

## Section I

Notices of Development of Proposed Rules  
and Negotiated Rulemaking

## DEPARTMENT OF STATE

## Division of Elections

RULE TITLE:

RULE NO.:

Reporting Requirements for Campaign

Treasurer's Reports

1S-2.017

PURPOSE AND EFFECT: The purpose of this rule is to provide procedures for the electronic filing of campaign treasurer's reports for all persons and political parties who file with the Division of Elections. The Florida Legislature last session passed Chapter 2004-252, Laws of Florida, which mandates the electronic filing of campaign treasurer's reports, effective January 1, 2005.

SUBJECT AREA TO BE ADDRESSED: This rule is incorporated by reference pursuant to Sections 106.0705 and 106.0706, Florida Statutes, regarding the electronic filing of campaign treasurer's reports effective January 1, 2005.

SPECIFIC AUTHORITY: 106.0705, 106.35(1),(5) FS.

LAW IMPLEMENTED: 106.04, 106.07, 106.0705, 106.076, 106.29, 106.30-.36 FS.

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

TIME AND DATE: 9:00 a.m., October 29, 2004

PLACE: Room 307, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, FL 32399-0250

Pursuant to the Americans with Disabilities Act, persons needing special accommodations to participate in this meeting should contact Phyllis Hampton, (850)245-6240, at least three days in advance of the meeting.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Phyllis Hampton, Division of Elections, Department of State, Room 316, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6240

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports ~~Candidates, Committees, and Political Parties; State Matching Funds.~~

(1) General Reporting Requirements.

(a) All persons and political parties ~~candidates~~ who file campaign treasurer's reports ~~qualify~~ with the Division of Elections (Division) ~~and political parties, political committees, and committees of continuous existence,~~ must file ~~regular~~ reports of contributions and expenditures as set forth in this

rule. ~~Candidates who are not eligible to receive state matching funds, and political parties, political committees, and committees of continuous existence need not provide information necessary to request matching funds.~~

(b) All ~~candidates, political parties, political committees, and committees of continuous existence~~ shall submit campaign treasurer's reports filed with the Division of Elections shall be filed in electronic format by means of the internet by either keying in the detail data via the web pages or uploading an electronic file that meets the Division of Election's file specifications. All data must comply with the instructions set forth on Forms DS-DE 13 and 14 42 (Eff. 01/05 9/04) which are incorporated by reference. Copies of these forms may be obtained from the Division's website at <http://election.dos.state.fl.us/index.html>. However, any amendment to a campaign treasurer's report, which report was filed prior to January 1, 2005 and which report was not filed electronically, may be amended by submission of a paper copy of Forms DS-DE 12, 13, 14, 14A, or 94 to the Division of Elections. Any amendment to a campaign treasurer's report, which report was filed prior to January 1, 2005 and which report was filed by magnetic diskette, may be amended by submission of information required by Forms DS-DE 12, 13, 14, 14A, or 94 on magnetic diskette. "Campaign Treasurer's Report Summary," and a magnetic diskette of the information required by Chapter 106, F.S., necessary to complete a campaign treasurer's report.

(c) Prior to filing the first campaign treasurer's report in electronic format, each person or political party must obtain credentials for a secure sign-in to the Division's electronic filing system. Each person or political party is responsible for protecting the credentials from disclosure and is responsible for all filings using these credentials unless the person has notified the Division that his or her credentials have been compromised.

(d) Credentials for a secure sign-in shall be issued by the Division when a person or political party files a completed Form DS-DE 9, Appointment of Campaign Treasurer and Designation of Campaign Depository, or a completed Form DS-DE 5, Statement of Organization of Political Committee, or a completed Form DS-DE 103, Electioneering Communication Statement of Organization. Credentials for a secure sign-in shall be issued by the Division to candidates and their treasurers or deputy treasurers and to chairpersons, treasurers, and deputy treasurers of committees, organizations, and political parties.

(e) Each person or political party who receives secure sign-in credentials will also furnish the Division with confidential personal information that may be used by the person or political party to sign on to the Division's electronic filing system in the event that person or political party loses his or her credentials.

(f) Electronic reports are considered to be filed under oath by the person or political party filing the report and are subject to the fines and penalties in Sections 106.04(4)(d) and (8), 106.07(5) and (8), 106.0705, and 106.29(2) and (3), F.S., as applicable.

(g) Electronic reports are due no later than midnight of the due date. In the event that the electronic filing system is inoperable on the date a report is due, the report will be accepted as timely filed on the first day the electronic filing system is again operable and no fine will be levied during the period the electronic filing system was inoperable.

(2) State Matching Funds Program.

(a) Pursuant to Section 106.33, F.S., a candidate for the office of Governor or member of the Cabinet who desires to receive state matching funds shall, upon qualifying for office, file a request for such contributions with the Division on Form DS-DE 98 (Eff. 1/02), "Candidate for Governor or Cabinet Officer Request for Contributions."

(b) To be eligible to receive state matching funds, a candidate for Governor or member of the Cabinet must not be an unopposed candidate as defined in Section 106.011(15), F.S., and shall:

1. Agree to abide by the expenditure limits provided in Section 106.34, F.S.

2. Raise qualifying matching contributions as provided in Sections 106.33 and 106.35, F.S.

3. Retain copies of all checks received, in-kind documentation, credit or debit card receipts, if applicable, and, in the case of cash copies of the accompanying deposit slips, and copies of cashiers checks. Each campaign treasurer shall submit copies of checks, in-kind documentation, credit or debit card receipts, deposit slips for cash contributions and copies of cashiers checks to the Division at each applicable reporting period; and

4. Submit to a post-election audit of the campaign account and financial records by the Division. Surplus matching funds must be returned before the post-election audit is conducted.

(c) State matching funds shall be distributed within 7 days after the close of qualifying and every 7 days thereafter, to eligible candidates. The first distribution shall be based on verified matching contributions as shown on quarterly reports, filed after September 1 of the calendar year prior to the election, through June 30 of the election year. Thereafter, distribution of funds will be based on weekly reports as provided by Section 106.07(1)(b), F.S. Each weekly distribution of funds will be based on the prior week's report as verified by the Division, if timely received; otherwise, the distribution will be made in the next applicable weekly cycle. The Division shall verify matching contributions contained in the reports with copies of checks, in-kind documentation, credit or debit card receipts, deposit slips for cash contributions and copies of cashier's checks which have been submitted by the candidates.

(d) For candidates who are eligible to receive state matching funds, a report is timely if it is received in the Division by 12:00 noon on the date it is due. If a report is received after 12:00 noon on the due date, such report will be deemed late for matching fund purposes and any eligible matching funds will be distributed in the next reporting cycle. If any fines are due for late filing they will be assessed pursuant to Section 106.07, F.S. For all other candidates, ~~political committees, political parties, and committees of continuous existence~~, filing deadlines shall be as provided in Section 106.07, F.S.

(e) Reports filed by candidates requesting matching funds must include all information required by this rule and Sections 106.07 and 106.30-36, F.S. ~~All other persons and political parties candidates, political committees, political parties, and committees of continuous existence need only provide the information required by Section 106.07, F.S.~~ If information related to a matchable contribution is missing, incomplete or cannot be verified, no match will be made for that contribution and the candidate will be notified by the Division. However, upon supplying such missing or incomplete information and upon verification by the Division, matching funds will be provided on the next applicable cycle.

(f) If a candidate requesting matching funds submits a report and subsequently amends such report, any adjustment, up or down, to the candidate's distribution of funds will be made on the next weekly cycle occurring after receipt and review of the amended report. All amendments to reports must be submitted electronically in writing by original copy to the Division.

(g) The Division shall record the time that reports are received from candidates requesting matching contributions and distribute funds on a first-in, first-out basis.

(h) An adverse decision regarding the distribution of matching funds may be appealed to the Florida Elections Commission, pursuant to Rule 2B-1.006, F.A.C.

(3) Voluntary Expenditure Limits. Candidates not participating in public campaign finance who wish to voluntarily abide by the expenditure limits of Section 106.34, F.S., and the contribution limits on personal and party funds set forth in Section 106.33, F.S., shall file an irrevocable statement to this effect on Form DS-DE 90 (Eff. 12/93), "Irrevocable Statement To Voluntarily Abide by the Expenditure and Contribution Limits on Personal and Party Funds," upon qualifying for office.

(4) Filing on Magnetic Diskettes. Amendments to electronic ~~Electronic~~ reports which were filed with the Division of Elections prior to January 1, 2005 and which were filed on magnetic diskette shall conform to Division specifications. ~~Any candidate, political committee, political party, or committee of continuous existence who is unable to file a campaign treasurer's report on magnetic diskette, as provided above, must file a statement to this effect with the~~

Division of Elections. Thereafter, such reports may be filed in hard copy. When filing by hard copy, one must use Forms DS-DE 12, Campaign Treasurer's Report - Summary (Eff. 9/01); 13, Campaign Treasurer's Report - Itemized Contributions (Eff. 7/98); 14, Campaign Treasurer's Report - Itemized Expenditures, (Eff. 9/01); 14A, Campaign Treasurer's Report - Itemized Distributions (Eff. 7/98); and 94, Campaign Treasurer's Report - Fund Transfers (Eff. 7/98).

(5) All forms and specifications contained in this rule are incorporated by reference and are available from the Division of Elections, Room 316, R. A. Gray Building, Tallahassee, Florida 32399-0250.

The proposed effective date of this rule is January 1, 2005.

Specific Authority 106.35(1),(5) FS. Law Implemented 106.04, 106.07, 106.29, 106.30-.36 FS. History-New 11-13-88, Formerly 1C-7.017, Amended 2-28-90, 9-5-93, 1-1-96, 3-5-96, 7-20-98, 7-31-02, 1-1-05.

### 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."

### STATE BOARD OF ADMINISTRATION

#### Florida Prepaid Postsecondary Education Expense Board

RULE TITLE: Application  
RULE NO.: 19B-4.001

PURPOSE AND EFFECT: To update the Florida Prepaid College Plan and Florida College Investment Plan Application form.

SUBJECT AREA TO BE ADDRESSED: The Florida Prepaid College Plan and the Florida College Investment Plan New Account Application and the Master Covenant for the Florida Prepaid College Program.

SPECIFIC AUTHORITY: 1009.971(1),(4),(6) FS.

LAW IMPLEMENTED: 1009.98 FS.

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

TIME AND DATE: 2:00 p.m., November 1, 2004

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-4.001 Application.

(1) No change.

(2) The Florida Prepaid College Plan and Florida College Investment Plan New Account Application, Form No. FPCB ~~2004-1~~ ~~2003-1~~, is hereby incorporated by reference and may be obtained from the Board by calling 1(800)552-GRAD (4723) (prompt 1). The Florida Prepaid College Plan Program Master Covenant, Form No. FPCB ~~2004-2~~ ~~2003-2~~, is hereby incorporated by reference and may be obtained from the Board by calling 1(800)552-GRAD (4723) (prompt 1).

Specific Authority 1009.971(1),(4),(6) FS. Law Implemented 1009.98 FS. History-New 3-29-89, Amended 2-6-90, 3-19-92, Formerly 4G-4.001, Amended 12-5-93, 5-31-95, 6-20-96, 10-20-96, 12-16-97, 2-18-99, 6-6-99, 2-8-00, 5-21-00, 1-3-01, 10-9-01, 11-27-02, 10-1-03, 1-29-04, \_\_\_\_\_.

### STATE BOARD OF ADMINISTRATION

#### Florida Prepaid Postsecondary Education Expense Board

RULE TITLE: Contract Prices  
RULE NO.: 19B-4.002

PURPOSE AND EFFECT: To revise the actuarial assumptions for pricing of contracts for the Florida Prepaid College Plan.

SUBJECT AREA TO BE ADDRESSED: The actuarial assumptions used to determine the prices for advance payment contracts in the Florida Prepaid College Plan.

SPECIFIC AUTHORITY: 1009.971(1),(4),(6) FS.

LAW IMPLEMENTED: 1009.981(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: 2:00 p.m., November 1, 2004

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-4.002 Contract Prices.

The Board will evaluate prices for revision annually. All contract prices will be published annually in the Florida Administrative Weekly. Contract prices are based on the actuarial assumption that university tuition will rise at an average of 7.5 ~~8-5~~ percent per annum for two ~~three~~ years, then 6.8 percent per annum, community college tuition will rise at an average of 6 percent per annum and dormitory fees will rise at an average of 6 percent per annum. Local fee contract prices are based on the actuarial assumption that university local fees

will rise at an average of 6 percent per annum and community college local fees will rise at an average of 6 percent per annum.

Specific Authority 1009.971(1),(4),(6) FS. Law Implemented 1009.98(2) FS. History—New 3-29-89, Amended 2-6-90, 3-19-02, Formerly 4G-4.002, Amended 5-31-95, 2-18-99, 2-8-00, 12-28-03,\_\_\_\_\_.

## STATE BOARD OF ADMINISTRATION

### Florida Prepaid Postsecondary Education Expense Board

RULE TITLE: RULE NO.:

Application for Participation in the Program 19B-16.002

PURPOSE AND EFFECT: To update the Florida Prepaid College Plan and Florida College Investment Plan Application form and to change the effective date of the form.

SUBJECT AREA TO BE ADDRESSED: The Florida Prepaid College Plan and Florida College Investment Plan New Account Application form.

SPECIFIC AUTHORITY: 1009.971(1),(4),(6) FS.

LAW IMPLEMENTED: 1009.98 FS.

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

TIME AND DATE: 2:00 p.m., November 1, 2004

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-16.002 Application for Participation in the Program.

(1) No change.

(2) The Florida Prepaid College Plan and Florida College Investment Plan New Account Application, Form No. FPCB 2004-1 ~~2003-1~~, is hereby incorporated by reference. The form may be obtained from the Board by calling by calling 1(800)552-GRAD (4723) (prompt 1).

(3) No change.

Specific Authority 1009.971(1),(4),(6) FS. Law Implemented 1009.981 FS. History—New 11-27-02, Amended 1-29-04,\_\_\_\_\_.

## STATE BOARD OF ADMINISTRATION

### Florida Prepaid Postsecondary Education Expense Board

RULE TITLE: RULE NO.:

Participation Agreement 19B-16.003

PURPOSE AND EFFECT: To update the Participation Agreement for the Florida College Savings Program.

SUBJECT AREA TO BE ADDRESSED: The Participation Agreement for the Florida College Savings Program.

SPECIFIC AUTHORITY: 1009.971(1),(4),(6) FS.

LAW IMPLEMENTED: 1009.981(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: 2:00 p.m., November 1, 2004

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-16.003 Participation Agreement.

(1) The contract between the Board and a benefactor shall consist of the benefactor's completed application and the participation agreement. The Florida College Investment Plan Participation Agreement, Form No. FPCB 2004-4 ~~2002-4~~, is hereby incorporated by reference. ~~The effective date of the form is November 12, 2002.~~ The form may be obtained from the Board by calling 1(800)552-GRAD (4723) (prompt 1).

(2) through (4) No change.

Specific Authority 1009.971(1),(4),(6) FS. Law Implemented 1009.981(2) FS. History—New 11-27-02, Amended \_\_\_\_\_.

## DEPARTMENT OF MANAGEMENT SERVICES

### Division of Retirement

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Approved Forms 60S-9

RULE TITLE: RULE NO.:

Division Forms 60S-9.001

PURPOSE AND EFFECT: The purpose of this rule development is to propose the adoption of 12 new Division forms, 30 revised Division forms, the deletion of 3 Division forms and the incorporation by reference of 5 State Board of Administration (SBA) forms.

SUBJECT AREA TO BE ADDRESSED: Forms.

SPECIFIC AUTHORITY: 121.031 FS.

LAW IMPLEMENTED: 112.361, 112.363, 120.55, 121.011, 121.031(2), 121.051, 121.0515, 121.081, 121.091, 121.111, 121.121, 121.125, 122.08, 122.09, 215.28, 238.05, 238.06, 238.07 FS.

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

TIME AND DATE: 10:00 a.m., November 15, 2004

PLACE: Division of Retirement, 2nd Floor Conference Room, Cedars Executive Center, Building C, 2639 North Monroe Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by contacting Julie Shaw at (850)487-3423. If you are hearing or speech impaired, please contact the agency by calling (850)410-0684.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Richard Clifford, Department of Management Services, Division of Retirement, 2639 N Monroe St., Bldg C, Tallahassee, FL 32399-1560, (850)414-6345

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

## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

### Board of Landscape Architecture

RULE TITLE: Application and Examination Fees

RULE NO.: 61G10-12.001

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

SUBJECT AREA TO BE ADDRESSED: Application and Examination Fees.

SPECIFIC AUTHORITY: 481.306, 481.307 FS.

LAW IMPLEMENTED: 481.307 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 FAW.

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 Landscape Architecture, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

## 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

### Division of Environmental Health

RULE CHAPTER TITLE: State and Local Detention Facilities

RULE CHAPTER NO.: 64E-26

PURPOSE AND EFFECT: To detect and prevent disease caused by natural and manmade factors in the environment.

SUBJECT AREA TO BE ADDRESSED: An environmental health public facilities function, including sanitary practices relating to places used for the incarceration of prisoners and inmates of state institutions for the mentally ill.

SPECIFIC AUTHORITY: 381.0011(13) FS.

LAW IMPLEMENTED: 381.006(6) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Eric Grimm, Chief, Bureau of Community Environmental Health, Department of Health, 4052 Bald Cypress Way, BIN A08, Tallahassee, Florida 32399-1712, (850)245-4277.

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

## DEPARTMENT OF FINANCIAL SERVICES

### Division of Workers' Compensation

RULE TITLE: Conditional Release of Stop Work Order

RULE NO.: 69L-6.025

and Periodic Payment Agreement

PURPOSE AND EFFECT: The rule is being promulgated to reflect an amendment to Section 440.107(7)(a), Florida Statutes, contained in Chapter 2004-370, Laws of Florida. The amendment to Section 440.107(7)(a), Florida Statutes, authorizes the Division of Workers' Compensation to conditionally release an employer from a stop-work order upon a finding that the employer has complied with the coverage requirements of Chapter 440, Florida Statutes, and has agreed to remit periodic payments of the penalty pursuant to a payment agreement schedule. The amendment further requires that the stop-work order be immediately reinstated if the employer fails to meet any term or condition of the penalty payment agreement, with the unpaid balance of the penalty becoming immediately due.

SUBJECT AREA TO BE ADDRESSED: Stop-work orders and periodic payment of penalties under Section 440.107, F.S.

SPECIFIC AUTHORITY: 440.107(9), 440.591 FS.

LAW IMPLEMENTED: 440.107(7)(a) FS.

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

TIME AND DATE: 9:30 a.m., November 1, 2004

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Andrew Sabolic, Acting Bureau Chief, Bureau of Compliance, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4228, (850)413-1600

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69L-6.025 Conditional Release of Stop Work Order and Periodic Payment Agreement.

(1) The requirements for issuance of an Order of Conditional Release From Stop Work Order as provided for in Section 440.107, F.S. are:

(a) The employer has come into compliance with the coverage requirements of Chapter 440, F.S. Compliance with the coverage requirements of Chapter 440, F.S. includes demonstration by the employer that it is no longer failing to secure the payment of compensation within the meaning of Section 440.107, F.S.

(b) The employer and the Department have executed a Payment Agreement Schedule for Periodic Payment of Penalty, Form Number DFS-F4-1600 (rev. 7/04).

(c) The employer agrees to file probationary periodic reports with the Department that demonstrate the employer's continued compliance with Chapter 440, F.S. The probationary periodic reports shall be filed as a section of each monthly payment installment invoice pursuant to the Payment Agreement Schedule for Periodic Payment of Penalty.

(2) The terms and conditions of a Payment Agreement Schedule for Periodic Payment of Penalty shall be:

(a) The employer shall make a down payment on the total assessed penalty amount to the Department that is the greater of \$1000.00 or at least 10% of the total assessed penalty amount. The amount constituting the total assessed penalty amount, less the down payment, shall be referred to as the "remaining penalty".

(b) Each monthly payment installment is due on the first day of the month in which it is due, and the employer is in violation of the Payment Agreement Schedule for Periodic Payment of Penalty if the full monthly payment installment is not received by the Department by the last day of the month in which the payment installment is due;

1. An employer whose remaining penalty is less than \$13,500, shall pay the remaining penalty in twelve consecutive monthly installments.

2. An employer whose remaining penalty is \$13,500 or greater shall pay the remaining penalty in twenty-four consecutive monthly installments.

3. The employer may at any time pre-pay the installments of the remaining penalty, which have not become due.

4. The first monthly payment installment shall be due on the first day of the second month following the month of issuance of the Conditional Release From Stop Work Order, Form Number DFS-F4-1602 (rev. 6/04), and each subsequent payment installment shall be due on the first day of each consecutive month.

(c) Monthly payment installments shall only be remitted to the Department's address designated in the Payment Agreement Schedule for Periodic Payment of Penalty.

(d) Monthly payment installments shall be in the form of a cashier's check or money order only, made payable to the Workers' Compensation Administration Trust Fund.

(e) If the employer is a corporation, only an officer of the corporation may execute the Payment Agreement Schedule For Periodic Payment of Penalty on behalf of the employer.

(f) If the employer is a business entity other than a corporation, any principal of the business entity may execute the Payment Agreement Schedule For Periodic Payment of Penalty on behalf of the employer.

(g) Failure by the employer to meet or violation of any term or condition of the Payment Agreement Schedule For Periodic Payment of Penalty shall constitute a default by the employer.

(3) The Payment Agreement Schedule For Periodic Payment of Penalty becomes effective when it is executed on behalf of the employer and by the Department. Upon execution of the Payment Agreement Schedule For Periodic Payment of Penalty, the Department will provide the employer with a Monthly Payment Installment Invoice, Form Number DFS-F4-1601 (rev. 8/04), which shall be submitted with each monthly payment installment. Each Monthly Payment Installment Invoice contains a probationary reporting section that shall be completed by the employer.

(4) If an employer defaults under any of its obligations under the Payment Agreement Schedule For Periodic Payment of Penalty, the Stop Work Order to which the penalty applies shall be immediately reinstated and the entire unpaid balance of the remaining penalty shall immediately become due and payable.

(5) The Department hereby adopts and incorporates the following forms by reference. Copies of the forms can be obtained from the Division of Workers' Compensation's Bureau of Compliance, 200 East Gaines Street, Tallahassee, Florida 32399-4228, or from any field office identified in Rule 69L-6.009, F.A.C.

- (a) DFS-F4-1600 Payment Agreement rev. 7/04  
Schedule For Periodic  
Payment of Penalty
- (b) DFS-F4-1601 Monthly Payment rev. 8/04  
Installment Invoice
- (c) DFS-F4-1602 Order of Conditional rev. 6/04  
Release From  
Stop-Work Order

Specific Authority 440.107(9), 440.591 FS. Law Implemented 440.107(7)(a)  
 FS. History—New \_\_\_\_\_.

## Section II Proposed Rules

### DEPARTMENT OF STATE

#### Division of Elections

RULE TITLE: RULE NO.:

Campaign Treasurer's Report; Filing  
 Requirements, Fines for Late Filing 1S-2.023

PURPOSE AND EFFECT: The purpose and effect of the rule repeal is to delete an unnecessary rule.

SUMMARY: This rule reiterates statutory provisions and is unnecessary.

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: 106.22(9) FS.

LAW IMPLEMENTED: 106.04, 106.07, 106.29 FS.

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

TIME AND DATE: 9:00 a.m., November 8, 2004

PLACE: Room 307, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida

Pursuant to the Americans with Disabilities Act, persons needing special accommodations to participate in this meeting should contact Phyllis Hampton, (850)245-6240, at least three days in advance of the meeting.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Phyllis Hampton, Division of Elections, Department of State, Room 316, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6240

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.023 Campaign Treasurer's Report; Filing Requirements, Fines for Late Filing.

Specific Authority 106.22(9) FS. Law Implemented 106.04, 106.07, 106.29 FS. History—New 2-28-90, Amended 2-5-92, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Phyllis Hampton, Chief, Bureau of Election Records  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED  
 THE PROPOSED RULE: Sarah Jane Bradshaw, Assistant  
 Director, Division of Elections, Department of State  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: October 6, 2004

### DEPARTMENT OF EDUCATION

#### State Board of Education

RULE TITLE: RULE NO.:  
 Application Information 6A-4.0012

PURPOSE AND EFFECT: The purpose of the rule amendment is to revise the certification application process to incorporate a 2004 legislative change authorizing the acceptance of an affidavit with an original signature in lieu of a notarized signature. The effect is a more streamlined application form and process.

SUMMARY: Senate Bill 2986 as passed in the 2004 Legislative Session, allows acceptance of an affidavit in lieu of a notarized signature for persons applying for a teaching certificate. The application form as referenced in the rule is being amended to reflect this change.

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 the notice.

SPECIFIC AUTHORITY: 1001.02, 1012.55, 1012.56, 1012.586, 1012.59 FS.

LAW IMPLEMENTED: 943.0585, 943.059, 1012.32, 1012.54, 1012.55, 1012.56, 1012.586, 1012.59, 1012.798 FS.

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

TIME AND DATE: 8:30 a.m., November 16, 2004

PLACE: 325 West Gaines Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Beverly Gregory, Department of Education, 325 West Gaines Street, Room 201, Tallahassee, Florida 32399-0400, (850)245-0431

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0012 Application Information.

(1) Application process. To apply for a Florida Educator's Certificate, an individual shall submit to the Bureau of Educator Certification the following:

(a) A completed Form CG-10 and a nonrefundable application fee. Form CG-10, Application for Florida Educator's Certificate, effective ~~December 2004~~ ~~September 2004~~, is hereby incorporated by reference and made a part of this rule. The form may be obtained without cost from the