

## Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NOS.:	RULE TITLES:
6A-18.042	Issuance of License
6A-18.0421	Conditions for Removal from a Facility; Suspension or Revocation of License

**PURPOSE AND EFFECT:** The purpose and effect of this rule development is to enable criminal history record checks of licensed vending facility vendors and applicants for licensing as vending facility vendors in the Division of Blind Services' Business Enterprises Program.

**SUBJECT AREA TO BE ADDRESSED:** Issuance of License.

**RULEMAKING AUTHORITY:** 413.051(12) FS.

**LAW IMPLEMENTED:** 413.011(2), 413.041, 413.051 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:** Joyce Hildreth, Director, Division of Blind Services, Department of Education, 325 West Gaines Street, Room 1114, Tallahassee, FL 32399, (850)245-0300. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail [lynn.abbott@fldoe.org](mailto:lynn.abbott@fldoe.org) or go to <https://app1.fldoe.org/rules/default.aspx>

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

6A-18.042 Issuance of License.

(1) In order to be eligible for and maintain a license to operate a vending facility, an individual applicant must be:

- (a) Legally blind as defined in 34 CFR 395.1, Terms, and Section 413.033(1), Florida Statutes;
- (b) A citizen of the United States;
- (c) Eighteen (18) years of age or older; ~~and~~
- (d) Possess a high school diploma or equivalency, and;
- (e) Must undergo a security background investigation, which shall include, but not be limited to, fingerprinting, statewide criminal and juvenile records checks through the Florida Department of Law Enforcement, and federal criminal records checks through the Federal Bureau of Investigation, and may include local criminal records checks through local law enforcement agencies.

(2) An individual who is found to have been convicted of or pled guilty or nolo contendere to, whether or not adjudication is withheld, a crime which is a first degree misdemeanor, a felony, or any misdemeanor or felony involving moral turpitude shall be disqualified from eligibility for a license to operate a vending facility, unless the agency exempts the individual from disqualification based on a consideration of:

- (a) The passage of time since commission of the crime(s);
- (b) The circumstances surrounding the crime(s);
- (c) The nature of the harm caused any victim of the crime(s); and
- (d) Other evidence provided by the applicant demonstrating to a clear and convincing standard that the applicant should not be disqualified from eligibility.

~~(3)(2)~~ The Division shall issue a license to operate a vending facility after an individual applicant has satisfactorily completed the Application for the Vending Facility Training Program and the subsequent Vending Facility Training Program (See subsection 6A-18.046(2), F.A.C.).

~~(4)(3)~~ The license shall be continuously valid, subject to:  
(a) through (d) No change.

Rulemaking Specific Authority 413.051(12) FS. Law Implemented 413.011(2), 413.041, 413.051 FS. History--New 4-5-83, Amended 11-5-85, Formerly 6A-18.04, Amended 7-8-87, Formerly 6A-18.004, Amended 10-20-98, Formerly 38K-1.004, Amended \_\_\_\_\_.

6A-18.0421 Conditions for Removal from a Facility; Suspension or Revocation of License.

(1) A vendor shall be removed from a vending facility or a license shall be suspended or revoked for failing or refusing to comply with these rules, the terms and conditions for licensure, the Licensed Operator Facility Agreement between the vendor and the Division, or the terms and conditions of any permit or lease for property on which a vending facility is located.

(2) A vendor shall also be removed from a vending facility, or a license shall be suspended or revoked for any of the following reasons:

- (a) through (j) No change.
- (3) A vendor's license to operate a vending facility may be revoked for a failure to meet the criminal record requirements of Rule 6A-18.042, F.A.C.

~~(4)(3)~~ The Division shall serve written notice of its intent to remove a vendor from a facility or to suspend or revoke a license by hand delivery or certified mail, to the vendor's last known address. Such action shall be governed by Chapter 120, Florida Statutes.

Rulemaking Specific 413.051(12) FS. Law Implemented 413.011(2), 413.041, 413.051 FS. History--New 10-20-98, Formerly 38K-1.0041, Amended \_\_\_\_\_.

**DEPARTMENT OF TRANSPORTATION**

RULE NO.: 14-24.001  
 RULE TITLE: Provisions for Prompt Settlement or Legal Defense of Claims and Disqualification for Failure to Settle Claims

PURPOSE AND EFFECT: Rule Chapter 14-24, F.A.C., is being amended to clarify the procedure and requirements for the prompt and satisfactory settlement or legal defense of claims. The title of the Rule Chapter will be changed to "Surety Disqualification For Failure To Settle Claims."

SUBJECT AREA TO BE ADDRESSED: The requirement of prompt settlement or legal defense of claims is addressed.

RULEMAKING AUTHORITY: 334.044(2), 337.18(1) FS.

LAW IMPLEMENTED: 334.044(28), 337.141, 337.18(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Deanna R. Hurt, Assistant General Counsel and Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS 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."

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-8.200  
 RULE TITLE: Child Health Services Targeted Case Management

PURPOSE AND EFFECT: The purpose is to adopt a new rule for Child Health Services Targeted Case Management. The rule will incorporate by reference a new handbook, October 2010, which will include guidelines specific to the Child Health Services Targeted Case Management Program such as definitions, rules, responsibilities, coverage, limitations and reimbursement.

SUBJECT AREA TO BE ADDRESSED: Child Health Services Targeted Case Management.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.906(11), 409.912(7), 409.913 FS.

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

DATE AND TIME: Tuesday, June 8, 2010, 3:00 p.m. – 4:30 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room B, Tallahassee, Florida 32308

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: Gail Underwood at the Bureau of Medicaid Services, (850)412-4224. 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: Gail Underwood, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4224, e-mail: [gail.underwood@ahca.myflorida.com](mailto:gail.underwood@ahca.myflorida.com)

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-8.200 Child Health Services Targeted Case Management.

Individuals enrolled as Child Health Services targeted case managers must be in compliance with the Child Health Services Targeted Case Management Handbook, October 2010, which is incorporated by reference. Medicaid will reimburse only targeted case management services that are provided by enrolled individual treating providers employed or contracted with an enrolled targeted case management group provider or agency. Such enrolled provider or agency is not permitted to subcontract with another provider or agency for service delivery.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.906(11), 409.912(7), 409.913 FS. History–New \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Alcoholic Beverages and Tobacco**

RULE NO.: 61A-1.0109  
 RULE TITLE: Point of Sale Coupons

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify how alcoholic beverage point of sale coupons are provided.

SUBJECT AREA TO BE ADDRESSED: This rule is part of a large set being promulgated to implement statutory provisions relating to approved advertising and promotional gifts, including coupons, as they pertain to the sales of alcoholic beverages.

RULEMAKING AUTHORITY: 561.11, 561.42 FS.

LAW IMPLEMENTED: 561.08, 561.42 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.

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: Patricia Nelson at (850)488-0062. 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: Patricia Nelson, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-0062

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61A-1.0109 Point of Sale Coupons.

(1) Coupons include both paper and electronic forms of discounts and rebates. At a vendor's request, paper coupons must be made available in place of electronic coupons. A purchase is required in order for the consumer to receive the discount or rebate.

(2) Coupon promotions may be offered to on-premises or off-premises licensed vendors only, or to both, and must be offered to all vendors in a defined market area. A defined market area is an area no smaller than a 5-digit ZIP code.

(3) All coupons shall have a specific monetary value and shall be offered to vendors in similar quantities, at the same time, based on the vendor's inventory of the promotion products and the promotion products ordered.

(4) When an electronic-form coupon is offered to a consumer, there must be a conspicuous sign or notice of the discount and its amount on the vendor's licensed premises for the duration of the coupon promotion.

(5) Vendors shall seek and accept reimbursement only from a manufacturer or distributor, or their designated agent, for a consumer purchase of the product.

(6) Reimbursement to vendors shall not exceed the face value of the coupon and the customary handling charge, which shall be the same charge for all vendors during the coupon period.

(7) Malt beverage distributors shall not provide malt beverage coupons to vendors; however, they may deliver manufacturer's coupons to vendors.

Rulemaking Authority 561.11, 561.42 FS. Law Implemented 561.08, 561.42 FS. History--New \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

RULE NO.:	RULE TITLE:
61G7-5.0033	Consolidated and Combined Financial Statements

PURPOSE AND EFFECT: To clarify which entities can file consolidated or combine financial statements.

SUBJECT AREA TO BE ADDRESSED: Consolidated and Combined Financial Statements.

RULEMAKING AUTHORITY: 468.522, 468.525(3)(e) FS.

LAW IMPLEMENTED: 468.525(3)(e) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Pilot Commissioners**

RULE NO.:	RULE TITLE:
61G14-17.005	Citations

PURPOSE AND EFFECT: The Board proposes the rule amendment to add new language to clarify what violations with fines may be disposed of by citations and to update the rule to meet changes in the statutes.

SUBJECT AREA TO BE ADDRESSED: Citations.

RULEMAKING AUTHORITY: 455.224, 455.225 FS., Chapter 94-119, Laws of Florida.

LAW IMPLEMENTED: 455.224 FS., Chapter 94-119, Laws of Florida.

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: Robyn Barineau, Executive Director, Board of Pilots Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

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**

**Board of Pilot Commissioners**

RULE NO.: 61G14-19.001      RULE TITLE: Percentage of Gross Pilotage Assessed

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify the rate the Department assesses the gross amounts of pilotage earned.

SUBJECT AREA TO BE ADDRESSED: Percentage of gross pilotage assessed.

RULEMAKING AUTHORITY: 310.131, 310.185 FS.

LAW IMPLEMENTED: 310.131 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: Robyn Barineau, Executive Director, Board of Pilots Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Building Code Administrators and Inspectors Board**

RULE NO.: 61G19-6.0035      RULE TITLE: Application for Provisional and/or Standard Certification

PURPOSE AND EFFECT: The purpose of this rule development is to clarify the experience requirements for certification as a licensee.

SUBJECT AREA TO BE ADDRESSED: Application for Provisional and/or Standard Certification.

RULEMAKING AUTHORITY: 468.606, 468.609 FS.

LAW IMPLEMENTED: 468.609 FS.

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

DATE AND TIME: June 10, 2010, 1:00 p.m., or as soon thereafter as can be heard

PLACE: Renaissance Tampa Hotel International Plaza, 4200 Jim Walter Blvd., Tampa, FL 33607

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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750. 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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G19-6.0035 Application for Provisional and/or Standard Certification.

(1) Each individual who wishes to obtain a provisional and/or standard certificate in any certificate category shall submit the following to the Board:

(a) through (b) No change.

(c) Each applicant seeking to qualify for certification as an inspector or plans examiner through a combination of related postsecondary or technical education and work experience shall demonstrate that he or she has at least one (1) year of hands-on experience in the category of certification sought, with the exception of 1 and 2 family dwelling inspector. For 1 and 2 family dwelling inspector certification, refer to the specific requirements in Rule 61G19-6.017, F.A.C.

(d) through (3) No change.

Rulemaking Specific Authority 468.606, 468.609 FS. Law Implemented 468.609 FS. History—New 11-28-95, Amended 10-1-97, 2-23-99, 6-3-03, 2-6-07, 10-4-07, \_\_\_\_\_.

**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 Massage**

**RULE NO.:** 64B7-30.002  
**RULE TITLE:** Disciplinary Guidelines

**PURPOSE AND EFFECT:** The Board proposes the rule amendment to update its disciplinary guidelines to incorporate the new offenses set forth in Section 456.072, F.S., that were added by the Legislature (Ch. Law 2009-223).

**SUBJECT AREA TO BE ADDRESSED:** Disciplinary guidelines.

**RULEMAKING AUTHORITY:** 456.073(4), 456.079(1), (3), (4), 480.035(7) FS.

**LAW IMPLEMENTED:** 456.072(2), 456.073(4), 456.079(1), (3), (4), 480.046, 480.047 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: Christy Robinson, Acting Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

**RULE NO.:** 64B17-8.002  
**RULE TITLE:** Requirements for Prevention of Medical Errors Education

**PURPOSE AND EFFECT:** The Board proposes the rule amendment to require additional continuing education for those licensed in the first half of the biennium.

**SUBJECT AREA TO BE ADDRESSED:** Requirements for Prevention of Medical Errors Education.

**RULEMAKING AUTHORITY:** 456.013(7) FS.

**LAW IMPLEMENTED:** 456.013(7) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B17-8.002 Requirements for Prevention of Medical Errors Education.

(1) through (2) No change.

(3) Every person licensed pursuant to Chapter 486, F.S., shall be required to complete two contact hours of education in the prevention of medical errors in the twenty-four months preceding each biennial renewal period as established by the Department.

(3) through (5) renumbered (4) through (6) No change.

Rulemaking Specific Authority 456.013(7) FS. Law Implemented 456.013(7) FS. History–New 10-8-02, Amended 8-18-08,\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

**RULE NO.:** 64B17-9.001  
**RULE TITLE:** Continuing Education

**PURPOSE AND EFFECT:** The Board proposes the rule amendment to require additional continuing education for those licensed in the first half of the biennium.

**SUBJECT AREA TO BE ADDRESSED:** Continuing Education.

**RULEMAKING AUTHORITY:** 486.025 FS.

**LAW IMPLEMENTED:** 456.013(6), 486.109(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, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
64E-6.001	General
64E-6.002	Definitions
64E-6.003	Permits
64E-6.004	Application for System Construction Permit
64E-6.005	Location and Installation
64E-6.006	Site Evaluation Criteria
64E-6.008	System Size Determinations
64E-6.009	Alternative Systems
64E-6.010	Septage and Food Establishment Sludge

- 64E-6.0101 Portable Restrooms and Portable or Stationary Holding Tanks
- 64E-6.011 Abandonment of Systems
- 64E-6.012 Standards for the Construction, Operation, and Maintenance of Aerobic Treatment Units
- 64E-6.013 Construction Materials and Standards for Treatment Receptacles
- 64E-6.014 Construction Standards for Drainfield Systems
- 64E-6.015 Permitting and Construction of Repairs
- 64E-6.0151 Additive Use
- 64E-6.016 U.S. Department of Agriculture Soil Textural Classification System
- 64E-6.017 Definitions
- 64E-6.018 System Location, Design and Maintenance Criteria
- 64E-6.0181 Cesspit and Undocumented System Replacement and Interim System Use
- 64E-6.0182 Coordinated Permitting
- 64E-6.019 Requirements for Registration
- 64E-6.020 Master Septic Tank Contractors
- 64E-6.021 Issuance of Registration Certificates and Renewal
- 64E-6.022 Standards of Practice and Disciplinary Guidelines
- 64E-6.023 Certification of Partnerships and Corporations
- 64E-6.025 Definitions
- 64E-6.026 Applications for Innovative System Permits and System Construction Permits
- 64E-6.027 Permits
- 64E-6.028 Location and Installation
- 64E-6.029 Monitoring
- 64E-6.0295 Innovative System Reclassification
- 64E-6.030 Fees

**PURPOSE AND EFFECT:** Develop rules to incorporate necessary technical changes, implement the provisions of 2010 legislation, and incorporate modifications proposed through the Technical Review and Advisory Panel.

**SUBJECT AREA TO BE ADDRESSED:** Areas to be discussed include but are not limited to: Onsite sewage treatment and disposal system design, permitting, construction, modification, repair and maintenance; System evaluation; Standards for existing systems; Grants for repairs to systems of low-income homeowners; Septic Tank Contractor registration, training and standards of practice; Septage treatment and disposal; and Performance-based treatment standards. All aspects of the rule are open for discussion by the Technical Review and Advisory Panel.

**RULEMAKING AUTHORITY:** 381.0011(4), (13), 381.0065(3)(a), 489.553 (3), 489.557(1) FS.

**LAW IMPLEMENTED:** 381.0065, 381.0066, 381.0067, 381.0069, 386.041, 489.552, 489.553, 489.557 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:** Gerald Briggs, Department of Health, Bureau of Onsite Sewage Programs, HSES, 4042 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713

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

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Agency for Persons with Disabilities**

**RULE NO.:** 65G-1.047  
**RULE TITLE:** Crisis Status Criteria

**PURPOSE AND EFFECT:** The purpose and effect of this Rule Development Workshop is to solicit public input on a petition that has been filed to amend Rule 65G-1.047, F.A.C. The Petition proposes that children living in out-of-home foster care without the possibility of a permanent placement be added to the “first priority” crisis category of the rule. This Notice was previously published on April 16, 2010 with an incorrect phone number. This is a revised notice with the correct phone number.

**SUBJECT AREA TO BE ADDRESSED:** Crisis Categories.

**RULEMAKING AUTHORITY:** 393.501(1), 393.065(2) FS.

**LAW IMPLEMENTED:** 393.065(2) FS.

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

**DATE AND TIME:** May 26, 2010, 6:00 p.m. – 8:00 p.m., EDT  
**PLACE:** Agency for Persons with Disabilities, 4030 Esplanade Way, Room 301, Tallahassee, Florida 32399, ADA Contact: Terri McGarrity, 1(866)APD-Cares

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Terri McGarrity, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-7452. 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: Terri McGarrity, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399	69V-40.053	Mortgage Brokerage Business License and Branch Office License Renewal and Reactivation
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.	69V-40.058	Application Procedure for Mortgage Brokerage Business Branch Office License
	69V-40.060	Fees Earned Upon Obtaining a Bona Fide Commitment
	69V-40.088	Referrals
<b>FINANCIAL SERVICES COMMISSION</b>	69V-40.099	Amendments, Change of Name, Change of Entity and Change in Control or Ownership
<b>Office of Financial Regulation</b>		
RULE NOS.:	RULE TITLES:	
69V-40.001	Definitions	69V-40.100 Application Procedure for Transfer in Ownership or Control of Saving Clause Mortgage Lender
69V-40.002	Adoption of Forms	69V-40.105 Branch Office License for Transfer in Ownership or Control of Saving Clause Mortgage Lender
69V-40.003	Electronic Filing of Forms and Fees	69V-40.111 Disciplinary Guidelines
69V-40.008	Fees and Commissions	69V-40.150 Out of State Examination Costs
69V-40.011	Misleading Practice; Penalty	69V-40.155 Lock-in Statement
69V-40.021	Fictitious Name Registration	69V-40.156 Third-party Fee Accounts
69V-40.022	Quarterly Report Filing Requirements	69V-40.160 Principal Brokers
69V-40.025	Mortgage Broker Examination	69V-40.165 Branch Brokers
69V-40.026	Curriculum for Mortgage Broker Pre-licensing Classroom Education	69V-40.170 Books and Records
69V-40.027	Mortgage Broker Pre-licensing Education Requirement	69V-40.175 Mortgage Brokerage Files
69V-40.0271	Professional Continuing Education Requirements for Mortgage Brokers, Loan Originators, and Principal Representatives	69V-40.177 Mortgage Brokerage and Lending Transaction Journal
69V-40.028	Permit for Mortgage Business School	69V-40.200 Application Procedure for Mortgage Lender License
69V-40.0281	Mortgage Business Schools Prohibited Practices and Advertising/Publicity	69V-40.201 Effect of Law Enforcement Records on Applications for Mortgage Lender and Correspondent Lender Licensure
69V-40.029	Mortgage Business School Permit Renewal	69V-40.205 Mortgage Lender License, Mortgage Lender License Pursuant to Saving Clause, and Branch Office License Renewal and Reactivation
69V-40.030	Accreditation Process for a Mortgage Business School	69V-40.220 Application Procedure for Correspondent Mortgage Lender License
69V-40.031	Application Procedure for Mortgage Broker License	69V-40.225 Correspondent Mortgage Lender License and Branch Office License Renewal and Reactivation
69V-40.0311	Effect of Law Enforcement Records on Applications for Mortgage Broker Licensure	69V-40.240 Application Procedure for Mortgage Lender or Correspondent Mortgage Lender Branch Office License
69V-40.033	Disciplinary Guidelines for Mortgage Business Schools	69V-40.242 Principal Representative
69V-40.043	Mortgage Broker License Renewal and Reactivation	
69V-40.051	Application Procedure for Mortgage Brokerage Business License	
69V-40.0511	Effect of Law Enforcement Records on Applications for Mortgage Brokerage Business Licensure	

- 69V-40.245 Independent Contractors
- 69V-40.250 Documentation of Net Worth and Surety Bond
- 69V-40.260 Mortgage Lender Files
- 69V-40.265 Mortgage Brokerage and Lending Transaction Journal
- 69V-40.270 Financial Guaranty in Lieu of Uniform Single Audit
- 69V-40.285 Noninstitutional Investor Funds Account
- 69V-40.290 Acts Requiring Licensure as a Mortgage Broker, Mortgage Brokerage Business, Mortgage Lender or Correspondent Mortgage Lender

**PURPOSE AND EFFECT:** In 2009, the Florida Legislature passed Senate Bill 2226 to bring Florida law into compliance with the federal S.A.F.E. Mortgage Licensing Act of 2008, Title V of P.L. 110-289. SB 2226 was signed into law on June 29, 2009. See Chapter 2009-241, Laws of Florida. The Office of Financial Regulation is proposing rule changes to Rule Chapter 69V-40, F.A.C., to reflect the statutory changes to Chapter 494, F.S.

**SUBJECT AREA TO BE ADDRESSED:** Mortgage Brokering and Lending.

**RULEMAKING AUTHORITY:** 494.0011 FS.

**LAW IMPLEMENTED:** Chapter 494 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:** Andrea Moreland, Cabinet and Legislative Director, Office of Financial Regulation, 200 E. Gaines Street, The Fletcher Building, Tallahassee, FL 32399-0370, (850)410-9601, andrea.moreland@flofr.com

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

workers during the early voting period and election day. The proposed changes clarify procedures for voter intake at the polling place and for handling a ballot that has been overvoted. It also enhances the provisions governing persons with disabilities.

**SUMMARY:** The proposed changes clarify polling place procedures.

**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.

**RULEMAKING AUTHORITY:** 20.10(3), 97.012(1), 102.014(5) FS.

**LAW IMPLEMENTED:** 102.014 FS.

**IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):**

**DATE AND TIME:** June 22, 2010, 9:00 a.m.

**PLACE:** Florida Department of State, Florida Heritage Hall, R.A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399

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: Eddie Phillips, Executive assistant, General Counsel’s Office, at 1(850)245-6536 or elphillips@dos.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 IS:** Maria Matthews, Assistant General Counsel, Florida Department of State at: mimatthews@dos.state.fl.us or (850)245-6536. The incorporated form DS-DE #11 is available upon request.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

1S-2.034 Polling Place Procedures Manual.

The Department of State, Division of Elections, is required to establish a polling place procedures manual to guide election officials and poll workers in the proper implementation of election procedures and laws. Form DS-DE 11 (eff. \_\_\_/\_\_\_/08/08), entitled “Polling Place Procedures Manual,” is hereby incorporated by reference and available from the Division of Elections, R. A. Gray Building, Room 316, 500 South Bronough Street, Tallahassee, Florida 32399-0250, by

## Section II Proposed Rules

### DEPARTMENT OF STATE

#### Division of Elections

**RULE NO.:** 1S-2.034  
**RULE TITLE:** Polling Place Procedures Manual

**PURPOSE AND EFFECT:** The proposed changes are to the polling place procedures manual, DS-DE 11, incorporated by reference in the rule. This manual is used as a guide for poll