

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 Chiropractic

RULE NO.: RULE TITLE:

64B2-13.008 Retired Status License

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to clarify language regarding the laws and rules course.

SUBJECT AREA TO BE ADDRESSED: Retired Status License.

SPECIFIC AUTHORITY: 456.036(10), 460.405 FS.

LAW IMPLEMENTED: 456.036(10) 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: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-13.008 Retired Status License.

(1) No change.

(2) A retired status licensee may change to active status provided:

(a) No change.

(b) If the license has been in retired status for more than 5 years, the licensee must retake and pass the examination as set forth in Rule 64B2-11.001, F.A.C., and retake an approved laws and rules course as set forth in Rule 64B2-13.004 ~~64B4-6.0045~~, F.A.C.

Specific Authority 456.036(10), 460.405 FS. Law Implemented 456.036(10) FS. History--New 2-6-06, Amended.

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 MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE NO.: RULE TITLE:

60BB-9.121 Federal Quality Funds

PURPOSE, EFFECT AND SUMMARY: The purpose of the proposed rule development is to adopt a rule substantively similar to federal regulations governing recipients of federal funding through the Child Care and Development Fund. The federal regulations governing recipients of federal funding through the Child Care and Development Fund require that the Agency for Workforce Innovation, as Lead Agency, retain responsibility for administering the program and enumerate the responsibilities of the Agency. Further, the regulations require the Agency to expend no less than four percent of the aggregate funds received through the federal Child Care and Development Fund on quality activities defined by the regulations.

SPECIFIC AUTHORITY: 411.01(4)(e) FS.

LAW IMPLEMENTED: 411.01(4)(c) FS.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 120.54(6), F.S.

WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: C.J. Weinman, Assistant General Counsel, Agency for Workforce Innovation, Office of General Counsel, 107 East Madison Street, MSC #110, Tallahassee, Florida 32399-4128, (850)245-7150.

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

60BB-9.121 Federal Quality Funds.

(1) Pursuant to 45 C.F.R. 98.11, the Agency for Workforce Innovation (the Agency) has broad authority to administer the Child Care and Development Fund program through other

governmental or non-governmental entities. In addition, the Agency can use other public or private local agencies to implement the program; however:

(a) The Agency shall retain overall responsibility for the administration of the program, as defined in subsection (2) of this rule;

(b) The Agency shall serve as the single point of contact for issues involving the administration of the grantee's Child Care and Development Fund program; and

(c) Administrative and implementation responsibilities undertaken by agencies other than the Agency shall be governed by written agreements that specify the mutual roles and responsibilities of the Agency and the other agencies in meeting the requirements of this part.

(2) In retaining overall responsibility for the administration of the program, the Agency shall:

(a) Determine the basic usage and priorities for the expenditure of Child Care and Development Fund funds;

(b) Promulgate all rules and regulations governing overall administration of the state Child Care and Development Fund Plan;

(c) Submit all reports required by the Secretary;

(d) Ensure that the program complies with the state's approved Child Care and Development Fund Plan and all applicable Federal requirements;

(e) Oversee the expenditure of funds by subgrantees and contractors;

(f) Monitor programs and services;

(g) Fulfill the responsibilities of any subgrantee in any: disallowance under 45 C.F.R. 98.60, et. seq; complaint or compliance action under 45 C.F.R. 98.90, et. seq; or hearing or appeal action under title 45 C.F.R. part 99; and

(h) Ensure that all State and local or non-governmental agencies through which the State administers the program, including agencies and contractors that determine individual eligibility, operate according to the rules established for the program.

(3) Pursuant to 45 C.F.R. 98.51, no less than four percent of the aggregate Child Care and Development Fund funds expended by the Agency for a fiscal year, and including the amounts expended in the State pursuant to 45 C.F.R. 98.53(b), shall be expended for quality activities.

(a) Quality activities may include but are not limited to:

1. Activities designed to provide comprehensive consumer education to parents and the public;

2. Activities that increase parental choice; and

3. Activities designed to improve the quality and availability of child care, including, but not limited to those described in paragraph (3)(b) of this rule.

(b) Activities to improve the quality of child care services may include, but are not limited to:

1. Operating directly or providing financial assistance to organizations (including private non-profit organizations, public organizations, and units of general purpose local government) for the development, establishment, expansion, operation, and coordination of resource and referral programs specifically related to child care;

2. Making grants or providing loans to child care providers to assist such providers in meeting applicable state, local, and tribal child care standards, including applicable health and safety requirements, pursuant to 45 C.F.R. 98.40 and 98.41;

3. Improving the monitoring of compliance with, and enforcement of, applicable state, local, and tribal requirements pursuant to 45 C.F.R. 98.40 and 98.41;

4. Providing training and technical assistance in areas appropriate to the provision of child care services, such as training in health and safety, nutrition, first aid, the recognition of communicable diseases, child abuse detection and prevention, and care of children with special needs;

5. Improving salaries and other compensation (such as fringe benefits) for full-and part-time staff who provide child care services for which assistance is provided under this part; and

6. Any other activities that are consistent with the intent of this section.

(c) Pursuant to 45 C.F.R. 98.16(h), the Agency shall describe in the state's Child Care and Development Fund Plan the activities it will fund under this subsection.

(4) Non-Federal expenditures required by 45 C.F.R. 98.53(c) are not subject to the requirement of subsection (3) of this rule.

THIS RULE SHALL TAKE EFFECT ON AUGUST 1, 2008.

Specific Authority 411.01(4)(e) FS. Law Implemented 411.01(4)(c) FS. History--New 8-1-08.

DEPARTMENT OF MANAGEMENT SERVICES

Communications and Information Technology Services

RULE NO.:

RULE TITLE:

60FF-5.002

Rural County Grants

PURPOSE AND EFFECT: The purpose and effect is to provide the requirements and approval process for the Rural County Program and to amend the application form, provide eligibility requirements, dates of grant cycles, and the specific terms and conditions of the grant request and approval process. SUMMARY: The requirements and approval process for the Rural County Program are provided. Amends the application form, provides eligibility requirements, dates of grant cycles, and the specific terms and conditions of the grant request and approval process.

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

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

SPECIFIC AUTHORITY: 365.172(6)(a)11. FS.

LAW IMPLEMENTED: 365.172 (3)(6)(a), (y), 365.173(2)(g) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John C. Ford, Executive Director, E911 Board, 4030 Esplanade Way, Suite 235M, Tallahassee, Florida 32399-0950

THE FULL TEXT OF THE PROPOSED RULE IS:

60FF-5.002 Rural County Grants.

The E911 Rural County Grant program is a semi-annual grant program provided for the purpose of assisting rural counties, as defined by Section 365.172(3)(y), F.S., with the installation and maintenance of an Enhanced 911 (E911) system.

(1) Eligibility. Any Board of County Commissioners in the State of Florida, with a county population of fewer than 75,000 is eligible to apply.

(2) General conditions.

(a) Each rural county applying for rural county grant funds shall complete and submit W Form 1A, "Application for the E911 Rural County Grant Program," effective 7/1/2008, which is incorporated herein by reference and which may be obtained from the E911 Board office at the following address:

State of Florida E911 Board
ATTN: Administrative Assistant
4050 Esplanade Way
Building 4030 – Suite 160
Tallahassee, Florida 32399-0950

The applicant must provide the original grant application and nine copies postmarked or delivered to the Board's Office on or before March 1 or October 1 of each year, dependant on the fall or spring application period.

(b) The E911 Board will approve grants for leased equipment only if the applicant county can demonstrate that a lease agreement would be financially beneficial to the grant program as a whole.

(c) Equipment procurement shall be based on the county's purchasing requirement and the applicable State purchasing requirements including Section 112.061, Florida Statutes.

(d) Grant applications totaling \$25,000.00 or more must be accompanied by at least three written competitive quotes from different vendors. The E911 Board will compare the three quotes to any existing state contract in order to determine appropriate funding. Any county that has made a good faith effort to obtain three competitive quotes and has not been able

to obtain the quotes can request E911 Board review based on substantiated proof of request for quotes or posting of the request with documentation of the limited responses. Sole source funding will be considered on a case-by-case basis. Justification for sole source funding should be provided with this application. Sole source will be approved if provided in accordance with Chapter 287, Florida Statutes, or with provision of a letter from the county's purchasing department that the project is a sole source procurement based on the county's purchasing requirements, which should be provided with the application.

(e) Priorities for awarding of grants will be determined by the E911 Board. Grant priorities may be adjusted by the Board and published with the grant application package three (3) months prior to the application submission date. The grant priority list is available as an addendum with the grant application at the start of each grant cycle at the address shown in paragraph (2)(a) above.

(f) The E911 Board may approve funding salary requests on an annual basis.

(g) No grant money will be awarded to be used for the purpose of paying call takers' salaries.

(h) Two or more rural counties may apply for a joint grant, but each county must complete and submit W Form 1A as requested and indicated.

(i) Grant funds shall be deposited in a bank account maintained by the grantee county, and each grant shall be assigned a unique accounting code designation for deposits, disbursements, and expenditures. All E911 Rural County Grant funds in the account shall be accounted for separately from other grantee funds. Grant funds including accrued interest may be used only between the beginning and ending dates of the grant, unless an extension is requested and authorized by the E911 Board.

(j) Grantee counties must submit quarterly reports to the E911 Board, summarizing the expenditures and activities of the grant funds. The reports are due 30 days after the end of the reporting period, which ends September 30, December 31, March 31, and June 30. In lieu of submitting a signed quarterly Grant Budget/Expenditure Report form, the updated form can be e-mailed to the Board's administrative/technical staff. The quarterly and final reports will be considered late if not received by the Board Staff prior to the next scheduled Board Meeting after the due date.

(k) At project completion, a final report shall be submitted based on the same reporting periods described above. The County shall determine the final completion date based on the final payment date or the initiation date of the warranty period. Final supporting documentation including copies of all expenditures and corresponding invoices shall be submitted within 90 days of the final report.

(l) Grant funds are not transferable to any other entity. If equipment purchased using grant funds is sold or transferred within three (3) years of the end of the grant period, the grantee county must return the grant funds to the E911 Board on a pro-data basis.

(m) The E911 Board will adjust the funds awarded to a rural county based upon eligibility of requested items, institutional knowledge of Board members, published quotes, increased effectiveness of grant funds, minimum allowable specifications for performing the needed E911 function, or other documented factors.

(3) The Rural County Grant program will operate on the following two schedules:

Spring Schedule:

Counties submit applications: by March 1

E911 Board evaluates applications: March – April

Board votes on applications at regularly scheduled meetings: March – June

Board sends notification of award and issues checks to counties approved for funding: before June 30

Fall Schedule:

Counties submit applications: by October 1

E911 Board evaluates applications: October – November

Board votes on applications at regularly scheduled meetings: October – December

Board sends notification of award and issues checks to counties approved for funding: before December 30

(4) After the grants have been awarded, the E911 Board may adjust the funds awarded to a rural county, due to the changes in E911 technology, at any time within the grant period. Adjustments may be requested with an authorized Change Request Form and appropriate cost estimates from the county. Changes shall be based on a notice of subsequent extensive changes in technology that were not available at the date of grant submission. Increased system costs shall be considered based on eligible requested items that clearly demonstrate increased effectiveness of grant funds and the proposed E911 system's capabilities due to the changes in E911 technology.

Specific Authority 365.172(6)(a)11., 365.173(2)(g) FS. Law Implemented 365.173(2)(g) FS. History–New _____

NAME OF PERSON ORIGINATING PROPOSED RULE:
E911 Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: John C. Ford

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 15, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 14, 2008

DEPARTMENT OF MANAGEMENT SERVICES

Communications and Information Technology Services

RULE NO.:

RULE TITLE:

60FF-5.003

E911 State Grant Programs

PURPOSE AND EFFECT: The purpose and effect is to provide the requirements and approval process for the E911 State Grant Program.

SUMMARY: The requirements and approval process for the E911 State Grant Program are provided.

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

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

SPECIFIC AUTHORITY: 365.172(6)(a)11, 365.173(2)(g) FS.

LAW IMPLEMENTED: 365.173(2) (g) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John C. Ford, Executive Director, E911 Board, 4030 Esplanade Way, Suite 235M, Tallahassee, Florida 32399-0950

THE FULL TEXT OF THE PROPOSED RULE IS:

60FF-5.003 E911 State Grant Programs.

The E911 State Grant program is a grant program provided for the purpose of assisting State of Florida counties with the installation of Enhanced 911 (E911), Phase II and Next Generation 911 systems.

(1) Eligibility. Any Board of County Commissioners in the State of Florida.

(2) General conditions.

(a) Each county applying for E911 State Grant funds shall complete and submit W Form 3A, "Application for the E911 State Grant Program," effective 7/1/2008, which is incorporated herein by reference and which may be obtained from the E911 Board office at the following address:

State of Florida E911 Board

ATTN: Administrative Assistant

4050 Esplanade Way

Building 4030 – Suite 160

Tallahassee, Florida 32399-0950

The applicant must provide the original grant application and nine copies postmarked or delivered to the E911 Board's Administrative Office on or before the date specified in the announcement notification and the grant application.

(b) The E911 Board will approve grants for leased equipment only if the applicant county can demonstrate that a lease agreement would be financially beneficial.

(c) Equipment procurement shall be based on the county's purchasing requirement and the applicable State purchasing requirements including Section 112.061, Florida Statutes.

(d) Grant applications totaling \$25,000.00 or more must be accompanied by at least three written competitive quotes from different vendors. The E911 Board will compare the three quotes to any existing state contract in order to determine appropriate funding. Any county that has made a good faith effort to obtain three competitive quotes and has not been able to obtain the quotes can request E911 Board review based on substantiated proof of request for quotes or posting of the request with documentation of the limited responses. Sole sources funding will be considered on a case-by-case basis. Justification and documentation for sole-source funding should be provided with this application. Sole source will be considered if provided in accordance with Chapter 287, Florida Statutes, or with provision of a letter from the county's purchasing department that the project is a sole source procurement based on the county's purchasing requirements, which should be provided with the application.

(e) Priorities for awarding of grants will be determined by the E911 Board. Grant priorities may be adjusted by the Board and published with the grant application package three (3) months prior to the application submission date. The grant priority list is available as an addendum with the grant application at the start of each grant cycle at the address shown in paragraph (2)(a) above.

(f) No grant money will be awarded to be used for the purpose of paying county 911 salaries or call-takers' salaries.

(g) Two or more counties may apply for a joint grant, but each county must complete and submit W Form 3A as requested and indicated.

(h) Grant funds shall be deposited in a bank account maintained by the grantee county, and each grant shall be assigned a unique accounting code designation for deposits, disbursements, and expenditures. All E911 State Grant funds in the account shall be accounted for separately from other grantee funds. Grant funds including accrued interest may be used between the beginning and ending dates of the grant, unless an extension is requested and authorized by the E911 Board.

(i) Grantee counties must submit quarterly reports to the E911 Board, summarizing the grant activities. The reports are due 30 days after the end of the reporting period, which ends September 30, December 31, March 31, and June 30. In lieu of submitting a signed quarterly Grant Budget/Expenditure Report form, the updated form can be e-mailed to the Board's administrative/technical staff. The quarterly and final reports will be considered late if not received by the Board Staff prior to the next scheduled Board Meeting after the due date.

(j) At project completion, a final report shall be submitted based on the same reporting periods described above. The County shall determine the completion date based on the final

payment date or the initiation date of the warranty period. Final supporting documentation including copies of all expenditures and corresponding invoices shall be submitted within 90 days of the final report.

(k) Grant funds are not transferable to any other entity. If equipment purchased using grant funds is sold or transferred within three (3) years of the end of the grant period, the grantee county must return the grant funds to the E911 Board on a pro-rata basis.

(l) The E911 Board will adjust the amount awarded to a county based upon the availability of funds, eligibility of requested items, institutional knowledge of Board members, published quotes, increased effectiveness of grant funds, minimum allowable specifications for performing the needed E911 function, or other documented factors.

(3)(a) The E911 State Grant program will operate on the following schedule:

(b) Schedule.

Counties submit applications: by October 1

E911 Board evaluates applications: October – November

Board votes on applications at regularly scheduled meetings: October – December

Board sends notification of award and issues checks to counties approved for funding is contingent on legislative funding release.

Specific Authority 365.172(6)(a)11., 365.173(2)(g) FS. Law Implemented 365.173(2)(g) FS. History-New

NAME OF PERSON ORIGINATING PROPOSED RULE: E 911 Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: John C. Ford

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 15, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 14, 2008

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."

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.:

67-21.003

RULE TITLE:

Application and Selection Process for Developments

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall administer the return of funding or allocation awarded under

the Multifamily Mortgage Revenue Bond (MMRB) Program authorized by Section 142 of the Code and Section 420.509, Florida Statutes.

The intent of this Rule is to govern the distribution of returned awards of funding.

SUMMARY: Under certain circumstances, an Affiliate, Financial Beneficiary or Principal of an Applicant will be ineligible for any award of funding available after final ranking in the current funding cycle and in the next funding cycle.

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

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

SPECIFIC AUTHORITY: 420.507, 420.508 FS.

LAW IMPLEMENTED: 420.507, 420.508, 420.509 FS.

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

DATE AND TIME: August 1, 2008, 10:00 a.m.

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, 6th Floor Seltzer Room, 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: Jean Salmonsens. 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 IS: Wayne Conner, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850)488-4197

THE FULL TEXT OF THE PROPOSED RULE IS:

67-21.003 Application and Selection Process for Developments.

(1) When submitting an Application, Applicants must utilize the Universal Application in effect at the Application Deadline.

(a) The Universal Application Package or UA1016 (Rev. 9-08 ~~3-08~~) is adopted and incorporated herein by reference and consists of the forms and instructions, obtained from the Corporation, for a fee, at 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, or available, without charge, on the Corporation's Website under the 2008 Universal Application link labeled Instructions and Application, which

shall be completed and submitted to the Corporation in accordance with this rule chapter in order to apply for the MMRB Program.

(b) No change.

(2) through (29) No change.

Specific Authority 420.507(12), 420.508(3)(a) FS. Law Implemented 420.502, 420.507(4), (13), (14), (18), (19), (20), (21), (24), 420.508 FS. History--New 12-3-86, Amended 12-4-90, 11-23-94, 9-25-96, 1-7-98, Formerly 9I-21.003, Amended 1-26-99, 11-14-99, 2-11-01, 3-17-02, 4-6-03, 3-21-04, 2-7-05, 1-29-06, 4-1-07, 3-30-08,_____.

The 2008 Universal Application Instructions beginning on page 98 will be amended to read as follows:

Ranking and Selection Criteria

A. No change.

B.1.a. through e.(5) No change.

(6) Funds available after the Board approves the final ranking will be allocated as follows:

(a) through (c) No change.

Notwithstanding the foregoing, an Affiliate, Financial Beneficiary or Principal of an Applicant will be ineligible for any award of funding available after final ranking in the current funding cycle if:

(i) The Applicant awarded full funding for the current funding cycle declined the invitation to enter credit underwriting prior to October 31, 2008; or

(ii) The Applicant awarded funding in the current funding cycle accepts the invitation to enter credit underwriting and returns the award of funding at any future date; or

(iii) The Applicant awarded funding in the current funding cycle accepts the invitation to enter credit underwriting but receives a negative recommendation from the Credit Underwriter as outlined in Rules 67-48.0072 and 67-21.014, F.A.C., regarding the proposed Development; or

(iv) The Applicant withdraws its Application from consideration during the period beginning 5:00 p.m., Eastern Time, 14 Calendar Days prior to the date the Board is scheduled to convene to consider approval of the final ranking of the Applications and ending October 31, 2008.

If funding is denied because of (i), (ii), (iii) or (iv) above, during the next funding cycle after such event occurs and prior to the selection of Applications within the Small, Medium, and Large County Geographic Set-Asides, all unfunded eligible Applications competing in the Geographic Set-Asides will be listed together. The Application(s) from an Affiliate, Financial Beneficiary or Principal of the Applicant involved in (i), (ii), (iii) or (iv) above with the lowest (best) lottery number in a number equal to the number of Applications involved in (i), (ii), (iii) or (iv) above will be ineligible for funding. Once the equivalent number of Applications has been deemed ineligible, any remaining eligible Applications from said Affiliate, Financial Beneficiary or Principal of the Applicant will be considered for funding.

(d) No change.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Wayne Conner, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850)488-4197

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Stephen P. Auger, Executive Director, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850)488-4197

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 30, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 34, No. 20, May 16, 2008

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.:	RULE TITLE:
67-48.004	Application and Selection Procedures for Developments

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall administer the return of funding or allocation awarded under the State Apartment Incentive Loan (SAIL) Program authorized by Section 420.5087, Florida Statutes, and the Housing Credit Program authorized by Section 42 of the Code and Section 420.5099, Florida Statutes.

The intent of this Rule is to govern the distribution of returned awards of funding.

SUMMARY: Under certain circumstances, an Affiliate, Financial Beneficiary or Principal of an Applicant will be ineligible for any award of funding available after final ranking in the current funding cycle and in the next funding cycle.

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

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

SPECIFIC AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.5087, 420.5099 FS.

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

DATE AND TIME: August 1, 2008, 10:00 a.m.

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, 6th Floor Seltzer Room, 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: Jean Salmonsens. 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 IS: Deborah Dozier Blinderman, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850)488-4197

THE FULL TEXT OF THE PROPOSED RULE IS:

67-48.004 Application and Selection Procedures for Developments.

(1) When submitting an Application, Applicants must utilize the Universal Application in effect at the Application Deadline.

(a) The Universal Application Package or UA1016 (Rev. ~~9-08~~ ~~3-08~~) is adopted and incorporated herein by reference and consists of the forms and instructions, obtained from the Corporation, for a fee, at 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, or available, without charge, on the Corporation's Website under the 2008 Universal Application link labeled Instructions and Application, which shall be completed and submitted to the Corporation in accordance with this rule chapter in order to apply for the SAIL, HOME, HC, or SAIL and HC Program(s).

(b) No change.

(2) through (21) No change.

Specific Authority 420.507, 420.507(22)(f) FS. Law Implemented 420.5087, 420.5087(6)(c), 420.5089, 420.5089(6), 420.5099, 420.5099(2) FS. History—New 7-22-96, Amended 12-23-96, 7-10-97, 1-6-98, Formerly 9I-48.004, Amended 4-7-98, 11-9-98, 2-24-00, 2-22-01, 3-17-02, 4-6-03, 3-21-04, 2-7-05, 1-29-06, 4-1-07, 3-30-08, _____.

The 2008 Universal Application Instructions beginning on page 98 will be amended to read as follows:

Ranking and Selection Criteria

A. No change.

B.1.a. through e.(5) No change.

(6) Funds available after the Board approves the final ranking will be allocated as follows:

(a) through (c) No change.

Notwithstanding the foregoing, an Affiliate, Financial Beneficiary or Principal of an Applicant will be ineligible for any award of funding available after final ranking in the current funding cycle if:

(i) The Applicant awarded full funding for the current funding cycle declined the invitation to enter credit underwriting prior to October 31, 2008; or

(ii) The Applicant awarded funding in the current funding cycle accepts the invitation to enter credit underwriting and returns the award of funding at any future date; or

(iii) The Applicant awarded funding in the current funding cycle accepts the invitation to enter credit underwriting but receives a negative recommendation from the Credit Underwriter as outlined in Rules 67-48.0072 and 67-21.014, F.A.C., regarding the proposed Development; or

(iv) The Applicant withdraws its Application from consideration during the period beginning 5:00 p.m., Eastern Time, 14 Calendar Days prior to the date the Board is scheduled to convene to consider approval of the final ranking of the Applications and ending October 31, 2008.

If funding is denied because of (i), (ii), (iii) or (iv) above, during the next funding cycle after such event occurs and prior to the selection of Applications within the Small, Medium, and Large County Geographic Set-Asides, all unfunded eligible Applications competing in the Geographic Set-Asides will be listed together. The Application(s) from an Affiliate, Financial Beneficiary or Principal of the Applicant involved in (i), (ii), (iii) or (iv) above with the lowest (best) lottery number in a number equal to the number of Applications involved in (i), (ii), (iii) or (iv) above will be ineligible for funding. Once the equivalent number of Applications has been deemed ineligible, any remaining eligible Applications from said Affiliate, Financial Beneficiary or Principal of the Applicant will be considered for funding.

(d) No change.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Deborah Dozier Blinderman, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850)488-4197

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Stephen P. Auger, Executive Director, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850)488-4197

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 30, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 34, No. 20, May 16, 2008

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.:

RULE TITLE:

5E-14.142

Responsibilities and Duties –
Records, Reports, Advertising,
Applications

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 14, April 4, 2008 issue of the Florida Administrative Weekly.

5E-14.142 Responsibilities and Duties – Records, Reports, Advertising, Applications.

(1) No change.

(2) Reports:

(a) through (b) No change.

(c) Termite or other wood-destroying organism inspection report:

Pursuant to Sections 482.226(1), (2), (4) and (5), F.S., each licensee having a certified operator certified in the category of termite or other wood-destroying organism control and who makes and reports the findings of a wood-destroying organism inspection in writing shall provide the party requesting the inspection with the inspection findings on the Wood-Destroying Organisms Inspection Report prescribed by the Department and furnished by the licensee, DACS 13645, Rev. ~~05/08-02/04~~, which is incorporated by reference and available on the department's website under the header "Forms" at <http://www.doacs.state.fl.us/onestop/aes/pestcont.html>. The licensee shall not place any disclaimers or additional language on the Wood-Destroying Organisms Inspection Report. The licensee shall inspect for all wood-destroying organisms as defined in Section 482.021(28), F.S., in accordance with the following inspection standards:

(c)1. through (c)3. No change.

(3) through (8) No change.

Specific Authority 482.051 FS. Law Implemented 482.071, 482.091, 482.161(1)(g), 482.226(1), (2), (4), (5), (6) FS. History—New 1-1-77, Amended 6-27-79, 6-22-83, 1-20-87, 10-25-90, Formerly 10D-55.142, Amended 8-11-93, 5-28-98, 4-29-02, 4-17-03, 6-2-04, 6-1-06,_____.