Use of Bonds with Other Affordable Housing Finance Programs	67-21.015
Compliance Procedures	67-21.016
Transfer of Ownership	67-21.017
Refundings and Troubled Development Review	67-21.018
Issuance of Bonds for 501(c)(3) Entities	67-21.019

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall administer the Application process, determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the Multifamily Mortgage Revenue Bond (MMRB) Program authorized by Section 42 of the Code and Section 420.509, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to the development of the 2004 application and program requirements for the MMRB Program, as specified in Rule Chapter 67-21, Florida Administrative Code (F.A.C.).

SPECIFIC AUTHORITY: 420.507, 420.508 FS.

LAW IMPLEMENTED: 420.502, 420.503, 420.507, 420.508, 420.509 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: Following the Board Meeting at a time to be announced at the conclusion of the Board Meeting, October 9, 2003

PLACE: Tallahassee City Hall, Commission Chambers, 891 South Adams Street, Tallahassee, Florida 32301

Any person requiring special accommodation at this workshop because of a disability or physical impairment should contact: Jean Salmonsens, (850)488-4197. If you are hearing or speech impaired, please use the Florida Dual Party Relay system which can be reached at 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Wayne Conner, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS available on Florida Housing's web site www.floridahousing.org.

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Definitions	67-39.002
Guarantee Program	67-39.0025
Feasibility Studies	67-39.003
Eligibility Criteria for Qualified Obligations	67-39.004
Required Submissions for Qualified Lending Institutions	67-39.0045
Fees and Rates	67-39.005
Contractual Provisions of Qualified Obligation Documents	67-39.006
Reimbursable Costs	67-39.008
Program Documents	67-39.010
Guarantee Program	67-39.011
Guarantee Coverage	67-39.012
Guarantee Program Payments	67-39.014
Audit Requirement	67-39.015

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall administer its provision of credit enhancement through the Florida Affordable Housing Guarantee Program (Guarantee Program) authorized by Section 420.5092, Florida Statutes (F.S.).

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to the development of the program requirements for the Guarantee Program, as specified in Rule Chapter 67-39, Florida Administrative Code (F.A.C.).

SPECIFIC AUTHORITY: 420.507(25), 420.5092(4) FS.

LAW IMPLEMENTED: 420.5092 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: Following the Board Meeting at a time to be announced at the conclusion of the October 9, 2003 Board Meeting

PLACE: Tallahassee City Hall, Commission Chambers, 891 South Adams Street, Tallahassee, Florida 32301

Any person requiring special accommodation at this workshop because of a disability or physical impairment should contact: Donna Light, (850)488-4197. If you are hearing or speech impaired, please use the Florida Dual Party Relay system which can be reached at 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Junious D. Brown III, Director of Asset Management and Guarantee Program, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON FLORIDA HOUSING'S WEB SITE www.floridahousing.org

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Purpose and Intent	67-48.001
Definitions	67-48.002
Application and Selection Procedures for Developments	67-48.004
Applicant Administrative Appeal Procedures	67-48.005
Compliance and Reporting Requirements	67-48.006
Fees	67-48.007
SAIL General Program Procedures and Restrictions	67-48.009
Additional SAIL Application Ranking and Selection Procedures	67-48.0095
Terms and Conditions of SAIL Loans	67-48.010
Sale, Refinancing or Transfer of a SAIL Development	67-48.0105
SAIL Credit Underwriting and Loan Procedures	67-48.012
SAIL Construction Disbursements and Permanent Loan Servicing	67-48.013
HOME General Program Procedures and Restrictions	67-48.014
Match Contribution Requirement for HOME Allocation	67-48.015
Eligible HOME Activities	67-48.017
Eligible HOME Applicants	67-48.018
Eligible and Ineligible HOME Development Costs	67-48.019

Terms and Conditions of Loans for HOME Rental Developments	67-48.020
Sale or Transfer of a HOME Development	67-48.0205
HOME Credit Underwriting and Loan Procedures	67-48.021
HOME Disbursements Procedures and Loan Servicing	67-48.022
Housing Credits General Program Procedures and Requirements	67-48.023
Qualified Allocation Plan	67-48.025
Housing Credit Underwriting Procedures	67-48.026
Tax-Exempt Bond-Financed Developments	67-48.027
Carryover Allocation Provisions	67-48.028
Extended Use Agreement	67-48.029
Sale or Transfer of a Housing Credit Development	67-48.030
Termination of Extended Use Agreement and Disposition of Housing Credit Developments	67-48.031

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall: (1) administer the Application process, determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the State Apartment Incentive Loan (SAIL) Program authorized by Section 420.5087, Florida Statutes (F.S.), and the HOME Investment Partnerships (HOME) Program authorized by Section 420.5089, Florida Statutes; and (2) administer the Application process, determine Housing Credit (HC) amounts and implement the provisions of the Housing Credit Program authorized by Section 42 of the Code and Section 420.5099, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to (1) the development of the 2004 application and program requirements for the SAIL, HOME, HC Programs, as specified in Rule Chapter 67-48, Florida Administrative Code (F.A.C.), and (2) amendments to the Florida Housing Finance Corporation's 2003 Qualified Allocation Plan (QAP).

SPECIFIC AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.5087, 420.5089, 420.5099 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: Following the Board Meeting at a time to be announced at the conclusion of the Board Meeting, October 9, 2003

PLACE: Tallahassee City Hall, Commission Chambers, 891 South Adams Street, Tallahassee, Florida 32301

Any person requiring special accommodation at this workshop because of a disability or physical impairment should contact: Jean Salmonsens, (850)488-4197. If you are hearing or speech impaired, please use the Florida Dual Party Relay system which can be reached at 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kerey Carpenter, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS available on Florida Housing's web site www.floridahousing.org.

Section II Proposed Rules

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLES: RULE NOS.:
 Certificates of Authority 3F-5.0015
 Termination of a Preneed Sales Agent 3F-5.0035
 Procedures for Licensing a New Cemetery 3F-5.004
 Procedure for Licensing Transferred Cemeteries 3F-5.006
 Request for Additional Information – Applications 3F-5.008
 PURPOSE AND EFFECT: The Board proposes to amend these rules to update the language and remove any obsolete language.

SUMMARY: Rule 3F-5.0015, F.A.C., sets out the criteria for corporations using corporate agents to obtain a certificate of authority and sets out requirements for sales of preneed contracts; Rule 3F-5.0035, F.A.C., sets out requirements for termination of a preneed sales agent; Rule 3F-5.004, F.A.C., sets out procedures for Licensing a New Cemetery; Rule 3F-5.006, F.A.C., sets the procedures for licensing transferred cemeteries; and Rule 3F-5.008, F.A.C., sets out requirements for submission of additional information in conjunction with application for licensing of new cemeteries, transferred cemeteries and for conversion procedures.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated 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: 497.103 FS.

LAW IMPLEMENTED: 497.201, 497.209, 497.237, 497.245, 497.337, 497.405(3), 497.439(9) FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A NOTICE OF HEARING DATE WILL BE PUBLISHED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY. (IF NOT REQUESTED IN WRITING, A HEARING WILL NOT BE HELD):

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Diana Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, Tallahassee, FL 32399-0350

THE FULL TEXT OF THE PROPOSED RULES IS:

3F-5.0015 Certificates of Authority.

~~(1) No person or entity may sell a preneed contract for burial or funeral services, merchandise, or cash advances that does not have a valid certificate of authority.~~

~~(1)(2)~~ No change.

~~(2)(3)~~ through (2)(b) No change.

Specific Authority 497.103 FS. Law Implemented 497.405(3) FS. History–New 10-15-95, Amended.

3F-5.0035 Termination of a Preneed Sales Agent.

Within thirty (30) days of any termination of any registered preneed sales agent, the certificateholder shall give written notice to the Department. The notice may be submitted in writing, electronically, or vial facsimile, and shall contain:

(1) through (3) No change.

Specific Authority 497.103 FS. Law Implemented 497.439(9) FS. History–New 5-29-94, Amended.

3F-5.004 Procedures for Licensing a New Cemetery.

(1) through (j) No change.

(k) Shown compliance with Rule 3F-5.009, F.A.C., Regulatory Standards for Evaluating Applications by the Board.

(2) through (3) No change.

Specific Authority 497.103 FS. Law Implemented 497.201, 497.237, 497.245, 497.337 FS. History–New 9-29-75, Amended 6-21-77, 6-21-78, 11-2-78, 1-27-81, Formerly 3D-30.15, Amended 10-23-91, Formerly 3D-30.015, Amended 12-8-98, 6-26-02, _____.

3F-5.006 Procedure for Licensing Transferred Cemeteries.

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

(b) Copy of certificate of good standing, if applicable; articles of incorporation;

(c) through (d) No change.

(e) Completion Of An Application To Transact Cemetery Business, Form DBF-CEM 1/96 REV 7/01, DBF F 33, effective September 28, 2003, October 23, 1991, which is ~~hereby~~ incorporated by reference in Rule 3F-5.010, F.A.C. Form DBF-CEM 1/96 REV 7/01 F 33 shall be accompanied by a license fee based on the cemeteries' last fiscal year sales pursuant to Section 497.213, F.S.; Florida Statutes;

(f) through (3) No change.

(4) Investigation. The Department shall investigate the following conditions:

(a) Character, reputation, financial standing, and business qualifications ~~and motives~~ of the new proponents;

(b) through (5) No change.