

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NOS.:	RULE TITLES:
12D-9.101	Scope of These Uniform Rules of Procedure
12D-9.102	Definitions
12D-9.103	Duties of the Board
12D-9.104	Duties of the Clerk
12D-9.105	Authority and Duties of Special Magistrates
12D-9.106	Petition
12D-9.107	Representation of the Taxpayer
12D-9.108	Standards of Conduct
12D-9.109	Filing and Service
12D-9.110	Exchange of Evidence
12D-9.111	Notice of Hearing; Scheduling of Hearings; 4-Hour Rule; Presentation of Evidence; Testimony of Witnesses; Conducting Hearings by Electronic Media
12D-9.112	Disqualification or Recusal of Special Magistrates
12D-9.113	Ex Parte Communication Prohibition
12D-9.114	Recordation
12D-9.115	Final Decisions
12D-9.116	Further Judicial Proceedings

PURPOSE AND EFFECT: The purpose of these proposed rule changes is to set forth uniform procedures for hearings before value adjustment boards and their magistrates; and, to consider uniform forms related to these procedures. A preliminary text is currently available on the Department’s website at <http://dor.myflorida.com/dor/property/vabwb/vabrules.html>. A revised version, which will be the subject of these workshops, will be posted on or about October 6, 2008 at the same website address or from the contact person listed below. General comments, questions, or suggestions about the value adjustment board process may be submitted to the Department at VAB@dor.state.fl.us.

The effect of these proposed rule changes is to set forth clear, equitable, and uniform procedures for taxpayers who petition property tax matters to Value Adjustment Boards, including property tax assessments, denials of classifications, and denials of exemptions.

SUBJECT AREA TO BE ADDRESSED: The subject of this workshop is the property tax value adjustment board process.

SPECIFIC AUTHORITY: 194.011(5), 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: Ch. 2008-197, Laws of Florida, 194.011, 194.013, 194.015, 194.032, 194.034, 194.035, 194.036, 195.022 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATES AND TIMES: Tampa, Florida – October 13, 2008, 10:00 a.m.; Panama City, Florida – October 17, 2008, 10:00 a.m. CST.

PLACES: Tampa, Florida – Hillsborough County Extension Service, 5339 County Road 579, Seffner, FL; Panama City, Florida – City Hall, 9 Harrison Avenue, 2nd Floor, Panama City, FL.

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 2 days before the workshop/meeting by contacting: Janice Forrester, (850)922-7945, e-mail address: ForrestJ@dor.state.fl.us. 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: Janice Forrester, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)922-7945, e-mail address: ForrestJ@dor.state.fl.us

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

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NOS.:	RULE TITLES:
12D-10.001	Composition of Value Adjustment Board
12D-10.002	Appointment and Employment of Special Magistrates
12D-10.003	Powers, Authority, Duties and Functions of Value Adjustment Board
12D-10.004	Receipt of Taxpayer’s Petition to Be Acknowledged
12D-10.0044	Uniform Procedures for Hearings; Procedures for Information and Evidence Exchange Between the Petitioner and Property Appraiser, Consistent with Section 194.032, F.S.; Organizational Meeting; Uniform Procedures to be Available to Petitioners

12D-10.005 Duty of Clerk to Prepare and Transmit Record
 12D-10.006 Public Notice of Findings and Results of Value Adjustment Board

PURPOSE AND EFFECT: The purpose of these proposed rule changes is to set forth administrative review procedures and standards for making board decisions and special magistrate recommended decisions including the value of property, the denial of exemptions, and the denial of classifications and deferrals. It is anticipated that Chapter 12D-10, Florida Administrative Code, will be substantially rewritten and that additional rule sections will be added. The preliminary text of the proposed rule will be available from the contact person listed below or from the Department’s website at <http://dor.myflorida.com/dor/property/vabwb/vabws.html> on or about October 6, 2008. General comments, questions, or suggestions about the value adjustment board process may be submitted to the Department at VAB@dor.state.fl.us.

The effect of these proposed rule changes is to set forth clear, equitable, and uniform administrative review procedures and standards for taxpayers who petition property tax matters to Value Adjustment Boards, including the value of property, the denial of exemptions, and the denial of classifications and deferrals.

SUBJECT AREA TO BE ADDRESSED: The subject of this workshop is the property tax value adjustment board process.
SPECIFIC AUTHORITY: 194.011(5), 194.034(1), 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: Ch. 2008-197, Laws of Florida, 193.122, 194.011, 194.015, 194.032, 194.034, 194.035, 194.036, 194.037, 194.301, 195.002, 195.096, 195.022, 196.011, 197.122, 200.069, 213.05 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATES AND TIMES: Tampa, Florida – October 13, 2008; 10:00 a.m.; Panama City, Florida – October 17, 2008; 10:00 a.m. CST.

PLACES: Tampa, Florida – Hillsborough County Exention Service, 5339 County Road 579, Seffner, FL; Panama City, Florida – City Hall, 9 Harrison Avenue, 2nd Floor, Panama City, FL.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Janice Forrester, Tax Law Specialist, Property Tax Oversight

Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)922-7945, e-mail address: ForrestJ@dor.state.fl.us

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

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.: 33-601.603
RULE TITLE: Furloughs

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to remove protected information from Form DC6-152, Type A/B Furlough Sponsor Agreement, and amend the rule and form for clarity.

SUBJECT AREA TO BE ADDRESSED: Furloughs.

SPECIFIC AUTHORITY: 945.091 FS.

LAW IMPLEMENTED: 945.091 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: Jamie Jordan-Nunes, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.603 Furloughs.

(1) No change.

(2) Definitions.

(a) through (b) No change.

(c) Approving Authority – For purposes of this rule, the term “approving authority” refers to the Secretary of the Department of Corrections or his designee who shall be the warden of a major institution or the select exempt service status employee who has oversight responsibility of a community correctional center, ~~or the Bureau Chief of Community Residential Programs.~~

(d) through (g) No change.

(3) through (4) No change.

(5) Furlough Sponsors.

(a) through (c) No change.

(d) Approval to serve as furlough sponsor is subject to termination at any time for the reasons stated below:

1. through 2. No change.

3. Violation of any rule set forth in ~~on~~ Form DC6-152, Type A/B Furlough Sponsor Agreement, if the person is serving as sponsor for a type B furlough, Form DC6-152 is incorporated by reference in subsection (11) of this rule;

4. through 6. No change.

(6) Type A Furloughs.

(a) No change.

(b) Other conditions which apply to type A furloughs are:

1. No change.

2. Inmates must complete Form DC6-178, a Type "A" Furlough Request Agreement, Form; DC6-178 is incorporated by reference in subsection (11) of this rule;

3. The sponsor must complete and agree to abide by all conditions of Form DC6-152, A Type A/B Furlough Sponsor Agreement, DC6-152, must be completed and sponsor must agree to abide by all conditions of DC6-152;

4. No change.

5. An inmate shall abide by all conditions in Form DC6-152, on the Type A Furlough Agreement, ~~Form DC6-152~~;

6. through 8. No change.

(c) No change.

(7) through (8) No change.

(9) Type B Furloughs.

(a) through (d) No change.

(e) Inmates who demonstrate satisfactory facility adjustment and program participation, meet all eligibility criteria, and have either served 5 calendar years or have completed one third of the sentence to be served, which ever is less, shall be eligible for consideration for a furlough for family visitation purposes. "Sentence to be served" is interpreted as being from the imposed date of sentence to the earliest release date. The following special conditions apply to family visitation furloughs:

1. No change.

2. Inmates will be required to call the facility when they arrive at their furlough destination and when they are departing from their furlough destination to return to the facility. In addition, at least one telephone contact with the inmate by facility staff shall be made to the location of the furlough to verify the inmate's presence. The contact shall be documented on Form DC6-180, Sign-Out Sheet for Community Activity or Furlough, the community correctional center's sign-out sheet for community activities or furloughs; Form DC6-180, Sign-Out Sheet for Community Activity or Furlough. Form DC6-180 is incorporated by reference in subsection (11) of this rule;

3. No change.

(f) No change.

(g) An inmate granted type B furlough privileges must:

1. Agree to the conditions as outlined in Form DC6-179, Type B Furlough Request, Form DC6-179 is incorporated by reference in subsection (11) of this rule;

2. No change.

3. Adhere to the following procedures:

a. No change.

b. All inmates to whom a type B furlough privilege has been granted must be signed out of and into the facility by an officer prior to departure from and upon their return from the furlough activity utilizing Form; The form used for this purpose is DC6-180, Sign Out Sheet for Community Activity or Furlough.

c. No change.

(h) through (i) No change.

(10) No change.

(11) Forms. The following forms are hereby incorporated by reference.

(a) through (b) No change.

(c) DC6-152, Type A/B Furlough Sponsor Agreement, effective 4-13-98.

(d) No change.

Specific Authority 945.091 FS. Law Implemented 945.091 FS. History-New 12-8-97, Amended 4-13-98, 10-20-98, Formerly 33-9.024, Amended 10-9-07, _____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.:

RULE TITLE:

40D-4.091

Publications and Agreements

Incorporated by Reference

PURPOSE AND EFFECT: The purpose of this rulemaking is to incorporate by reference a revised Environmental Resource Permit Information Manual, Part B, Basis of Review (BOR). The effect of this rule is to amend Section 2.0 of the BOR to clarify that entities with the power of eminent domain can demonstrate ownership and control sufficient to undertake the permitted activities.

SUBJECT AREA TO BE ADDRESSED: Environmental Resource Permitting.

SPECIFIC AUTHORITY: 373.044, 373.046, 373.113, 373.171, 373.414 FS.

LAW IMPLEMENTED: 373.0831(3), 373.196(1), 373.196(3), 373.1961 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: Adrienne E. Vining, Staff Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40D-4.091 Publications and Agreements Incorporated by Reference.

The following documents are hereby incorporated into this chapter and Chapters 40D-40 and 40D-400, F.A.C.:

(1) Environmental Resource Permitting Information Manual Part B, Basis of Review, Environmental Resource Permit Applications within the Southwest Florida Water Management District, _____ ~~May 20~~, 2008. This document is available from the District upon request.

(2) through (5) No change.

Specific Authority 373.044, 373.046, 373.113, 373.171, 373.414 FS. Law Implemented 373.0361, 373.114, 373.171, 373.403, 373.413, 373.4135, 373.4136, 373.414, 373.4144, 373.416, 373.429, 373.441 FS. History—New 4-2-87, Amended 3-1-88, 9-11-88, 10-1-88, 4-1-91, 11-16-92, 1-30-94, 10-3-95, 12-26-95, 5-26-96, 7-23-96, 4-17-97, 4-12-98, 7-2-98, 12-3-98, 7-28-99, 8-3-00, 9-20-00, 6-12-01, 10-11-01, 2-27-02, 7-29-02, 3-26-03, 7-23-03, 8-3-03, 3-11-04, 6-7-04, 2-1-05, 6-30-05, 10-19-05, 2-8-06, 5-2-06, 7-1-07, 9-25-07(1), 9-25-07(4), 11-26-07, 5-12-08, 5-20-08, 6-22-08, _____.

**ENVIRONMENTAL RESOURCE PERMIT INFORMATION
MANUAL PART B
BASIS OF REVIEW**

CHAPTER 2 – ADMINISTRATIVE CRITERIA

2.0 Ownership and Control – In accordance with the requirement of paragraph 40D-4.301(1)(j), F.A.C., an applicant must demonstrate reasonable assurance that permitted activities will be conducted by an entity with financial, legal and administrative capability of ensuring that the activity will be undertaken in accordance with the terms and conditions of the permit, if issued. Compliance with this requirement may be demonstrated through a deed, a long-term lease demonstrating control of the project area adequate to comply with all permit conditions, a purchase and sale agreement, or similar document. Compliance with this requirement may also be demonstrated by an entity with the power of eminent domain. Where control is demonstrated by a long-term lease, the permit will be conditioned to address transfer of control or proper abandonment of the permitted system at the end of the lease. Where control is demonstrated by a purchase and sale agreement, the permit will be conditioned to terminate if the transfer of ownership does not occur, and to prohibit construction until ownership is transferred to the permittee. Where control is demonstrated by an entity with the power of

eminent domain, the permit will be conditioned to terminate if the permittee does not acquire ownership or legal control of the property within 1 year after permit issuance, and to prohibit construction until ownership or legal control is transferred to the permittee.

DEPARTMENT OF ELDER AFFAIRS

Training Requiring Provider and Curriculum Approvals

RULE NOS.:	RULE TITLES:
58T-1.201	Purpose of Assisted Living Facility (ALF) Core Training Provider and Curriculum Approvals
58T-1.203	ALF Core Training Provider Qualifications
58T-1.205	ALF Minimum Core Training Curriculum Requirements
58T-1.207	ALF Core Training Provider Initial Registration Process
58T-1.209	Process for Maintaining ALF Core Training Provider Registration
58T-1.211	Registered ALF Core Training Provider Responsibilities

PURPOSE AND EFFECT: The purpose of these 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; 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: October 15, 2008, 9:00 a.m. – 1:00 p.m. EST.

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conference Room 301, 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, Office of the General Counsel, 4040 Esplanade Way, Suite 315, Tallahassee, Florida 32399-7000; telephone number: (850)414-2000; E-mail address: crocethj@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, Office of the General Counsel, 4040 Esplanade Way, Suite 315, Tallahassee, Florida 32399-7000; Telephone number: (850)414-2000; E-mail address: crocethj@elderaffairs.org

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

58T-1.201 Purpose of Assisted Living Facility (ALF) Core Training Provider and Curriculum Approvals.

The purpose of Rules 58T-1.203 through 58T-1.211, F.A.C., is to comply with the ALF core training provider and curriculum requirements as specified in Section 429.52, F.S.

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

58T-1.203 ALF Core Training Provider Qualifications.

(1) PRIMARY REQUIREMENTS. In order to register as an assisted living facility core training provider (hereafter referred to as “core training provider,” “training provider,” or “provider”), all applicants must meet the requirements outlined in Section 429.52(9), F.S., which include proof of the following:

(a) Completion of the minimum core training requirements developed by the department pursuant to Section 429.52(8), F.S., and subsection 58T-1.205(1), F.A.C.:

(b) Successful passage of the competency test; and

(c) Compliance with the minimum of 12 contact hours of continuing education every 2 years pursuant to Section 429.52(4), F.S.

(2) OBTAINING THE MINIMUM CORE TRAINING CURRICULUM REQUIREMENT.

(a) In order for an initial group of applicants to provide proof of meeting the requirement outlined in paragraph (1)(a) of this rule, the department or its designee will conduct training sessions in the ALF minimum core training curriculum for a period not to exceed 6 months after the effective date of this rule. The department will issue certificates of completion to those individuals who attend the training.

(b) After the initial training referenced in paragraph (a) of this subsection, additional applicants must provide proof of the requirement outlined in paragraph (1)(a) of this rule by presenting to the approval authority a certificate of having successfully completed core training conducted by an individual who had attended training referenced in paragraph (a) of this subsection;

(3) ADDITIONAL REQUIREMENT. In addition to meeting the 3 primary requirements set forth in subsection (1) of this rule, applicants must meet one of the requirements outlined in Section 429.52(10), F.S., or one of the requirements established in this subsection, which include the following:

(a) Employment with the Agency for Health Care Administration (AHCA), or formerly the Department of Health and Rehabilitative Services, as a surveyor of assisted living facilities for a minimum of 5 years; or

(b) Employment with the AHCA Assisted Living Unit in a professional position for a minimum of 5 years; or

(c) Employment as an educator or staff trainer for persons working in assisted living facilities or other long-term care settings for a minimum of 5 years; or

(d) Employment as an assisted living facility core trainer, which was not directly associated with the department pursuant to Section 429.52(10)(c), for a minimum of 5 years; or

(e) Achievement of a minimum of a 4-year degree from an accredited college or university in areas of healthcare, gerontology, social work, education or human services, and experience as an educator or staff trainer for persons working in assisted living facilities or other long-term care settings for a minimum of 3 years.

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

58T-1.205 ALF Minimum Core Training Curriculum Requirements.

(1) 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, _____, 2009, 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 department or its designee (hereafter referred to as “approval authority”) reserves the right to do the following:

(a) Attend and monitor core training courses;

(b) Review provider records and course materials pursuant to this rule; and

(c) Conduct on-site monitoring, follow-up monitoring, and require implementation of a corrective action plan if the provider does not adhere to the approved curriculum.

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

58T-1.207 ALF Core Training Provider Initial Registration Process.

(1) REGISTRATION PROCESS.

(a) Before core training can be conducted, an applicant must meet the training provider qualifications outlined in Section 429.52(9), F.S., and Rule 58T-1.203, F.A.C. Additionally, an applicant must register with and obtain from the approval authority a unique provider registration number as set forth in this subsection.

(b) An applicant must complete DOEA Form ALFCT-001, Application for Assisted Living Facility (ALF) Core Training Provider Registration, _____, 2008. 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>.

(2) APPROVAL PROCESS.

(a) Within 30 calendar days after receiving a core training provider application, the approval authority must submit written notification approving, denying or requesting supplemental information or clarification. In the latter situation, if the approval authority does not receive the requested information within 30 calendar days of the request, the application will be deemed incomplete and closed.

(b) The approval authority must process the training provider application within 30 calendar days after all required information is received.

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

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

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

58T-1.209 Process for Maintaining ALF Core Training Provider Registration.

(1) RE-REGISTRATION PROCESS.

(a) After receiving the initial core training provider registration, the approved provider must re-register with the approval authority every 2 years by submitting documentation of his or her compliance with the continuing education requirement as specified in Section 429.52(4), F.S., and this rule.

(b) The provider must submit documentation to the approval authority at the address referenced on DOEA Form ALFCT-001. The documentation must be submitted no later than thirty (30) calendar days after each two year continuing education cycle following the date of the initial core training provider registration. Documentation must include the following:

1. Title of the training program;
2. Subject matter of the training program;

3. The training program agenda including topics discussed;

4. The core training provider's name and registration number;

5. Date(s) of participation;

6. Number of hours of the training program; and

7. The continuing education training provider's name, signature, credentials, and professional license number, if applicable.

(2) APPROVAL AUTHORITY PROCESS.

(a) Within 30 calendar days after receiving the required continuing education documentation, the approval authority must do the following:

1. Notify the provider in writing that the continuing education requirement has been met; or

2. Notify the provider in writing of any omissions and request additional information needed. If the approval authority does not receive the requested information within 30 calendar days of the request, the provider's registration shall be cancelled. The approval authority must provide written notification of its decision, including the reason for the cancellation.

(b) The approval authority must process the core training provider's re-registration within 30 calendar days after all required information is received.

(c) Failure to submit proof of the continuing education requirement as specified shall result in cancellation of the core training provider's registration. The approval authority must provide written notification of its decision, including the reason for the cancellation.

(d) If the provider's registration is cancelled under paragraphs (a) and (c) of this subsection and the provider subsequently meets the continuing education requirement, he or she may re-apply for registration as specified in Rule 58T-1.207, F.A.C., and include documentation that the continuing education requirement has been met pursuant to this rule.

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

58T-1.211 Registered ALF Core Training Provider Responsibilities.

The following are the responsibilities of a registered core training provider:

(1) USE OF MINIMUM CORE TRAINING CURRICULUM. A registered core training provider must conduct core training using the minimum core training curriculum pursuant to Rule 58T-1.205, F.A.C.

(2) CERTIFICATES. After a trainee successfully completes core training, the approved training provider must issue a certificate to him or her. In addition to the provider's unique registration number, the certificate must include the information referenced in subparagraphs 1. through 6. of

paragraph 58A-5.0191(11)(a), F.A.C. The provider's signature and registration number shall serve as documentation that the trainee has completed the required training.

(3) RECORDS. Approved providers must maintain records of each course taught for a minimum of 5 years. Course records must include the following information:

- (a) The title of the training program;
- (b) The agenda;
- (c) The curriculum and any accompanying documentation and training aids;
- (d) The training provider's name and registration number;
- (e) The trainees' names, dates of participation and training site; and
- (f) Training evaluations and roster signed by trainees.

(4) COMPETENCY EXAM. Training providers must submit the names of trainees completing core training to the testing authority within 10 calendar days after completion of the course. Names must be submitted to the following address: ALF Certification Testing, University of South Florida, 4202 E. Fowler Avenue, DAO199, Tampa, Florida 33620-8360. Names may be alternately submitted via e-mail to ALF@iirp.usf.edu.

(5) GUEST SPEAKERS. If a core training provider uses guest trainers to teach or participate in specific training modules covered in the minimum core training curriculum referenced in Rule 58T-1.205, F.A.C., the core trainer is responsible to ensure that the guest speaker meets the following minimum conditions:

- (a) Has expertise in the specific subject matter; and
- (b) Covers all components of the subject matter if he or she provides the module or portion of the module instruction.

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

DEPARTMENT OF MANAGEMENT SERVICES

Division of Motor Pool

<p>RULE NOS.:</p> <p>60B-4.002</p> <p>60B-4.003</p> <p>60B-4.004</p> <p>60B-4.005</p> <p>60B-4.006</p> <p>60B-4.008</p>	<p>RULE TITLES:</p> <p>Prior Approval Required – Acquisition</p> <p>Appropriate Use</p> <p>Charges for Aircraft Use</p> <p>Operation and Maintenance Procedures</p> <p>State Executive Aircraft Pool</p> <p>Reports and Records</p>
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PURPOSE AND EFFECT: To amend current rules relating to aircraft acquisition, assignment, operation, use, and reporting.

SUBJECT AREA TO BE ADDRESSED: Amendment of rules relating to aircraft acquisition, assignment, operation, use, and reporting.

SPECIFIC AUTHORITY: 287.17, 287.20 FS.

LAW IMPLEMENTED: 287.17, 287.20 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: Kelley Cramer, Assistant General Counsel, Department of Management Services, 4050 Esplanade Way, Tallahassee, Florida 32399, phone number (850)487-1082

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

<p>RULE NOS.:</p> <p>61G6-5.003</p> <p>61G6-5.009</p>	<p>RULE TITLES:</p> <p>Requirements for Certification</p> <p>Endorsement</p>
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PURPOSE AND EFFECT: The purpose and effect for Rule 61G6-5.003, F.A.C., is to amend the title of the rule and to revise and clarify the existing language pertaining to requirements for certification; for Rule 61G6-5.009, F.A.C., it is to revise and clarify the existing language pertaining to requirements for endorsement and to delete obsolete language.

SUBJECT AREA TO BE ADDRESSED: Requirements for certification and endorsement.

SPECIFIC AUTHORITY: 489.507(3), 489.511(6) FS.

LAW IMPLEMENTED: 489.505(12), (21), (22), 489.511(2) (9), 489.521 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: Anthony B. Spivey, Executive Director, Electrical Contractors' Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G6-5.003 Requirements Application for Examination for Certification.

(1) Any person desiring ~~to take the~~ certification examination or applying for certification by endorsement pursuant to Section 589.511(6)(a), F.S., must establish that he or she meets eligibility requirements according to one of the following criteria:

(a) Has, within the 6 years immediately preceding the filing of the application, at least 3 years' proven management experience in the trade or education equivalent thereto, or a combination thereof, but not more than one-half of such experience may be educational equivalent.

1. An applicant for certification examination who is a recipient of a degree in engineering or related field from an accredited four-year college or university may substitute his or her educational background for 1 year of experience in the trade as an electrical contractor or an alarm contractor, provided that the applicant causes the college or university he or she attended to forward a copy of his or her transcript to the Department.

2. No change.

(b) through (d) No change.

(2) through (4) No change.

Specific Authority 489.507(3) FS. Law Implemented 489.505(12), (21), (22), 489.511(2), 489.521 FS. History—New 1-2-80, Amended 4-17-80, 10-4-84, Formerly 21GG-5.03, Amended 12-24-87, 7-9-89, 3-13-90, 11-26-90, 7-8-91, Formerly 21GG-5.003, Amended 3-20-94, 11-30-94, 7-13-95, 1-18-96, 9-22-97, 10-1-03,_____.

61G6-5.009 Endorsement.

(1) No change.

(2) If the applicant seeking licensure by endorsement engages in contracting as a sole proprietorship, then the applicant must demonstrate that:

(a) If the applicant is applying pursuant to Section 489.511(6)(a), F.S., he or she meets the requirements set forth in Section 489.511, F.S., and Rule 61G6-5.003, F.A.C.; and has passed a national, regional, state, or United States territorial licensing examination that is substantially equivalent to the examination given for certification in Florida; or ~~The applicant currently possesses a statewide license as an electrical contractor under the laws of another state, and was required in order to be so licensed to meet standards of credit, financial responsibility, business reputation, and necessary experience or the educational equivalent thereof substantially similar to or more stringent than those required for licensure by Florida law and these rules; and~~

~~(b) The out of state license was issued upon the satisfactory completion of an examination substantially similar to or more stringent than the examination given by the Department.~~

~~(b)(c)~~ No change.

(3) If the applicant seeking licensure by endorsement engages in contracting as a partnership, corporation, business trust, or other legal entity, then the applicant must demonstrate that:

(a) If the applicant is applying pursuant to Section 489.511(6)(a), F.S., he or she meets the requirements set forth in Section 489.511, F.S., and Rule 61G6-5.003, F.A.C.; and has passed a national, regional, state, or United States territorial

licensing examination that is substantially equivalent to the examination given for certification in Florida; or ~~The applicant currently possesses a statewide license as an electrical contractor under the laws of another state, and was required in order to be so licensed to meet standards of credit, financial responsibility, and business reputation substantially similar to or more stringent than those required by Florida law and these rules; and~~

~~(b) The out of state license was issued upon the satisfactory completion of an examination by the applicant's qualifying agent which examination is substantially similar to or more stringent than the examination given by the Department; and~~

~~(c) The qualifying agent of the applicant was required under the laws of the other state to possess; and~~

~~(b)(d)~~ No change.

(4) through (5) No change.

Specific Authority 489.507(3), 489.511(6) FS. Law Implemented 489.511(9) FS. History—New 1-2-80, Amended 10-30-80, Formerly 21GG-5.09, 21GG-5.009, Amended 2-13-97,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NO.: RULE TITLE:

61G6-8.001 Fees

PURPOSE AND EFFECT: The purpose and effect is to adjust an application fee and update language.

SUBJECT AREA TO BE ADDRESSED: Fees.

SPECIFIC AUTHORITY: 455.217(2), 455.219(1), 489.507(3), 489.509 FS.

LAW IMPLEMENTED: 455.217(2), 455.219(1), 455.2281, 455.271(8), 489.509, 489.511(2) 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: Anthony B. Spivey, Executive Director, Electrical Contractors' Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G6-8.001 Fees.

The following fees are prescribed by the Board:

(1) The application fee for the certification examination for electrical or alarm systems contractor shall be two hundred dollars (\$200.00). The initial examination fee for the

~~Technical/Safety~~ examination for electrical or alarm systems contractor shall be one hundred twenty-seven dollars and fifty cents (\$127.50) payable to the Department and sixty-seven dollars and fifty cents (\$67.50) ~~The initial examination fee for the Business Computer Based Test shall be twenty-two dollars and fifty cents (\$22.50)~~ payable to the professional testing service. When the ~~computer-based testing (CBT) business portion~~ of the examination is not conducted by a professional testing service pursuant to Section 455.2171, F.S., the entire examination fee shall be payable to the Department.

(2) through (15) No change.

Specific Authority 455.217(2), 455.219(1), 489.507(3), 489.509 FS. Law Implemented 455.217(2), 455.219(1), 455.2281, 455.271(8), 489.509, 489.511(2) FS. History—New 1-2-80, Amended 10-27-80, 5-13-81, 5-3-82, 8-4-82, 5-2-83, 1-19-84, Formerly 21GG-8.01, Amended 7-9-86, 12-24-87, 10-30-88, 2-20-89, 8-26-90, 4-1-91, 7-3-91, Formerly 21GG-8.001, Amended 3-14-94, 11-30-94, 4-5-95, 7-13-95, 12-25-96, 6-1-97, 3-10-98, 12-31-98, 10-4-99, 12-27-04, 6-5-08, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:
61J2-24.006 Probation

PURPOSE AND EFFECT: To discuss Rule 61J2-24.006, F.A.C., to address probationary requirements.

SUBJECT AREA TO BE ADDRESSED: Requirements relating to dress code.

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 455.227, 475.25 FS.

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

DATE AND TIME: Tuesday, October 14, 2008, 8:30 a.m. or as soonest thereafter as possible

PLACE: Hilton Fort Lauderdale Beach Resort, 505 N. Ft. Lauderdale Beach Blvd., Ft. Lauderdale, FL 33304

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: Division of Real Estate at (407)481-5662 (between the hours of 9:00 a.m. and 4:00 p.m.). 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: Deputy Clerk, Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, FL 34801

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

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 ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:
62-285.421 Clean Diesel Rebate Program

PURPOSE AND EFFECT: The department proposes to create new Rule 62-285.421, F.A.C., Clean Diesel Rebate Program, to assist persons affected by previously adopted Rule 62-285.420, F.A.C., Heavy-Duty Vehicle Idling Reduction. The rule would establish a process for the distribution of rebate funds to owners of qualifying Class 8 trucks who have purchased an auxiliary power unit in the year 2009 or later from funding initially provided by the Environmental Protection Agency's State Clean Diesel Grant Program. A copy of the form to be proposed for applying for the rebate is available on the department's website at www.dep.state.fl.us/air/rules/CleanDieselRebate.htm.

Comments and recommendations on the rule or form may be provided at the October 14 workshop or submitted to Ms. Kelly Stevens at (850)921-9550, or kelly.stevens@dep.state.fl.us.

SUBJECT AREA TO BE ADDRESSED: Rebate funding process for idle-reduction equipment on heavy-duty diesel trucks.

SPECIFIC AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.031, 403.061 FS.

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

DATE AND TIME: October 14, 2008, 10:00 a.m.

PLACE: Florida Department of Environmental Protection, Division of Air Resource Management, 111 South Magnolia Drive, Suite 23, Director's Conference Room, 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 48 hours before the workshop/meeting by contacting: Ms. Lynn Searce at (850)921-9551. 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: Ms. Kelly Stevens at (850)921-9550

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

62-285.421 Clean Diesel Rebate Program.

(1) Rebates Available. The Department of Environmental Protection (Department) makes available Clean Diesel Rebates in an amount equal to \$1,500 per qualifying vehicle for eligible applicants that equip their vehicles with auxiliary power units (APUs). Funding for the Clean Diesel Rebate program is limited and will be awarded on a first-come, first-served basis starting March 15, 2009, and continuing while rebate funds are still available. If more eligible applications than remaining funds can cover are postmarked on the same day, rebates will be awarded to such applicants, as funds allow, on the basis of earliest APU installation date. Availability of rebate funds may be checked online at: www.dep.state.fl.us/air/rules/CleanDieselRebate.htm.

(2) Eligibility.

(a) The eligible applicant for a Clean Diesel Rebate must be an individual or corporate owner of a qualifying vehicle.

(b) The APU must be purchased and professionally installed on the qualifying vehicle in 2009 or later.

(c) The total invoice price of the APU and installation less taxes must be greater than or equal to \$1,500.

(d) The Department shall not award multiple rebates for a single qualifying vehicle or rebates for more than three separate qualifying vehicles to any one applicant.

(e) For the purposes of this rule:

1. A qualifying vehicle is a 2006 or older Florida-registered Class 8 on-road commercial diesel vehicle equipped with a sleeper berth and a 2006 or older vehicle engine.

2. A Class 8 vehicle means a vehicle with a manufacturer's gross vehicle weight rating greater than 33,001 pounds.

3. An auxiliary power unit (APU) means:

a. A manufactured device that contains an engine certified under 40 CFR Part 89, as adopted and incorporated by reference at Rule 62-204.800, F.A.C., designed to eliminate the need for the vehicle's main drive engine to supply cooling, heating and electrical power to the Class 8 diesel truck upon which it is installed; or

b. A manufactured device that contains a battery powered system designed to eliminate the need for the vehicle's main drive engine to supply cooling, heating and electrical power to the Class 8 diesel truck upon which it is installed.

(3) Application.

(a) The applicant for a Clean Diesel Rebate must submit a completed Clean Diesel Rebate Application form (DEP Form 62-285.421(1), effective March 15, 2009, hereby adopted and incorporated by reference) to the Department after purchase and professional installation of the APU. The form is available from the Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS #5510, Tallahassee, FL 32399-2400, and on the internet at www.dep.state.fl.us/air/rules/CleanDieselRebate.htm.

(b) The applicant must also submit a photocopy of the Florida vehicle registration; a photocopy of the signed original APU purchase invoice showing installation date, equipment and labor cost, and payment received; and a photograph of the diesel vehicle and installed APU. Failure to provide all required information and supporting documentation, or submission of false or incorrect information, will result in a delay or denial of the rebate.

(c) The signed and dated original application form and the required supporting documentation must be mailed on or after March 15, 2009 to:

Department of Environmental Protection
Division of Air Resource Management
2600 Blair Stone Road, MS #5510
Tallahassee, FL 32399-2400
ATTN: Clean Diesel Rebate Program

Specific Authority 403.061 FS. Law Implemented 403.031, 403.061 FS. History--New _____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-44.005 RULE TITLE: Citations

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the rule for consistency.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 456.077, 468.507 FS.

LAW IMPLEMENTED: 456.077, 468.517, 468.518 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: Allen Hall, Executive Director, Dietetics and Nutrition Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-45.001 RULE TITLE: General Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendment to further define home study.

SUBJECT AREA TO BE ADDRESSED: General Requirements.

SPECIFIC AUTHORITY: 456.013(7), (8), (9), 468.507 FS.

LAW IMPLEMENTED: 456.013(7), (8), (9), 468.514, 468.515 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: Allen Hall, Executive Director, Dietetics and Nutrition Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-52.004
 RULE TITLE: Requirements for Approval of Training Courses for Laser and Light-Based Hair Removal or Reduction

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to reduce the post-certification experience for laser instructors.

SUBJECT AREA TO BE ADDRESSED: Post-certification experience for laser instructors.

SPECIFIC AUTHORITY: 456.025(7), 478.43 FS.

LAW IMPLEMENTED: 456.025(7), 478.42(5), 478.43(3), 478.50 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-52.004 Requirements for Approval of Training Courses for Laser and Light-Based Hair Removal or Reduction.

The Electrolysis Council will approve laser and light-based hair removal or reduction continuing education training courses upon application if the following requirements are met:

- (1) through (2) No change.
- (3) The instructors of each laser and light-based hair removal course have one year ~~two years~~ of post-certification experience. Verifiable documentation of this experience must be submitted to the Council with the application.

Specific Authority 456.025(7), 478.43 FS. Law Implemented 456.025(7), 478.42(5), 478.43(3), 478.50 FS. History--New 10-3-00, Amended 12-24-01, 12-26-02, 8-17-04, 7-3-06,_____.

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE NOS.:
 66B-1.004
 66B-1.005
 66B-1.008

RULE TITLES:
 Policy
 Funds Allocation
 Project Eligibility

PURPOSE AND EFFECT: The purpose of the proposed rule development is to include the following provisions in the program rule: Ensure consistency with the rule and Chapter 374, F.S., consolidate rule references to the necessary permitting requirements prior to project funding; clarify the rule provisions for land acquisition and shoreline stabilization eligibility; add waterfront parks to the eligibility list; and correct the rule language to be consistent with the small-scale derelict vessel program.

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

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

SPECIFIC AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3) 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: October 7, 2008, 11:00 a.m.

PLACE: The FIND District Office, 1314 Marcinski Road, Jupiter, 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 2 days before the workshop/meeting by contacting: Mark Crosley, Assistant Executive Director, (561)627-3386. 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: Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, telephone number: (561)627-3386

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

NAVIGATION DISTRICTS

Florida Inland Navigation District

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

PURPOSE AND EFFECT: The purpose of the proposed rule development is to include the following provisions in the program rule: Ensure consistency with the rule and Chapter 374, F.S., consolidate rule references to the necessary permitting requirements prior to project funding; clarify the rule provisions for land acquisition and shoreline stabilization eligibility; add waterfront parks to the eligibility list; and correct the rule language to be consistent with the small-scale derelict vessel program.

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

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

SPECIFIC AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3) 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: October 7, 2008, 11:00 a.m.

PLACE: The FIND District Office, 1314 Marcinski Road, Jupiter, 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 2 days before the workshop/meeting by contacting: Mark Crosley, Assistant Executive Director, (561)627-3386. 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: Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, telephone number: (561)627-3386

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

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.:	RULE TITLE:
69O-157.1155	Producer Training

PURPOSE AND EFFECT: The purpose and effect of this rule is to provide the required training standards for insurance agents who sell long term care insurance. This rule outlines training standards which are consistent with the NAIC's recommended standards.

SUBJECT AREA TO BE ADDRESSED: Training requirements for insurance agents who sell long term care insurance policies.

SPECIFIC AUTHORITY: 624.308(1), 626.9611, 627.9407, 627.94075, 627.9408 FS.

LAW IMPLEMENTED: 624.307(1), 626.025, 626.2815, 626.9641 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: October 8, 2008, 9:30 a.m.

PLACE: 142 Larson Building, 200 East Gaines Street, 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 5 days before the workshop/meeting by contacting: Gerry Smith, Office of Insurance Regulation, E-mail gerry.smith@fldfs.com. 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: Gerry Smith, Office of Insurance Regulation, E-mail gerry.smith@fldfs.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69O-157.1155 Producer Training.

~~(1)(a) Insurers providing Long-Term Care insurance shall ensure shall maintain records, subject to Office review upon request,~~ that before any producer sells, solicits or negotiates a long-term care insurance policy, that they:

1. ~~Receive~~ receive necessary and sufficient training, and
2. ~~Demonstrate a full to~~ understanding of the provisions of partnership policies and their relationship to public and private coverage for long-term care.

(b) The insurer shall maintain records verifying the required training. The records shall be made available to the Office upon request.

(2)(a) The training required pursuant to subparagraph 1., above shall include, at a minimum, a one-time training course by June 30, 2009. This initial one-time training course shall be no less than eight hours. The training shall include, but not be limited to the following topics:

1. State and federal regulations and requirements and the relationship between qualified state long-term care insurance Partnership programs and other public and private coverage of long-term care services, including Medicaid;

2. Available long-term services and providers;

3. Changes or improvements in long-term care services or providers;

4. Alternatives to the purchase of private long-term care insurance;

5. The effect of inflation on benefits and the importance of inflation protection; and

6. Consumer suitability standards and guidelines.

(b) Insurers providing Long Term Care insurance shall ensure that all producers also complete two hours of Florida-specific Long Term Care Partnership Program training. The two hours of Florida-specific training can be part of the eight-hour course in paragraph (2)(a) above. Producers who have previously satisfied the eight-hour training can meet Florida requirements by taking an additional two-hour course of Florida-specific content by June 30, 2009.

(3) Upon completion of the training required by subsection (2) above, the insurers providing Long-Term Care insurance shall ensure that producers complete ongoing long-term care insurance training of no less than four hours every 24 months.

(4) Satisfaction of the training requirements in any state shall be deemed to satisfy the training requirements under paragraph (2)(a) in this state subject to verification and compliance with the training requirements, except for the initial 2 hours of Florida specific Long Term Care Partnership training.

Specific Authority 624.308(1), 626.9611, 627.9407, 627.94075, 627.9408 FS. Law Implemented 624.307(1), 626.025, 626.2815, 626.9544, 626.9641 FS. History—New 8-1-07, Amended.

Section II Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:

RULE TITLE:

6A-1.04511

Full-time Equivalent Student

Membership in Basic Programs

Beyond the One Hundred Eighty

(180) Day School Year

PURPOSE AND EFFECT: This rule is to be repealed as criteria for FEPF funding of Basic Program Courses beyond the 180 day school year is now determined by Florida Statutes. The effect is the elimination of a rule from the Florida Administrative Code which is no longer current.

SUMMARY: This rule is to be repealed.

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: 1011.62(1)(f)3. FS.

LAW IMPLEMENTED: 1011.62 FS.

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

DATE AND TIME: October 21, 2008, 8:30 a.m.

PLACE: Tampa Airport Marriott, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Linda Champion, Deputy Commissioner for Finance and Operations, Department of Education, 325 West Gaines Street, Room 1214, Tallahassee, Florida 32399-0400; (850)245-0506

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.04511 Full-time Equivalent Student Membership in Basic Programs Beyond the One Hundred Eighty (180) Day School Year.

Specific Authority 229.053(1), (2)(c), 236.081(1)(a) FS. Law Implemented 236.013(2)(c)3.d., (f) FS. History—New 9-8-76, Amended 6-6-78, Formerly 6A-1.4511, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Linda Champion, Deputy Commissioner for Finance and Operations

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Eric J. Smith, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 8, 2008