

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Fruit and Vegetables

RULE NOS.:	RULE TITLES:
5G-6.001	Definitions
5G-6.003	Inspection
5G-6.005	Registration
5G-6.007	Best Management Practices

PURPOSE AND EFFECT: The purpose of this rule development is to develop rules to enhance the safety of fresh tomatoes produced, packed, repacked, distributed and sold in Florida or from Florida and to implement Chapter 2007-67, Laws of Florida, adopted during the 2007 Legislative Session. The rules will include the registration of tomato producers, packers and re-packers, and an educational component for tomato producers, packers, re-packers and workers. Procedures and processes will be developed to include tomato food safety inspections of tomato farms, tomato greenhouses, in tomato packing and re-packing houses. The rules will include guidelines entitled Tomato Good Agricultural Practices (T-GAP) which relate to field and greenhouse production and Tomato Best Management Practices (T-BMP) which relate to packinghouse operations and post-harvest handling. Preliminary guidelines have been drafted through a cooperative effort between the FDACS and the Florida Tomato Industry to implement needed practices and procedures for safe production and handling of tomatoes. These rules will have an effect on those establishments permitted by the FDACS in the State of Florida who produce or handle tomatoes from field production through packing.

SUBJECT AREA TO BE ADDRESSED: This rule development will address registration, inspection and educational requirements in the tomato industry for producers, packers, re-packers and workers. This rule development will address the adoption of the Tomato Good Agricultural Practices (T-GAP) and Tomato Best Management Practices (T-BMP) guidelines for performing tomato food safety inspections on the farm, in tomato greenhouses and in tomato packing houses.

SPECIFIC AUTHORITY: 500.09, 500.12(1)(f), 570.07(23) FS.

LAW IMPLEMENTED: 500.02, 500.03, 500.04, 500.09, 500.10, 500.11, 500.12, 500.13, 570.07, 570.48, 570.481 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: Lee M. Cornman, Assistant Director, Division of Food Safety, 3125 Conner Boulevard, Mail Stop C-18, Tallahassee, FL 32399-1650; telephone: (850)488-0295

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE NOS.:	RULE TITLES:
5K-4.002	Adoption of Federal Regulations and Other Standards
5K-4.004	General Requirements for the Manufacturing, Processing, Packing, Holding and Retailing of Foods
5K-4.020	Food Permits; Requirements and Fees

PURPOSE AND EFFECT: The purpose of this rule development is to develop rules to enhance the safety of fresh tomatoes produced, packed, repacked, distributed and sold in Florida or from Florida and to implement Chapter 2007-67, Laws of Florida, adopted during the 2007 Legislative Session. The rules will include the registration of tomato producers, packers and re-packers, and an educational component for tomato producers, packers, re-packers and workers. Procedures and processes will be developed to include tomato food safety inspections of tomato farms, tomato greenhouses, in tomato packing and re-packing houses. The rules will include guidelines entitled Tomato Good Agricultural Practices (T-GAP) which relate to field and greenhouse production and Tomato Best Management Practices (T-BMP) which relate to packinghouse operations and post-harvest handling. Preliminary guidelines have been drafted through a cooperative effort between the FDACS and the Florida Tomato Industry to implement needed practices and procedures for safe production and handling of tomatoes. These rules will have an effect on those establishments permitted by the FDACS in the State of Florida who produce or handle tomatoes from field production through packing.

SUBJECT AREA TO BE ADDRESSED: This rule development will address registration, inspection and educational requirements in the tomato industry for producers, packers, re-packers and workers. This rule development will address the adoption of the Tomato Good Agricultural Practices (T-GAP) and Tomato Best Management Practices (T-BMP) guidelines for performing tomato food safety inspections on the farm, in tomato greenhouses and in tomato packing houses.

SPECIFIC AUTHORITY: 500.09, 500.12(1)(f), 570.07(23) FS.

LAW IMPLEMENTED: 500.02, 500.03, 500.04, 500.09, 500.10, 500.11, 500.12, 500.13, 570.07, 570.48, 570.481 FS.

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

RULE NO.: 5L-3.004
RULE TITLE: Aquaculture Best Management Practices Manual

PURPOSE AND EFFECT: To revise and update Chapter 5L-3, F.A.C., to reference an updated Aquaculture Best Management Practices Manual.

SUBJECT AREA TO BE ADDRESSED: The Aquaculture Best Management Practices Manual, January 2007 will be revised to reflect new sections on proper removal and disposal of debris from detention/retention structures, proper disposal of aquaculture debris from burning of plastic freeze protection covers under the agricultural burning exemption, and stock enhancement/release of aquaculture species to waters of the state, updates to Section V. Construction and Section X. Shellfish Culture, an updated reference to restricted non-native species to conform to the recent rule changes adopted by FWC, and general editing as deemed necessary to produce a more understandable manual.

SPECIFIC AUTHORITY: 570.07(23), 597.004(2)(b) FS.

LAW IMPLEMENTED: 597.002, 597.003, 597.004 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: Kal Knickerbocker, Division of Aquaculture, 1203 Governor's Square Boulevard, 5th Floor, Tallahassee, Florida 32301, Phone: (850)488-4033

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Community Planning

RULE NO.: 9J-5.026
RULE TITLE: Rural Land Stewardship

PURPOSE AND EFFECT: The purpose and effect are to amend the rule to implement current statutory requirements regarding the Rural Land Stewardship Program.

SUBJECT AREA TO BE ADDRESSED: Chapter 9J-5, F.A.C., is to be amended to establish minimum criteria for the review of requests to authorize the designation of Rural Land Stewardship Areas and for the review of amendments to local comprehensive plans that would establish or amend Rural Land Stewardship Areas.

SPECIFIC AUTHORITY: 163.3177(9), 163.3177(11)(h) FS.

LAW IMPLEMENTED: 163.3177(11)(d) FS.

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

DATE AND TIME: September 24, 2007, 10:00 a.m.

PLACE: University of South Florida Lakeland Campus, Lakeland Technology Building Auditorium, 3433 Winter Lake Road, Lakeland, Florida 33803

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Sheri Coven, Intergovernmental Affairs Coordinator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)922-1600 If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Robert Pennock, Strategic Planning Coordinator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-2356

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Community Planning

RULE NO.: 9J-11.023
RULE TITLE: Submittal and Review Requirements for Requests to Authorize the Designation of a Rural Land Stewardship Area and for Amendments Establishing or Amending Rural Land Stewardship Areas

PURPOSE AND EFFECT: The purpose and effect are to implement current statutory requirements for requests to authorize the designation of a Rural Land Stewardship Area and for amendments to local comprehensive plans that establish or amend a Rural Land Stewardship Area.

SUBJECT AREA TO BE ADDRESSED: The revision of Chapter 9J-11, F.A.C., is to establish submission and review requirements for requests to authorize the designation of a Rural Land Stewardship Area and for amendments to local comprehensive plans that establish or amend a Rural Land Stewardship Area.

SPECIFIC AUTHORITY: 163.3177(9), 163.3177(11)(h) FS.

LAW IMPLEMENTED: 163.3177(11)(d) FS.

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

STATE BOARD OF ADMINISTRATION

RULE NO.:	RULE TITLE:
19-15.001	Insurance Capital Build-Up Incentive Program

PURPOSE AND EFFECT: The SBA proposes to make changes to Form 15-3, Quarterly Net Written Premium Report, which is incorporated into Rule 19-15.001, F.A.C., to improve administration of the Program.

SUBJECT AREA TO BE ADDRESSED: The amendments to Form 15-3, Quarterly Net Written Premium Report.

SPECIFIC AUTHORITY: 215.5595 FS.

LAW IMPLEMENTED: 215.5595 FS.

IF REQUESTED IN WRITING BY 4:00 P.M. (ET) ON TUESDAY, SEPTEMBER 18, 2007, 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: Tracy Allen, Senior FHCF Attorney, State Board of Administration, P. O. Box 13300, Tallahassee, Florida 32317-3300; telephone (850)413-1341

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON THE SBA WEBSITE AT www.sbafla.com/incent_prog_rulefrms.aspx OR MAY BE OBTAINED AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

PUBLIC SERVICE COMMISSION

RULE NO.:	RULE TITLE:
25-6.0436	Depreciation

PURPOSE AND EFFECT: The purpose of the rule amendment is to reduce the number of paper copies of depreciation studies that electric companies must file with the Commission. Undocketed.

SUBJECT AREA TO BE ADDRESSED: The number of paper copies of depreciation studies that electric companies must file with the Commission.

SPECIFIC AUTHORITY: 350.127(2), 366.05(1) FS.

LAW IMPLEMENTED: 350.115, 366.04(2)(f), 366.06(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 AND A COPY OF THE PRELIMINARY DRAFT IS: Craig Hewitt, Division of Economic Regulation, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6848, e-mail address chewitt@psc.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-6.0436 Depreciation.

(1) through (3) No change.

(4) A utility filing a depreciation study, regardless if a change in rates is being requested or not, shall submit to the Office of Commission Clerk six ~~fifteen~~ copies of the information required by paragraphs (6)(a) through (f) and (h) of this rule and at least three copies of the information required by paragraph (6)(g).

(5) through (10) No change.

Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 350.115, 366.04(2)(f), 366.06(1) FS. History–New 11-11-82, Amended 1-6-85, Formerly 25-6.436, Amended 4-27-88, 12-12-91, 12-11-00,_____.

PUBLIC SERVICE COMMISSION

RULE NO.: 25-7.045
RULE TITLE: Depreciation

PURPOSE AND EFFECT: The purpose of the rule amendment is to reduce the number of paper copies of depreciation studies that gas companies must file with the Commission. Undocketed.

SUBJECT AREA TO BE ADDRESSED: The number of paper copies of depreciation studies that gas companies must file with the Commission.

SPECIFIC AUTHORITY: 350.127(2), 366.05(1) FS.

LAW IMPLEMENTED: 350.115 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Craig Hewitt, Division of Economic Regulation, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6848, e-mail address: chewitt@psc.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-7.045 Depreciation.

(1) through (3) No change.

(4) A utility filing a depreciation study, regardless if a change in rates is being requested or not, shall submit to the Office of Commission Clerk six ~~fifteen~~ copies of the information required by paragraphs (6)(a) through (f) and (h) of this rule and at least three copies of the information required by paragraph (6)(g).

(5) through (10) No change.

Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 350.115 FS. History–New 11-11-82, Amended 1-6-85, Formerly 25-7.45, Amended 4-27-88, 12-12-91,_____.

PUBLIC SERVICE COMMISSION

RULE NOS.:	RULE TITLES:
25-24.470	Registration Required
25-24.511	Application for Certificate
25-24.512	Application for Approval of Sale, Assignment or Transfer of Certificate
25-24.567	Application for Certificate
25-24.569	Application for Approval of Sale, Assignment or Transfer of Certificate
25-24.720	Application for Certificate
25-24.730	Application for Approval of Sale, Assignment, or Transfer of Certificate
25-24.810	Application for Certificate
25-24.815	Application for Approval of Sale, Assignment or Transfer of Certificate

PURPOSE AND EFFECT: The purpose of the rule amendments is to reduce the number of copies of the documents and forms required by the rules that telephone companies must file with the Commission. The corresponding forms will likewise be amended to reflect the reduced number of copies required. Undocketed.

SUBJECT AREA TO BE ADDRESSED: Number of paper copies of documents and forms that telephone companies must file with the Commission.

SPECIFIC AUTHORITY: 350.127(2) FS.

LAW IMPLEMENTED: 364.02, 364.04, 364.32, 364.33, 364.335, 364.337, 364.3375, 364.345 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: Craig Hewitt, Division of Economic Regulation, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6848, e-mail address: chewitt@psc.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-24.470 Registration Required.

(1) No change.

(2) An original and two (2) ~~three (3)~~ copies of the company’s initial tariff shall be filed. The tariff filing shall conform to the requirements of Rule 25-24.485, F.A.C.

(3) through (4) No change.

Specific Authority 350.127(2) FS. Law Implemented 364.02, 364.04 FS. History–New 2-23-87, Amended 8-25-05,_____.

25-24.511 Application for Certificate.

(1) No change.

(2) An applicant shall submit an application on Form PSC/CMP 32 (~~xx/xx 4/06~~), entitled “Application Form for Authority to Provide Pay Telephone Service Within the State of Florida,” which is incorporated into this rule by reference and may be obtained from the Commission’s Division of Competitive Markets and Enforcement. A non-refundable application fee of \$250.00 must accompany the filing of all applications.

(3) An original and one copy ~~two copies~~ of the application shall be filed with the Office of Commission Clerk.

(4) No change.

Specific Authority 350.127(2) FS. Law Implemented 364.32, 364.33, 364.335, 364.337, 364.3375, 364.345 FS. History–New 1-5-87, Amended 9-28-89, 4-7-91, 11-20-91, 12-21-92, 2-1-99, 1-5-06,_____.

25-24.512 Application for Approval of Sale, Assignment or Transfer of Certificate.

(1) No change.

(2) A person seeking to obtain a certificate by sale, assignment or transfer from the holder shall submit an application jointly with the certificate holder on Commission Form PSC/CMP 32 (~~xx/xx 4/06~~), entitled “Application Form for Authority to Provide Pay Telephone Service Within the State of Florida”. The application form may be obtained from the Division of Competitive Markets and Enforcement. A nonrefundable application fee of \$250.00 must accompany the filing of all applications to cover processing costs. The Commission’s acceptance of the application fee does not imply that the application for sale, assignment or transfer of a certificate will be granted.

(3) An original and one copy ~~two copies~~ of the application shall be filed with the Office of Commission Clerk.

(4) through (5) No change.

Specific Authority 350.127(2) FS. Law Implemented 364.32, 364.33, 364.335, 364.337, 364.3375, 364.345 FS. History–New 1-5-87, Amended 5-15-89, 1-5-06,_____.

25-24.567 Application for Certificate.

(1) An applicant desiring to provide shared tenant service shall submit an application on Commission Form PSC/CMP 37 (~~xx/xx 4/06~~), which is incorporated into this rule by reference. Form PSC/CMP 37 (~~xx/xx 4/06~~), entitled “Application Form for Authority to Provide Shared Tenant Service Within the State of Florida,” may be obtained by contacting the Commission’s Division of Competitive Markets and Enforcement. A non-refundable application fee of \$250.00 must accompany the filing of all applications.

(2) An original and one copy ~~two copies~~ of the application shall be filed with the Office of Commission Clerk.

(3) through (4) No change.

Specific Authority 350.127(2) FS. Law Implemented 364.33, 364.335, 364.339, 364.345 FS. History–New 1-28-91, Amended 5-8-91, 11-20-91, 7-29-97, 1-5-06,_____.

25-24.569 Application for Approval of Sale, Assignment or Transfer of Certificate.

(1) A company desiring to obtain a certificate by sale, assignment or transfer from the holder thereof shall submit an application jointly with the certificate holder on Commission Form PSC/CMP 37 (~~xx/xx 4/06~~), which is incorporated into this rule by reference. Form PSC/CMP 37 (~~xx/xx 4/06~~) is entitled “Application Form for Authority to Provide Shared Tenant Service Within the State of Florida.” The application form may be obtained by contacting the Commission’s Division of Competitive Markets and Enforcement. A nonrefundable application fee of \$250.00 must accompany each application. The Commission’s acceptance of the application fee does not imply that the application for sale, assignment or transfer of a certificate will be granted.

(2) An original and one copy ~~two copies~~ of the application shall be filed with the Office of Commission Clerk.

(3) through (4) No change.

Specific Authority 350.127(2) FS. Law Implemented 364.32, 364.33, 364.335, 364.337, 364.339, 364.345 FS. History–New 1-28-91, Amended 11-20-91, 7-29-97, 1-5-06,_____.

25-24.720 Application for Certificate.

(1) An applicant seeking to provide Alternative Access Vendor service shall submit an application on Commission Form PSC/CMP 43 (~~xx/xx 4/06~~), entitled “Application Form for Authority to Provide Alternative Access Vendor Service within the State of Florida,” which is incorporated into this rule by reference. The form may be obtained from the Division of Competitive Markets and Enforcement. A nonrefundable application fee of \$250.00 must accompany each application to cover processing costs. The Commission’s acceptance of the application fee does not imply that a certificate will be granted.

(2) An original and one copy ~~two copies~~ of the application shall be filed with the Office of Commission Clerk.

(3) No change.

Specific Authority 350.127(2) FS. Law Implemented 364.33, 364.335, 364.337, 364.345 FS. History–New 1-8-95, Amended 1-5-06,_____.

25-24.730 Application for Approval of Sale, Assignment, or Transfer of Certificate.

(1) A person seeking to obtain a certificate by sale, assignment or transfer from the holder shall submit an application jointly with the certificate holder on Commission Form PSC/CMP 43 (~~xx/xx 4/06~~) (entitled “Application Form for Authority to Provide Alternative Access Vendor Service

within the State of Florida”). The application form may be obtained from the Division of Competitive Markets and Enforcement. A nonrefundable application fee of \$250.00 must accompany each application to cover processing costs. The Commission’s acceptance of the application fee does not imply that the application for sale, assignment or transfer of a certificate will be granted.

(2) An original and one copy ~~two copies~~ of the application shall be filed with the Office of Commission Clerk.

(3) through(4) No change.

Specific Authority 350.127(2) FS. Law Implemented 364.32, 364.33, 364.335, 364.337, 364.345 FS. History–New 1-8-95, Amended 1-5-06,_____.

25-24.810 Application for Certificate.

(1) An applicant for a certificate shall submit an application on Form PSC/CMP 8-T (~~xx/xx 4/06~~), which is incorporated into this rule by reference. Form PSC/CMP 8-T (~~xx/xx 4/06~~), entitled “Application Form for Authority to Provide Competitive Local Exchange Service Within the State of Florida”, may be obtained by contacting the Commission’s Division of Competitive Markets and Enforcement. A non-refundable application fee of \$400.00 must accompany the filing of each application.

(2) An original and one copy ~~two copies~~ of the application shall be filed with the Office of Commission Clerk.

Specific Authority 350.127(2) FS. Law Implemented 364.335 FS. History–New 12-27-95, Amended 1-5-06,_____.

25-24.815 Application for Approval of Sale, Assignment or Transfer of Certificate.

(1) A person obtaining a certificate by sale, assignment or transfer from the holder thereof shall submit jointly with the certificate holder an application on Form PSC/CMP 8-T (~~xx/xx 4/06~~), which is incorporated into this rule by reference. Form PSC/CMP 8-T (~~xx/xx 4/06~~), entitled “Application Form for Authority to Provide Competitive Local Exchange Service Within the State of Florida”, may be obtained by contacting the Commission’s Division of Competitive Markets and Enforcement. A non-refundable application fee of \$400.00 must accompany the filing of each application.

(2) An original and one copy ~~two copies~~ of the application shall be filed with the Office of Commission Clerk.

(3) through (5) No change.

Specific Authority 350.127(2) FS. Law Implemented 364.335, 364.345(2) FS. History–New 12-27-95, Amended 1-5-06,_____.

PUBLIC SERVICE COMMISSION

RULE NOS.:	RULE TITLES:
25-30.032	Applications
25-30.140	Depreciation
25-30.565	Application for Approval of New or Revised Service Availability Policy or Charges

PURPOSE AND EFFECT: The purpose of the rule amendments is to reduce the number of paper copies of the documents required by the rules that water and wastewater companies must file with the Commission. Undocketed.

SUBJECT AREA TO BE ADDRESSED: Number of paper copies of documents that water and wastewater companies must file with the Commission.

SPECIFIC AUTHORITY: 350.127(2), 367.121, 367.101 FS.

LAW IMPLEMENTED: 350.115, 367.031, 367.045, 367.071,367.081(2), 367.101, 367.121(1) FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Craig Hewitt, Division of Economic Regulation, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6848, e-mail address: chewitt@psc.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-30.032 Applications.

(1) Each utility subject to regulation by the Commission shall apply for an initial certificate of authorization, amendment to an existing certificate of authorization, transfer, or name change by filing a completed application and ~~six~~^{six+2} copies, in accordance with either Rule 25-30.033, 25-30.034, 25-30.035, 25-30.036, subsection 25-30.037(1) or (2), or Rule 25-30.039, F.A.C. However, a utility shall apply for a transfer to a governmental authority by filing a completed application and two copies, in accordance with subsections 25-30.037(3) and (4), F.A.C. The application shall be filed with the ~~Director~~, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. Sample application forms may be obtained from the Division of Economic Regulation, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

(2) through (3) No change.

Specific Authority 350.127(2), 367.121 FS. Law Implemented 367.031, 367.045, 367.071, 367.083 FS. History–New 1-27-91, Amended 11-30-93,_____.

25-30.140 Depreciation.

(1) through (6)(a) No change.

(b) A utility filing for such a revision of depreciation rates shall submit ~~six~~ six copies of the filing to the office of the Office of Commission Clerk.

(c) through (9) No change.

Specific Authority 350.127(2), 367.121(1) FS. Law Implemented 350.115, 367.081(2), 367.121(1) FS. History--New 3-22-84, Formerly 25-10.32, 25-10.032, Amended 11-10-86, 5-8-88, 11-21-95, 12-4-03,_____.

25-30.565 Application for Approval of New or Revised Service Availability Policy or Charges.

(1) Each application for a service availability policy or charges shall be filed in original and ~~six~~ six ~~12~~ copies.

(2) through (6) No change.

Specific Authority 367.121(1), 367.101 FS. Law Implemented 367.101 FS. History--New 6-14-83, Amended 11-10-86, 11-30-93,_____.

LAND AND WATER ADJUDICATORY COMMISSION

Southeastern Community Development District

RULE NO.:	RULE TITLES:
42III-1.001	Establishment
42III-1.002	Boundary
42III-1.003	Supervisors

PURPOSE AND EFFECT: On February 2, 2007, the Florida Land and Water Adjudicatory Commission ("Commission") received a petition to establish the Southeastern Community Development District (the "District"). A revision to the petition was submitted on February 14, and March 15, 2007. The petition, as revised, filed by The St. Joe Company requests the Commission establish a community development district located entirely within the City of Tallahassee, and unincorporated Leon County, Florida. The land area proposed to be served by the District comprises approximately 1,034.98 acres. A general location map is contained as Exhibit 1 to the petition, as revised, to establish the District. The proposed land area is generally located north of Tram Road, east of Capital Circle S.E. and south of Apalachee Parkway. There are two out-parcels located within the external boundaries of the proposed District to be excluded from the District. The current owners' names and addresses of the two out-parcels are contained in the petition, as revised. The Petitioner either owns or has obtained written consent to establish the District from the owners of 100% of the real property located within the proposed District. The current plans within the District boundaries envision approximately 1,184 single family homes, 222 townhomes, 28 villas, 451 apartments and 200,000 square feet of commercial and office space. The District plans to finance certain master infrastructure improvements within the District boundaries. These improvements include roadways, entrance features, recreation improvements and storm water management facilities.

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

SPECIFIC AUTHORITY: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 FS.

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

DATE AND TIME: Wednesday, September 26, 2007, 2:00 p.m.

PLACE: Room 2107, The Capitol, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least two days before the workshop/meeting by contacting: Barbara Leighty, Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, Telephone (850)487-1884. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Barbara Leighty, Office of the Governor, 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 ELDER AFFAIRS

Federal Aging Programs

RULE NOS.:	RULE TITLES:
58A-5.0191	Staff Training Requirements and Competency Test
58A-5.0192	Core Training Provider Requirements
58A-5.0193	Core Training Minimum Curriculum

PURPOSE AND EFFECT: The purpose of the proposed rule amendment and the addition of two new rules is to comply with Section 429.52, F.S. The statute requires the department to "adopt or contract with another entity to develop a curriculum, which shall be used as the minimum core training requirements"; requires the department to "adopt rules to establish trainer registration requirements"; and authorizes the department to develop provider qualification criteria in addition to those included in Sections 429.52(10)(a) through (c), F.S.

SUBJECT AREA TO BE ADDRESSED: The adoption of a curriculum to be used as the minimum core training requirements; trainer registration requirements; and provider qualifications in addition to those included in Sections 429.52(10)(a) through (c), F.S.

SPECIFIC AUTHORITY: 429.52 FS.

LAW IMPLEMENTED: 429.52 FS.

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

DATE AND TIME: September 25, 2007, 1:00 p.m. – 5:00 p.m.
 PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conference Room 225F, Tallahassee, Florida 32399-7000

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Jim Crochet, Department of Elder Affairs, 4040 Esplanade Way, Suite 315, Tallahassee, Florida 32399-7000; Telephone number: (850)414-2000; SunCom 994-2000; Email address: crochethj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Jim Crochet, Department of Elder Affairs, 4040 Esplanade Way, Suite 315, Tallahassee, Florida 32399-7000; Telephone number: (850)414-2000; SunCom 994-2000; Email address: crochethj@elderaffairs.org. COPIES OF THE RULES AND FORMS INCORPORATED BY REFERENCE MAY BE OBTAINED FROM THE DEPARTMENT'S WEB SITE AT <http://elderaffairs.state.fl.us> UNDER THE HEADING "DOEA RULEMAKING, ALF."

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

58A-5.0191 Staff Training Requirements and Competency Test.

(1) ASSISTED LIVING FACILITY CORE TRAINING REQUIREMENTS AND COMPETENCY TEST.

(a) The assisted living facility core training requirements established by the department pursuant to Section 429.52, F.S., shall consist of a minimum of 26 hours of training plus a competency test.

- (b) through (e) No change.
- (2) through (10) No change.

(11) TRAINING DOCUMENTATION AND MONITORING.

(a) Except as otherwise noted, certificates of any training required by this rule ~~must shall~~ be documented in the facility's personnel files. ~~The which~~ documentation ~~must shall~~ include the subject matter of the training program; the trainee's name; the date of attendance; the training provider's name, signature and credentials; professional license number, if applicable; and the number of hours of training.

(b) Upon successful completion of training pursuant to this rule, ~~the training provider must issue a certificate to~~ the trainee ~~shall be issued a certificate by the training provider~~ as specified in this rule.

(c) The facility must provide the Department of Elder Affairs and the Agency for Health Care Administration with any requested training documentation and training certificates for review. The department and agency reserve the right to attend and monitor all facility training sessions.

Specific Authority 429.07, 429.178, 429.41, 429.52 FS. Law Implemented 429.07, 429.075, 429.178, 429.41, 429.52 FS. History—New 9-30-92, Formerly 10A-5.0191, Amended 10-30-95, 6-2-96, 4-20-98, 11-2-98, 10-17-99, 7-5-05, 7-30-06, 10-9-06, _____.

58A-5.0192 Core Training Provider Requirements.

(1) CORE TRAINING PROVIDER QUALIFICATIONS.

In order to be certified as an assisted living facility core training provider (hereafter referred to as "core training provider," "training provider," or "provider), an applicant must meet the requirements outlined in Section 429.52(9), F.S. In addition, an applicant must meet at least one of the requirements outlined in Section 429.52(10), F.S., or one of the requirements established in this subsection:

(a) Have been employed by the Agency for Health Care Administration (AHCA) as a surveyor of assisted living facilities for a minimum of two (2) years; or

(b) Have been employed as a surveyor of assisted living facilities in another state for a minimum of three (3) years; or

(c) Have been employed in a professional position for a minimum of two (2) years in the AHCA Central Office Assisted Living Unit, the Department of Elder Affairs Elder Housing Unit, or the Office of the State Long-Term Care Ombudsman.

(2) INITIAL CORE TRAINING PROVIDER REGISTRATION.

Before an applicant can provide core training, he or she must meet the training provider qualifications outlined in subsection (1) of this rule and register with the department according to this subsection.

(a) An applicant must complete DOEA Form ALFCT-001, Application for Assisted Living Facility (ALF) Core Training Provider Certification, Date, 2007. The form is hereby incorporated by reference and may be obtained from the Department of Elder Affairs, Elder Housing Unit, 4040 Esplanade Way, Tallahassee, Florida 32399-7000 or the department's Web site at <http://elderaffairs.state.fl.us/english/forms/DOEAformALFCT001>. The applicant must submit the application to the address referenced on the form.

(b) Within 30 calendar days after receiving the core training provider application, the approval authority must notify the applicant in writing of any omissions or apparent errors and request specific information needed. If the approval authority does not receive the requested information within 90 calendar days of the request, the application will be deemed incomplete and closed.

(c) The approval authority shall process training provider applications within 90 calendar days after all required information is received.

1. If the application is approved, the approval authority must provide written notification of its decision and include a unique provider number.

2. If the application is denied, the approval authority must provide written notification of its decision stating the reason or reasons for denial.

(3) MAINTAINING CORE TRAINING PROVIDER CERTIFICATION.

After receiving the initial core training provider certification, the provider must submit proof of his or her compliance with continuing education requirements as specified in Section 429.52(4), F.S.

(a) The provider must submit documentation to the approval authority at the addressed referenced on DOEA Form ALFCT-001 no later than thirty (30) calendar days after each two year continuing education cycle following the date of his or her initial core training provider certification referenced in subsection (2) of this rule. Documentation must include the:

1. Subject matter of the training program;
2. Training program agenda including topics discussed;
2. Trainee's name;
3. Date(s) of attendance;
4. Number of hours of the training program; and
5. Training provider's name, signature, credentials, and professional license number, if applicable.

(b) Within thirty (30) calendar days after receiving the continuing education documentation, the approval authority must notify the provider in writing of any omissions and request information needed. If the approval authority does not receive the requested information within ninety (90) calendar days of the omissions request, the provider's certification shall be revoked. The approval authority must provide written notification of its decision, including the reason for the revocation.

(c) The approval authority must process the continuing education documentation within 90 calendar days after all required information is received.

(d) If the continuing education hours are approved, the approval authority must provide written notification of its decision.

(e) Failure to submit proof of continuing education requirements within thirty (30) calendar days after each two year continuing education cycle shall result in revocation of the core training provider's certification. The approval authority must provide written notification of its decision, including the reason for the revocation.

(f) If continuing education hours submitted were obtained in topics not related to assisted living facilities, the provider's certification will be revoked. The approval authority must provide written notification of its decision, including the reason for the revocation.

(g) If the provider's certification is revoked under paragraphs (b), (e), and (f) of this subsection and the provider subsequently meets the continuing education requirements, the provider may re-apply for certification as specified in subsection (2) of this rule, and provide documentation that the continuing education requirements have been met.

(4) APPROVED CORE TRAINING PROVIDER RESPONSIBILITIES.

After a trainee successfully completes core training, the approved training provider shall issue a certificate to the trainee. The provider's signature shall serve as documentation that the trainee has completed the required training. The certificate shall include the following information:

- (a) The title of the course;
- (b) The number of hours of training;
- (c) The trainees name, dates of attendance, and location of training; and
- (d) The provider's name, provider approval number, and dated signature.

Specific Authority 429.52 FS. Law Implemented 429.52 FS. History–New _____.

58A-5.0193 Core Training Minimum Curriculum.

(1) CORE TRAINING MINIMUM CURRICULUM REQUIREMENTS. An approved core training provider must conduct core training using the curriculum outlined in DOEA Form ALFCT-002, Assisted Living Facility Minimum Core Training Curriculum, Date, 2007, which is incorporated by reference in this rule. The curriculum is available from the Department of Elder Affairs, Elder Housing Unit, 4040 Esplanade Way, Tallahassee, Florida 32399-7000 or the department's Web site at <http://elderaffairs.state.fl.us/english/forms/ALFCT002>.

(2) MONITORING. The approval authority reserves the right to:

- (a) Attend and monitor core training courses;
- (b) Review provider records and course materials pursuant to this rule; and

(c) Revoke approval of the training provider certification if the provider does not adhere to the approved curriculum, or knowingly disseminates any false or misleading information

Specific Authority 429.52 FS. Law Implemented 429.52 FS. History–New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.050
 RULE TITLE: Community Behavioral Health Services

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference update July 2007 to the Florida Medicaid Community Behavioral Health Services Coverage and Limitations Handbook. The handbook was revised to include the procedures for the Child Welfare Prepaid Mental Health Plan, which was authorized by Sections 409.912(4)(b), (8), F.S. The effect will be to incorporate by reference in the rule update July 2007 to the Florida Medicaid Community Behavioral Health Services Coverage and Limitations Handbook.

SUBJECT AREA TO BE ADDRESSED: Community Behavioral Health Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908, 409.9081, 409.912, 409.913 FS.

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

DATE AND TIME: Tuesday, September 25, 2007, 3:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Conference Room B, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Michelle Comeaux, Medical/Health Care Program Analyst, Medicaid Services, 2727 Mahan Drive Mail Stop #20, Tallahassee, FL 32308, (850)921-8288, comeauxm@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.050 Community Behavioral Health Services.

(1) No change.

(2) All community behavioral health services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Community Behavioral Health Coverage and Limitations Handbook, October 2004, updated July 2007, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated by reference in Rule 59G-4.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent's website at <http://floridamedicaid.acs-inc.com> agent. Click on Provider Support, and then on Handbooks. Paper copies of the handbooks may be obtained by calling the Provider Enrollment at (800)377-8216.

(3) No change.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908, 409.9081, 409.912, 409.913 FS. History--New 1-27-82, Amended 10-25-84, Formerly 10C-7.525, Amended 1-19-94, Formerly 10C-7.0525, Amended 9-21-98, 11-14-00, 1-19-05,_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.320
 RULE TITLE: Therapy Services

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to incorporate by reference update January 2008 to the Florida Medicaid Therapy Services Coverage and Limitations Handbook. The handbook was updated to include the Prepaid Therapy Program, which was authorized by Section 409.912(42), F.S., and the General Appropriations Act for fiscal year 2005-2006. Certain eligibility categories of recipients under the age of 21 who are not enrolled in a managed care program, except for MediPass and the Children's Medical Services Network, will be enrolled in the Prepaid Therapy Program for the provision of their therapy services. Recipients who are otherwise excluded from managed care will not be enrolled. The Agency for Health Care Administration (AHCA), Division of Medicaid will contract with vendors to administer the provision of therapy services to Medicaid recipients who are enrolled in the Prepaid Therapy Program. The effect of the rule amendment to Rule 59G-4.320, F.A.C., will be to incorporate by reference in rule update January 2008 to the Florida Medicaid Therapy Services Coverage and Limitations.

SUBJECT AREA TO BE ADDRESSED: Therapy Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.912 FS.

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

DATE AND TIME: Tuesday, September 25, 2007, 2:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room D, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Karen Girard, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308, (850)668-4573, girardk@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.320 Therapy Services.

(1) No change.

(2) All therapy providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Therapy Services Coverage and Limitations Handbook,

October 2003, updated January 2008, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated in Rule 59G-4.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent's website at <http://floridamedicaid.acs-inc.com>. Click on Provider Support, and then on Handbooks. Paper copies of the handbooks may be obtained by calling the Medicaid fiscal agent at (800)377-8216.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908, 409.912 FS. History—New 5-24-92, Amended 4-12-93, Formerly 10C-7.068, Amended 5-4-94, 12-26-95, 3-9-99, 12-2-03,_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-5.020
 RULE TITLE: Provider Requirements

PURPOSE AND EFFECT: The purpose of this proposed rule amendment to is to incorporate by reference update January 2008 to the Florida Medicaid Provider General Handbook. The handbook was updated to include the Prepaid Therapy Program, which was authorized by Section 409.912(42), F.S., and the fiscal year 2005-2006 General Appropriations Act. Certain eligibility categories of recipients under the age of 21 who are not enrolled in a managed care program, except for MediPass and the Children's Medical Services Network, will be enrolled in the Prepaid Therapy Program for the provision of their therapy services. Recipients who are otherwise excluded from managed care will not be enrolled. The Agency for Health Care Administration (AHCA), Division of Medicaid will contract with vendors to administer the provision of therapy services to Medicaid recipients who are enrolled in the Prepaid Therapy Program. The effect of the rule amendment to Rule 59G-5.020, F.A.C., will be to incorporate by reference in rule update January 2008 to the Florida Medicaid Provider General Handbook.

SUBJECT AREA TO BE ADDRESSED: Provider Requirements.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.906, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: Tuesday, September 25, 2007, 2:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room D, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Karen Girard, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308, (850)668-4573, girardk@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-5.020 Provider Requirements.

(1) All Medicaid providers enrolled in the Medicaid program and billing agents who submit claims to Medicaid on behalf of an enrolled Medicaid provider must comply with the provisions of the Florida Medicaid Provider General Handbook, January 2007, updated July 2007 and January 2008, which is incorporated by reference and available from the fiscal agent's website at <http://floridamedicaid.acs-inc.com>. Click on Provider Support, and then on Handbooks. A Paper copy of the handbook may be obtained by calling Provider Enrollment at (800)377-8216.

(2) No change.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.906, 409.907, 409.908, 409.912, 409.913 FS. History—New 9-22-93, Formerly 10P-5.020, Amended 7-8-97, 1-9-00, 4-24-01, 8-6-01, 10-8-03, 1-19-05, 5-24-07,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-1.008
 RULE TITLE: License Fees

PURPOSE AND EFFECT: The purpose and effect of this proposed rule is to provide the division the ability to waive food and lodging license fees.

SUBJECT AREA TO BE ADDRESSED: The proposed rule addresses the division's option to provide food and lodging license fee waivers.

SPECIFIC AUTHORITY: 509.032(6), 509.251 FS.

LAW IMPLEMENTED: 509.013, 509.032(2)(e), 509.032(3)(c), 509.251, 509.302(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 IS: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1012, telephone: (850)488-1133

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61C-1.008 License Fees.

(1) No change.

(2) The license fee shall be paid to the division before a license is issued, and the license fee to be charged shall be determined according to the licensing fee schedule in effect at the time an application for a license is received by the division.

(a) The division may waive the license renewal fee for public food service and lodging establishment licenses in good standing for a period not to exceed one year when the division determines the Hotels and Restaurants Trust Fund contains an excess of the amount required to fund division functions and such waiver will not impede the division's ability to perform necessary functions. Prior to implementing a license fee waiver, the division shall ensure the trust fund balance is sufficient to cover all anticipated costs and maintain a reasonable balance throughout the waiver period. A license fee waiver shall be applied to all or to a systemized portion of the current license population, and may not be applied on an individual basis to any single licensee or group. A license fee waiver shall not be applied to a license fee for new or transfer licenses or for licenses in delinquent status. License fee waivers for renewals may include the basic fee, incremental unit fee, per unit fee, service type fee, capacity fee, epidemiological fee and the Hospitality Education Program fee. License fee waivers shall not include application fees, plan review fees, routine and emergency variance review fees, or delinquent fees.

(3) through (5) No change.

Specific Authority 509.032(6), 509.251 FS. Law Implemented 509.013, 509.032(2)(e), 509.032(3)(c), 509.251, 509.302(3) FS. History--New 7-31-79, Revised 9-1-80, Formerly 7C-1.08, Amended 5-10-89, 9-10-89, 10-31-89, 4-3-90, 12-31-90, 9-11-91, 2-27-92, 7-6-92, 8-23-92, 11-4-92, 4-4-93, Formerly 7C-1.008, Amended 9-20-93, 12-22-93, 6-29-95, 10-9-95, 9-25-96, 5-11-98, 9-21-00, 9-9-03,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

RULE NO.: 61G7-5.005
RULE TITLE: Deficiency in Tangible Accounting Net Worth; Guaranty Form Acceptable to Board; Sufficient Evidence of Guarantor's Adequate Resources

PURPOSE AND EFFECT: The Board is considering amending the provisions within this rule concerning the use of guaranties.

SUBJECT AREA TO BE ADDRESSED: The use of guaranties to offset any deficiency in tangible accounting net worth, accounting new worth, or working capital.

SPECIFIC AUTHORITY: 468.522 FS.

LAW IMPLEMENTED: 468.525(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: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-6.012
RULE TITLE: Provisional Certificates

PURPOSE AND EFFECT: The proposed rule amendment provides clarifying language and increases the maximum time period which a provisional certification applicant may perform certain duties.

SUBJECT AREA TO BE ADDRESSED: Provisional Certificates.

SPECIFIC AUTHORITY: 468.606, 468.609(7) FS.

LAW IMPLEMENTED: 468.609(7) 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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G19-6.012 Provisional Certificates.

(1) No change.
(2) Provisional certificates are not renewable, and are valid for the following terms:

- (a) Three years for inspectors.
- (b) Three years for plans examiners.
- (c) Three years for building code administrators or building officials.

(3) through (5) No change.

(6) Following the submission of an application for provisional certification as either an inspector or plans examiner, the applicant shall be eligible to perform duties in

the category for which the application has been submitted for up to a maximum of one hundred twenty (120) ninety (90) days from the application is submitted, and subject to the following condition:

(a) through (b) No change.

(c) Prior to beginning the performance of duties under this exception, all applicants for plans examiner and inspector shall provide the building code administrator for the agency which employs them a copy of the completed application for provisional certification submitted to the Board by the applicant.

(d) No change.

Specific Authority 486.606, 468.609(7) FS. Law Implemented: 468.609(7) FS. History--New 5-23-94, Amended 5-21-95, 8-28-95, 12-6-95, 1-3-96, 2-23-99, 4-30-01,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-6.017
 RULE TITLE: One and Two Family Dwelling Inspector Certification

PURPOSE AND EFFECT: The proposed rule amendment clarifies the eligibility requirements for One and Two Family Dwelling Inspector Certification.

SUBJECT AREA TO BE ADDRESSED: One and Two Family Dwelling Inspector Certification.

SPECIFIC AUTHORITY: 468.606 FS.

LAW IMPLEMENTED: 468.609(2), (7) 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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G19-6.017 One and Two Family Dwelling Inspector Certification.

(1) No change.

(2) Applicants for standard or provisional certification in this category must meet the eligibility requirements according to one of the following criteria:

(a) Five years' experience as a registered or certified state general, building, or residential contractor in a ~~managerial~~ or supervisory capacity that included operational control and direction of building, mechanical, electrical, and plumbing personnel or subcontractors on residential projects; or

(b) Five years' experience as a job superintendent or project manager in a ~~managerial~~ or supervisory capacity that included operational control and direction of building, mechanical, electrical, and plumbing personnel or subcontractors on residential projects; or

(c) through (d) No change.

(e) A combination of postsecondary education in the field of construction or a related field and experience in the category sought which totals four years, with at least one year of such total being experience in the category sought in construction, building code inspection, or plans review; or

(f) A combination of technical education in the field of construction or a related field and experience in the category sought which totals four years, with at least one year of such total being experience in the category sought in construction, building code inspection, or plans review; or

(g) No change.

Specific Authority 468.606 FS. Law Implemented 468.609(2), (7) FS. History--New 2-28-02, Amended_____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-3.002
 RULE TITLE: Qualifications for Examination

PURPOSE AND EFFECT: The purpose of the rule amendment is to delete the discretionary requirement that civil rights be restored before a nursing license can be granted.

SUBJECT AREA TO BE ADDRESSED: Qualifications for Examination.

SPECIFIC AUTHORITY: 464.006 FS.

LAW IMPLEMENTED: 112.011(1)(b), 456.013, 464.008 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: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-3.002 Qualifications for Examination.

(1) An applicant seeking certification to take the licensure examination shall submit, on forms provided by the Department, evidence that he or she meets the qualifications prescribed by the Nurse Practice Act, Chapter 464, F.S. Such evidence shall consist of:

(a) through (e) No change.

~~(f) Prior to application for examination, convicted felons must obtain a restoration of their civil rights or they are ineligible to sit for the examination.~~

(2) through (5) No change.

Specific Authority 464.006 FS. Law Implemented 112.011(1)(b), 456.013, 464.008 FS. History–New 4-27-80, Amended 3-16-81, 8-2-81, 7-11-83, Formerly 21O-8.21, Amended 3-3-87, 12-8-87, 6-8-88, Formerly 21O-8.021, Amended 1-30-94, Formerly 61F7-3.002, Amended 9-25-96, Formerly 59S-3.002, Amended 7-27-98, 4-19-00, 5-8-01, 9-23-03, 1-29-07, _____.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-4.010 RULE TITLE: Standards for Protocols

PURPOSE AND EFFECT: The purpose of the amendment is to conform the rule to the statutory requirements.

SUBJECT AREA TO BE ADDRESSED: Standards for Protocols.

SPECIFIC AUTHORITY: 458.348(2), 464.006 FS.

LAW IMPLEMENTED: 458.348(2), 464.012 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: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-4.010 Standards for Protocols.

(1) through (2) No change.

(3) The original of the protocol and the original of the notice shall be filed with the Department within 30 days of renewal of the practitioner’s license yearly, and a copy of the protocol and a copy of the notice required by Section 458.348(1), F.S., shall be kept at the site of practice of each party to the protocol. Any alterations to the protocol or amendments should be signed by the ARNP and a

Florida-licensed medical doctor, osteopathic physician, or dentist and filed with the Department within 30 days of the alteration to be kept in the Department for filing purposes only. After the termination of the relationship between the ARNP and the supervising professional, each party is responsible for insuring that a copy of the protocol is maintained for future reference for a period of four years.

Specific Authority 458.348(2), 464.006 FS. Law Implemented 458.348(2), 464.012 FS. History–New 4-4-82, Amended 3-13-84, Formerly 21O-16.02, Amended 5-25-88, Formerly 21O-16.002, 61F7-4.010, 59S-4.010, Amended _____.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-4.015 RULE TITLE: Approved Certification Bodies for Certified Nurse Specialists

PURPOSE AND EFFECT: The purpose of this new rule is to implement the provisions of Section 464.0115, F.S., adopted by the legislature in 2007.

SUBJECT AREA TO BE ADDRESSED: Approved Certification Bodies for Certified Nurse Specialists.

SPECIFIC AUTHORITY: 464.0115 FS.

LAW IMPLEMENTED: 464.0115 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: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-4.015 Approved Certification Bodies for Certified Nurse Specialists.

The following nationally recognized certifying bodies are approved to meet the licensure requirements of Section 464.0115(1), F.S.:

- (1) Oncology Nursing Certification Corporation
- (2) American Association of Critical-Care Nurses (AACN)
- (3) American Nurses Credentialing Center (ANCC)

Statutory Authority 464.0115 FS. Law Implemented 464.0115 FS. History–New _____.

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE NOS.:	RULE TITLES:
64F-17.001	Materials Incorporated by Reference
64F-17.002	Participation Criteria
64F-17.003	Governing Board
64F-17.004	Food Service Management Companies

PURPOSE AND EFFECT: Rule Chapter 64F-17, F.A.C., will be revised and amended to adopt new and revised manuals by reference, to update, clarify and expand existing rules and to develop new rules that will assure the efficient administration of the Child Care Food Program while promoting program integrity and the quality of food and service provided to children.

SUBJECT AREA TO BE ADDRESSED: The Child Care Food Program.

SPECIFIC AUTHORITY: 383.011 FS.

LAW IMPLEMENTED: 383.011 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: Julia P. Forrester; Department of Health, 4052 Bald Cypress Way, Bin #A-17, Tallahassee, FL 32399-1703; telephone (850)245-4005
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-21.002	Definitions
67-21.003	Application and Selection Process for Developments
67-21.0035	Applicant Administrative Appeal Procedures
67-21.004	Federal Set-Aside Requirements
67-21.0045	Determination of Method of Bond Sale
67-21.006	Development Requirements
67-21.007	Fees
67-21.008	Terms and Conditions of MMRB Loans
67-21.009	Interest Rate on Mortgage Loans
67-21.010	Issuance of Revenue Bonds
67-21.013	Non-Credit Enhanced Multifamily Mortgage Revenue Bonds
67-21.014	Credit Underwriting Procedures

67-21.015	Use of Bonds with Other Affordable Housing Finance Programs
67-21.017	Transfer of Ownership
67-21.018	Refundings and Troubled Development Review
67-21.019	Issuance of Bonds for Section 501(c)(3) Entities

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 Multifamily Mortgage Revenue Bond (MMRB) Program authorized by Section 142 of the Code and Section 420.509, 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 2008 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: 420.509 FS.

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

DATE AND TIME: September 21, 2007, following the Board Meeting at a time to be announced at the conclusion of the Board Meeting

PLACE: Doubletree Hotel, 101 South Adams Street, Tallahassee, Florida 32301

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Blake Carson-Poston at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, 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.**

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-48.001	Purpose and Intent
67-48.002	Definitions
67-48.004	Application and Selection Procedures for Developments
67-48.005	Applicant Administrative Appeal Procedures
67-48.007	Fees
67-48.0072	Credit Underwriting and Loan Procedures
67-48.0075	Miscellaneous Criteria
67-48.009	SAIL General Program Procedures and Restrictions
67-48.0095	Additional SAIL Application Ranking and Selection Procedures
67-48.010	Terms and Conditions of SAIL Loans
67-48.0105	Sale, Transfer or Refinancing of a SAIL Development
67-48.013	SAIL Construction Disbursements and Permanent Loan Servicing
67-48.014	HOME General Program Procedures and Restrictions
67-48.015	Match Contribution Requirement for HOME Allocation
67-48.017	Eligible HOME Activities
67-48.018	Eligible HOME Applicants
67-48.019	Eligible and Ineligible HOME Development Costs
67-48.020	Terms and Conditions of Loans for HOME Rental Developments
67-48.0205	Sale, Transfer or Refinancing of a HOME Development
67-48.022	HOME Disbursements Procedures and Loan Servicing
67-48.023	Housing Credits General Program Procedures and Requirements
67-48.027	Tax-Exempt Bond-Financed Developments
67-48.028	Carryover Allocation Provisions
67-48.029	Extended Use Agreement
67-48.030	Sale or Transfer of a Housing Credit Development
67-48.031	Termination of Extended Use Agreement and Disposition of Housing Credit Developments

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 2008 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 2007 Qualified Allocation Plan (QAP).

SPECIFIC AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.5087, 420.5089, 420.5099 FS.

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

DATE AND TIME: September 21, 2007, following the Board Meeting at a time to be announced at the conclusion of the Board Meeting

PLACE: Doubletree Hotel, 101 South Adams Street, Tallahassee, Florida 32301

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Blake Carson-Poston at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Vicki Robinson, Deputy Development Officer

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

FINANCIAL SERVICES COMMISSION

Securities

RULE NO.:	RULE TITLE:
69W-500.018	Exemption for the Offer or Sale of a Single-share Stock Certificate as a Gift

PURPOSE AND EFFECT: To provide an exemption from securities registration requirements for single-share stock certificates offered or sold as gifts.

SUBJECT AREA TO BE ADDRESSED: Exemption from Securities Registration Requirements

SPECIFIC AUTHORITY: 517.03(1), 517.061(19) FS.

LAW IMPLEMENTED: 517.061(19) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Andrea Moreland, Office of Financial Regulation, The Fletcher Building, Suite 118, 200 E. Gaines Street, Tallahassee, FL 32399-0370, (850)410-9662

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69W-500.018 Exemption for the Offer or Sale of a Single-share Stock Certificate as a Gift.

(1) In accordance with Section 517.061(19), Florida Statutes, the Office of Financial Regulation has determined that it is not in the public interest to subject transactions involving the offer or sale of single-share stock certificates to the registration requirements of Sections 517.07 and 517.12(1), Florida Statutes, when the certificates are mounted, matted, or framed, and sold as gifts, decorations, or novelty items at prices significantly higher than the market value of the stock. These transactions fall within the purview of the exemption criteria of Section 517.061(19), Florida Statutes, due to the small dollar amount of the securities involved and the limited character of the offering. These transactions are more analogous to the sale of retail goods than investment products. As a result, the public interest would not be served by the application of Sections 517.07 and 517.12(1), Florida Statutes to this type of transaction. In order for a transaction to qualify for an exemption from the registration requirements of Sections 517.07 and 517.12(1), Florida Statutes, under this rule, the offer or sale of the stock certificate must comport with all the following requirements:

(a) Such offer and sale of a single-share stock certificate by a framer is marketed as a gift, decoration, or novelty item.

(b) The single-share stock certificate is mounted, matted, or framed and sells for at least twice the purchase price of the underlying share of the stock at the time it was purchased by the single-share stock certificate retailer;

(c) The single-share stock certificate is not offered for investment purposes by the single-share stock certificate retailer;

(d) Such single-share stock certificate retailer does not offer investment advice, or directly or indirectly promote itself as a dealer, and is not paid compensation solely for single-share purchase transaction by the single-share stock certificate retailer;

(e) Such single-share purchase transaction by the single-share stock certificate retailer is made and intended, directly or indirectly, for the purpose of the sale of the stock certificate as a gift, decoration, or novelty item to the purchaser;

(f) The single-share purchase transaction by the single-share stock certificate retailer and the transfer of ownership of the single-share certificate to the purchaser must be completed within sixty (60) days after the purchase of the stock by the single-share stock certificate retailer; and

(g) Such offer and sale by a single-share stock certificate retailer is not made for the direct or indirect promotion of any scheme or enterprise with the intent of violating or evading any provision of Chapter 517, Florida Statutes.

(2) For purposes of this rule, the term "single-share stock certificate retailer" means a person or business entity engaged in the business of framing or mounting single-share stock certificates for retail sale to purchasers as gifts, decorations, or novelty items in accordance with the requirements of this rule. The term "single-share stock certificate retailer" also includes the employees of the person or business entity.

Specific Authority 517.03(1), 517.061(19) FS. Law Implemented 517.061(19) FS. History--New

FINANCIAL SERVICES COMMISSION

Securities

RULE NOS.:

69W-600.002

69W-600.006

PURPOSE AND EFFECT: Rules 69W-600.002 and 69W-600.006, F.A.C., are being amended to reduce fingerprint processing fees from \$47 to \$42.25. The current fee of \$47 represents \$23 charged by the Florida Department of Law Enforcement for a state criminal history check and \$24 charged by the U.S. Department of Justice for a national criminal history check. The U.S. Department of Justice will be reducing its fee from \$24 to \$19.25. Therefore, the rules are being amended to reduce fingerprint processing fees from \$47 to \$42.25. Rule 69W-600.002, F.A.C., is also being amended to reflect the statutory fee increase for registration of associated persons that took effect July 1, 2007. Section 517.12, Florida Statutes, was amended to increase the fee from \$30 to \$50.

SUBJECT AREA TO BE ADDRESSED: Securities Regulation/Registration and Fingerprint Processing Fees.

SPECIFIC AUTHORITY: 517.03(1), 517.12(6) FS.

LAW IMPLEMENTED: 517.12(6), (7), (10), 517.1205 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: Pam Epting, Bureau Chief, Office of Financial Regulation, The Fletcher Building, 200 East Gaines Street, Tallahassee, Florida 32399, (850)410-9805

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69W-600.002 Application for Registration as Associated Person.

(1)(a) Applications for initial, reaffiliation, and renewal registrations of a principal or associated person shall be filed on Form U-4, which is incorporated by reference in subsection 69W-301.002(7), F.A.C., and shall include all information required by such form, any other information the Office of Financial Regulation may require, and payment of the statutory fees required by Section 517.12(10), F.S. Except as otherwise provided in Rule 69W-600.0091, 69W-600.0092, or 69W-600.0093, F.A.C., the Office of Financial Regulation shall deem an application to be received at such time as it and the appropriate fee have been date-stamped by the cashier's office of the Department of Financial Services. For dealers that are member of the National Association of Securities Dealers ("NASD"), such application shall be filed with the Office of Financial Regulation through the Central Registration Depository ("CRD") of the NASD in accordance with Rule 69W-600.0091, F.A.C. For federal covered advisers, such application shall be filed with the Office of Financial Regulation through the Central Registration Depository ("CRD") of the NASD in accordance with Rule 69W-600.0092, F.A.C. For investment adviser applicants and registrants who file via the IARD, such application shall be filed with the Office of Financial Regulation through the CRD of the NASD in accordance with Rule 69W-600.0093, F.A.C.

(b) A complete initial application must include the following exhibits or forms that are appropriate for the type of registration requested:

1. No change.
2. Statutory fee ~~in the amount of \$30~~, for each registration sought, in the amount as required by Section 517.12(10), F.S.
3. through 4. No change.
5. A complete Florida Fingerprint Card (FL921250Z) when required under Section 517.12(7), F.S., and Rule 69W-600.006, F.A.C., provided by the Office of Financial Regulation and taken by an authorized law enforcement agency and accompanied by a non-refundable ~~\$42.25~~ \$47 processing fee. Form (FL921250Z), Florida Fingerprint Card, is incorporated by reference in subsection 69W-301.002(7), F.A.C.

- (c) No change.
- (2) No change.

Specific Authority 517.03(1), 517.12(6) FS. Law Implemented 517.12(6), (7), (10), 517.1205 FS. History--New 9-20-82, Formerly 3E-301.02, Amended 10-15-86, 10-4-88, 6-24-90, 7-29-90, 10-14-90, 8-1-91, 6-16-92, 6-28-93, 11-14-93, 3-13-94, 4-30-96, 12-29-96, 6-22-98, 5-10-00, 9-19-00, 7-31-02, 12-11-03, Formerly 3E-600.002, Amended 3-16-06, 5-15-07,_____.

69W-600.006 Associated Persons' Fingerprints.

Fingerprints filed in accordance with Section 517.12(7), Florida Statutes, shall be on fingerprint cards supplied by the Office of Financial Regulation taken by an authorized law enforcement agency, and accompanied by a non-refundable ~~\$42.25~~ \$47 processing fee. Form FL921250Z, Florida Fingerprint Card, is incorporated by reference in subsection 69W-301.002(7), F.A.C. The fingerprint card requirement is waived for those associated persons requesting registration with a dealer which is registered with a national securities exchange or national securities association or the Securities and Exchange Commission, provided that fingerprints have been processed for such persons pursuant to the provisions of SEC. rule 17f-2 (17 C.F.R. 240.17f-2 2006), which is hereby incorporated by reference, by said person's current employer.

Specific Authority 517.03 FS. Law Implemented 517.12(7) FS. History--New 12-5-79, Amended 9-20-82, Formerly 3E-600.06, Amended 8-1-91, Formerly 3E-600.006, Amended 5-15-07,_____.

Section II Proposed Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF CORRECTIONS

RULE NO.:	RULE TITLE:
33-601.314	Rules of Prohibited Conduct and Penalties for Infractions

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to subdivide and revise disciplinary charges for clarity and tracking purposes.

SUMMARY: Disciplinary charges related to assault and battery are subdivided according to victim status and severity of offense. Charges related to tattooing and body piercing are combined.

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