

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NOS.:	RULE TITLES:
9B-43.0031	Definitions
9B-43.0041	Application and Administrative Requirements
9B-43.0051	Grant Administration and Project Implementation
9B-43.0061	Emergency Set-Aside Assistance
9B-43.0071	Section 108 Loan Guarantee Program
9B-43.0072	Neighborhood Stabilization Program

PURPOSE AND EFFECT: To incorporate administrative rules for the State of Florida’s Neighborhood Stabilization Program (NSP) in order to enable the Department of Community Affairs to award and administer CDBG Neighborhood Stabilization Program (NSP) funds in accordance with the provisions of Title III of Division B of the Housing and Economic Recovery Act of 2008 (HERA), federal Public Law 110-289.

To seek input, exchange ideas and gather information that can be utilized in the development of a program rule and application for Federal Fiscal Year 2009. At the workgroup meeting, staff from the CDBG program will provide an overview of the program and answer questions. Interested parties are encouraged to attend.

The proposed rule development will be completed in two parts: The first part will focus specifically on incorporating the administrative requirements for Florida Neighborhood Stabilization Program (NSP). The second part will focus on the revision of requirements specific to the Florida Small Cities CDBG program.

Recommendations for rule changes and/or revisions will be accepted starting from the date of the first workgroup meeting.

SUBJECT AREA TO BE ADDRESSED: Florida Small Cities Community Development Block Grant Program Rule Chapter 9B-43, F.A.C.

RULEMAKING AUTHORITY: 290.048 FS.

LAW IMPLEMENTED: 290.042, 290.043, 290.044, 290.0455, 290.046, 290.047, 290.0475 FS.

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

DATE AND TIME: May 11, 2009, 1:00 p.m. – 5:00 p.m.

PLACE: Randall Kelly Training Center, Room 305, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

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: Department of Community Affairs at (850)487-3644. 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: Jacquelyn Dupree, Department of Community Affairs, 2555 Shumard Oak Boulevard; (850)487-3644; e-mail: Jackie.dupree@dca.state.fl.us

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

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

RULE NO.:	RULE TITLE:
11B-18.004	Regional Training Areas

PURPOSE AND EFFECT: Housekeeping revisions. Updated the names of Commission-certified training schools.

SUBJECT AREA TO BE ADDRESSED: Commission-certified training school names in the regional training areas.

RULEMAKING AUTHORITY: 943.03(4), 943.12(1) FS.

LAW IMPLEMENTED: 943.25 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: May 6, 2009, 1:00 p.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, 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 5 days before the workshop/meeting by contacting: Donna Hunt at (850)410-8615. 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: Donna Hunt, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308; (850)410-8615

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

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

RULE NOS.:	RULE TITLES:
11B-20.001	Definitions and Minimum Requirements for General Certification of Instructors
11B-20.0014	Minimum Requirements for High-Liability and Specialized Topics Instructor Certification

PURPOSE AND EFFECT: Rule 11B-20.001, F.A.C. Revised forms CJSTC-10, 71, and 81. Revised the Speed Measurement Device Instructor Field Evaluation form CJSTC-10 to add the incorporated rule reference. Revised the Instructor Certification Application form CJSTC-71 to require additional documentation when adding new instructor certification subjects. Revised the Instructor Competency Checklist form CJSTC-81 to require that instructor applicants are evaluated by the students they teach. Retired and new specialized instructor courses. Retired the CMS Instructor Techniques Course (# 1116) and replaced with the Florida General Instructor Techniques Course (# 1186).

Revised to require that an instructor report a change in his or her affiliation with a training school or criminal justice agency. Added rule language to require training center directors or agency administrators to report an instructor's change in affiliation by submitting a completed Affidavit of Separation form CJSTC-61 to Commission staff. Housekeeping revisions. Clarified existing rule language for equivalent instructor training in Rule 11B-20.001, F.A.C.

Rule 11B-20.0014, F.A.C. Revised the application requirements to apply for specialized instructor certifications. Clarified the timeline (four years) to apply for a specialized instructor certification after completion of a specialized instructor course. Clarified the required training and internship requirements for instructors who do not comply with the four-year time line. Clarified Existing Rule language. Clarified existing rule language for obtaining a Law Topics, Speed Measurement, Canine Team, and Breath Test specialized instructor certifications.

SUBJECT AREA TO BE ADDRESSED: Requirements for obtaining a general, specialized, or high-liability instructor certification a change of affiliation reporting requirements.

RULEMAKING AUTHORITY: 943.03(4), 943.12(1), 943.14(3) FS.

LAW IMPLEMENTED: 943.12(3), (9), 943.13(6), 943.14(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: May 6, 2009, 1:00 p.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, 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 5 days before the workshop/meeting by contacting: Donna Hunt, (850)410-8615. 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: Donna Hunt, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308; (850)410-8615

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

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

RULE NOS.:	RULE TITLES:
11B-21.002	Criminal Justice Training Schools' Request for Certification, Expansion of Certification, and Re-certification
11B-21.005	Criminal Justice Training School Requirements for Certification and Re-certification

PURPOSE AND EFFECT: Rule 11B-21.002, F.A.C. Revised form CJSTC-29. Updated the Criminal Justice Training School Certification and Re-certification Application form CJSTC-29 to require at least one full-time instructor or instructor coordinator that reports solely to the training center director for training schools with a Type "B" or "C" certification. Housekeeping revisions. Changed the reference of "Medical First Responder" to "First Aid" to correspond with the current course name.

Rule 11B-21.005, F.A.C. Revised form CJSTC 203, 204, and 205. Revised the Defensive Tactics Facility and Equipment Requirements form CJSTC-203 to allow outdoor chemical agent exposure. Revised the Staffing Requirements form CJSTC-204 to reflect the new staffing requirements for training schools with a Type "B" or "C" certification required in Rule 11B-21.002, F.A.C. Revised the Training School Classroom Facility and Equipment Requirements form CJSTC-205 to update the required instructional aid equipment.

SUBJECT AREA TO BE ADDRESSED: Commission-certified training school staffing and equipment requirements.

RULEMAKING AUTHORITY: 943.03(4), 943.12(1), (2) FS.
LAW IMPLEMENTED: 943.12(3), (7), 943.14, 943.17(1)(g) 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: May 6, 2009, 1:00 p.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, 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 5 days before the workshop/meeting by contacting: Donna Hunt at (850)410-8615. 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: Donna Hunt, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308; (850)410-8615

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

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

RULE NOS.:	RULE TITLES:
11B-27.00212	Maintenance of Officer Certification
11B-27.00213	Temporary Employment Authorization
11B-27.013	Canine Team Certification

PURPOSE AND EFFECT: Rule 11B-27.00212, F.A.C. Revised form CJSTC-86A. Revised the Law Enforcement Officer Firearms Qualification Standard form CJSTC-86A to authorize use of a reduced sized target (in extreme circumstances only) to demonstrate proficiency (with a handgun only) on the Commission’s Firearms Qualification Standard Course of Fire pursuant to Rule 11B-27.014, F.A.C. Revised the Commission’s Firearms Qualification Standard Course of Fire for officers injured in the line of duty. Revised to grant a two-year extension, to officers who have been injured in the line of duty, to satisfy the Commission’s Firearms Qualification Standard Course of Fire pursuant to Rule 11B-27.014, F.A.C.

Rule 11B-27.00213, F.A.C. Revised form CJSTC-4 CMS. Revised the CMS Firearms Performance Evaluation form CJSTC-4 CMS to remove the proficiency skills designated as “CMS New” pursuant to the revisions in Rule 11B-35.0023, F.A.C.

Rule 11B-27.013, F.A.C. Clarified the process for canine team evaluators to evaluate canine team equivalent training. Equivalent training shall be reviewed and approved by a Commission-approved evaluator, however, a canine team evaluator shall not approve equivalent canine team training for they delivered.

Revised form CJSTC-70. Revised the Patrol Canine Team Certification Application form CJSTC-70 to require the first and second canine team evaluator to list their agency or training school affiliation.

SUBJECT AREA TO BE ADDRESSED: Compliance with the Commission’s Firearms Qualification Standard, Firearms performance evaluation, equivalent canine team training evaluations, and agency or training school affiliation reporting requirements for canine team evaluators.

RULEMAKING AUTHORITY: 943.03(4), 943.12(1) FS.

LAW IMPLEMENTED: 943.11, 943.12, 943.12(3), 943.12(17), 943.13, 943.131, 943.133, 943.135, 943.139, 943.1395, 943.1395(3), 943.17(1)(a), 943.1701, 943.1715, 943.1716, 943.253 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: May 6, 2009, 1:00 p.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, 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 5 days before the workshop/meeting by contacting: Donna Hunt at (850)410-8615. 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: Donna Hunt, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308; (850)410-8615

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

**DEPARTMENT OF LAW ENFORCEMENT
Criminal Justice Standards and Training Commission**

RULE NO.: 11B-30.007
 RULE TITLE: Application for the State Officer Certification Examination and Notification Process

PURPOSE AND EFFECT: Added “applicant injury” as an approved excuse for rescheduling the SOCE and receiving a application refund. Revised to allow an applicant to reschedule the State Officer Certification Examination (SOCE) if injured in a basic recruit training program and the injury prevents the applicant from taking the scheduled examination. This change will prevent applicants from requesting a rule waiver to refund the \$100 examination fee.

SUBJECT AREA TO BE ADDRESSED: Requirements for rescheduling the SOCE and refund of SOCE fee.

RULEMAKING AUTHORITY: 943.03(4), 943.12(1) FS.

LAW IMPLEMENTED: 943.12(17), 943.1397(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: May 6, 2009, 1:00 p.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, 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 5 days before the workshop/meeting by contacting: Donna Hunt at (850)410-8615. 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: Donna Hunt, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308; (850)410-8615

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

**DEPARTMENT OF LAW ENFORCEMENT
Criminal Justice Standards and Training Commission**

RULE NOS.: 11B-35.001, 11B-35.002
 RULE TITLES: General Training Programs; Requirements and Specifications Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional Probation

11B-35.0021 High-Liability Proficiency Courses for Basic Recruit Training and Instructor Training

11B-35.0023 Student Transfers within Basic Recruit Training Programs

11B-35.0024 Student Performance in Commission-approved High-Liability Basic Recruit Training Courses and High-Liability Instructor Training Courses

11B-35.003 Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional Probation Auxiliary Training

11B-35.006 Advanced Training Program

11B-35.007 Specialized Training Program

PURPOSE AND EFFECT: Rule 11B-35.001, F.A.C. Increased the written end-of-course examination passing scores and clarified the requirements to retake an examination. Increased the written end-of-course examination passing score for Advanced and Specialized Training Courses from 75% to 80%. Increased the written end-of-course examination passing score for Specialized Instructor Training Courses from 75% to 85%. Clarified the process for granting a “first attempt” and “second attempt” to pass a written end-of-course examination and demonstrate proficiency skills in the high-liability topics. Clarified the use of “competency-based instruction” for Basic Recruit Training Programs and Commission-approved specialized instructor training program courses. Revised form CJSTC-3. Revised the Role-Play Practicum Check Sheet form CJSTC-3 to add the Dart-Firing Stun Gun course # CJK_0422 and the role-play practicum scenarios. Added the Department of Education’s common course numbers to each of the role-play course names. Updated the instructions on the form. Rules 11B-35.002 and 11B-35.0023, F.A.C. Revised the process for transferring a student to a different training school. Removed the requirements, on the CMS Firearms Performance Evaluation form CJSTC-4 CMS and in Rule 11B-27.0023, F.A.C., to complete the “CMS New” proficiency skills. This will ensure that a student completes the most current proficiency skills prior to transferring to a different training school. Revised form CJSTC-4 CMS. Removed the requirements, on the CMS Firearms Performance Evaluation form CJSTC-4 CMS and in Rule 11B-27.0023, F.A.C., to complete the “CMS New” proficiency skills. This will ensure that a student completes the most current proficiency skills prior to transferring to a different training school. Added a new basic recruit training course and added a new course number. Added the new DUI Traffic Stops course number CJK_0083 in the Florida CMS Law Enforcement Basic Recruit Training Program number 1177 and to the Florida CMS Law Enforcement Basic Recruit Training Program cross-over courses, numbers 1178 and 1179. Added a new CJK number

for “Interpersonal Skills 1” in the Traditional Correctional Basic Recruit Training Program (# 502), and updated course numbers in Rule 11B-35.002, F.A.C.

Rule 11B-35.0021, F.A.C. Revised the title of Rule 11B-35.0021, F.A.C., to better describe the rule language contained in that rule section. Added the new DUI Traffic Stops course to the Law Enforcement Basic Recruit Training Programs. Added the new DUI Traffic Stops course number CJK_0083 to the Florida CMS Law Enforcement Basic Recruit Training Program number 1177 and to the Florida CMS Law Enforcement Basic Recruit Training Program cross-over courses, numbers 1178 and 1179. Housekeeping revisions. Added course numbers to existing course names for ease of finding the correct course. Added the new category of “Specialized Instructor Courses” to add the required demonstration of proficiency for the Speed Measurement Instructor Course # 1159. Revised the student to instructor ratio for defensive tactics and added a student to instructor ratio for Speed Measurement Device Operators. Revised the student to instructor ratio for instruction of defensive tactics from 10 to 8 with the lead instructor included in the ratio. Added a student to instructor ratio for instruction of the Speed Measurement Instructor Course # 1159.

Rule 11B-35.0024, F.A.C. Revised the rule section title. Revised the title of the Rule 11B-35.0024, F.A.C., to better describe the rule language contained in that rule section. Clarified existing rule language. Changed “cognitive knowledge” to “written end-of-course examination,” throughout all rules sections for consistency with terminology used by the training schools. Changed “demonstration of high-liability proficiency skills” to “demonstration of proficiency skills” throughout all rule sections to clarify the proficiency skills process, i.e., “demonstration of proficiency skills in the high-liability topics of vehicle operations, defensive tactics, first aid, and firearms.” Revised the written end-of-course examination passing score for specialized instructor training courses and passing score for demonstration of proficiency skills. Increased the written end-of-course examination for Specialized Instructor Training Courses listed in Rule 11B-35.007, F.A.C., from 75% to 85%. Increased the proficiency demonstration for firearms instructors from 80% to 85%. Clarified the process for granting a “first attempt” and “second attempt” for successfully passing a written end-of-course examination and demonstration of proficiency skills in the high-liability topics.

Added proficiency demonstrations for the DUI Traffic Stops course number CJK_0083 in a basic recruit training program and for the Speed Measurement Instructor course number 1159 (specialized instructor course). Added rule language to require that a basic recruit student achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required DUI Traffic Stops course number CJK_0083 proficiency skills at 100% proficiency. Added rule

language to require that an instructor student achieve a score of no less than 85% on the required written end-of-course examination and demonstrate the required proficiency skills at 100% for the Speed Measurement Instructor course number 1159. Revised and added CJSTC forms. Revised the CMS Firearms Performance Evaluation form CJSTC-4 CMS; CMS First Aid Performance Evaluation form CJSTC-5 CMS; CMS Defensive Tactics Performance Evaluation form CJSTC-6 CMS; CMS Vehicle Operations Performance Evaluation form CJSTC-7 CMS; Speed Measurement Device Instructor Field Evaluation form CJSTC-10; and added the DUI Traffic Stops Performance Evaluation form CJSTC-13.

Rule 11B-35.003, F.A.C. Clarified the curriculum and high-liability training requirements for completing Auxiliary Officer Basic Recruit Training. Added detailed curriculum and high-liability training requirements for becoming a certified auxiliary officer. Clarified that the Auxiliary Officer Prerequisite Course shall be taught at a Commission-certified training school. Housekeeping revisions. Updated rule reference.

Rule 11B-35.006, F.A.C. Housekeeping revisions. Retired the retired Laser Speed Measurement Operators Course for Law Enforcement. Removed redundant rule language. Repealed form CJSTC-8. Repealed the Radar Operator Performance Report form CJSTC-8 because the form is no longer needed.

Rule 11B-35.007, F.A.C. Updated the Specialized Instructor Training Program Course list and the Specialized Training Program Course list. Transferred the CMS General Instructor Update Course and the CMS Defensive Tactics and Firearms Instructor Update Course from the Specialized Instructor Training Courses list to the Specialized Training Program Course list. The transferred courses are Commission-approved Specialized Training Program Courses developed and approved by the Commission that have not been designated as Commission-approved Advanced Training Program Courses. Changed the name of the Speed Measurement Instructor Course for Law Enforcement Officers (# 1159) to Speed Measurement Instructor Course (# 1159). Added the new Florida General Instructor Techniques Course # 116 (specialized training course). Updated the Specialized Training Program Courses. Added the Elder Abuse Investigations # 1185 (specialized training program course). Reduced the required hours in the Breath Test Operator Course from 24 to 16 hours and the Breath Test Operator Renewal Course from 6 to 4 hours.

SUBJECT AREA TO BE ADDRESSED: General training requirements and specifications for competency-based training. Required demonstration of proficiency skills in basic recruit training programs for students transferring from one training school to another. Performance requirements for basic recruit training courses and instructor training courses. Required demonstration of proficiency skills and student to instructor ration requirements for basic recruit training,

specialized instructor training, and specialized training courses. Basic recruit training program courses, specialized training program courses, specialized instructor training courses. Performance evaluation forms.

RULEMAKING AUTHORITY: 943.03(4), 943.12(1), (2), 943.14(3), 943.17 FS.

LAW IMPLEMENTED: 943.12, 943.12(5), 943.17, 943.17(1)(a), 943.175, 943.25 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: May 6, 2009, 1:00 p.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, 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 5 days before the workshop/meeting by contacting: Donna Hunt at (850)410-8615. 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: Donna Hunt, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308; (850)410-8615

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

DEPARTMENT OF LAW ENFORCEMENT

Division of Criminal Justice Information Systems

RULE NO.: 11C-6.010 RULE TITLE: Retention of Applicant Fingerprints

PURPOSE AND EFFECT: To correct the rule and make it internally consistent. Current language is confusing because of a reference to a portion of the rule previously deleted which allowed for an alternate invoicing method.

SUBJECT AREA TO BE ADDRESSED: References to a renumbered rule are deleted. The amended rule language corrects the rule and makes it internally consistent.

RULEMAKING AUTHORITY: 943.05(2)(g), 1012.32(3), 1012.465, 1012.56 FS.

LAW IMPLEMENTED: 220.187(6)(b), 551.107(7)(c), 744.3135(4)(b), 943.13(5), 985.644(5)(b), 1002.421(3)(a), 1012.32(3), 1012.465, 1012.56 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: May 6, 2009, 10:00 a.m.

PLACE: Florida Department of Law Enforcement, User Services Bureau, 2331 Phillips Road, 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 5 days before the workshop/meeting by contacting: Martha Wright, (850)410-8113. 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: Florida Department of Law Enforcement, User Services Bureau, 2331 Phillips Road, Tallahassee, Florida 32308; Attn: Martha Wright; (850)410-8113; e-mail: MarthaWright@fdle.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."

BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND

RULE NOS.:	RULE TITLES:
18-24.001	General and Definitions
18-24.002	Public Purposes and Categories of Projects Qualifying for Funding
18-24.006	Council Evaluation and Grouping

PURPOSE AND EFFECT: To comply with new statutory requirements, rules applying to goals and measures for the Florida Forever land acquisition, management and restoration program and the Council's evaluation, selection and ranking of Florida Forever projects shall be developed for consideration of the Board of Trustees.

SUBJECT AREA TO BE ADDRESSED: Revision of the Florida Forever Program's goals and performance measures and the Council's procedures for evaluating and ranking Florida Forever projects.

RULEMAKING AUTHORITY: 259.035, 259.105 FS.

LAW IMPLEMENTED: 259.035, 259.105 FS.

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

DATES AND TIMES: WORKSHOP #1: May 7, 2009, 9:00 a.m.; WORKSHOP #2: May 15, 2009, 9:00 a.m.; WORKSHOP #3: May 21, 2009, 9:00 a.m.; WORKSHOP #4: June 4, 2009, 1:00 p.m.; WORKSHOP #5: June 11 and 12, 2009, Immediately following the Council meetings that begins at 9:00 a.m.

PLACES: WORKSHOPS #1, #2 and #5 will be held at the following location: Department of Environmental Protection, Conference Room A, Marjory Stoneman Douglas Building, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000; WORKSHOP #3 will be held at the following location: Department of Environmental Protection, Room 170, Carr Building, 3800 Commonwealth Blvd., Tallahassee, FL 32399-3000; WORKSHOP #4 will be held at the following location: Orlando City Commission Chambers, City Hall: One City Commons, 400 South Orange Avenue, Orlando, FL 32802-4990, At Corner of Orange Ave. and South Street

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: Wanda Gleaton in the Office of Environmental Services at 245-2784, or by mail at 3900 Commonwealth Blvd. M.S. 140, or email at: wanda.gleaton@dep.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: Greg Brock, Department of Environmental Protection, Division of State Lands, 3900 Commonwealth Blvd., M.S. 140, Tallahassee, Florida 32399-3000; telephone: (850)245-2784; E-mail: greg.brock@dep.state.fl.us

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

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE NO.: 60BB-8.210
 RULE TITLE: Reenrollment for Good Cause and Extreme Hardship in the Voluntary Prekindergarten Education Program

PURPOSE AND EFFECT: The purpose of the proposed rule development is to implement the authority of the Agency for Workforce Innovation to adopt rules related to reenrollment of students in the Voluntary Prekindergarten Education (VPK) Program.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed by the proposed rule are criteria for determining whether a good cause or extreme hardship exists as related to reenrollment in the VPK program and whether a student has substantially completed the VPK program.

RULEMAKING AUTHORITY: 1002.71(4), 1002.75(2)(i), 1002.79(2) FS.

LAW IMPLEMENTED: 1002.71(4) FS.

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

DATE AND TIME: May 8, 2009, 1:30 p.m. – 2:30 p.m. or until business is concluded

PLACE: Agency for Workforce Innovation, 107 East Madison Street, Tallahassee, Florida 32399-4128 or via telephone at: (888)808-6959 conference code 9213193

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kristin R. Harden, Assistant General Counsel, Agency for Workforce Innovation, Office of General Counsel, 107 East Madison Street, MSC #110, Tallahassee, Florida 32399-4128; (850)245-7150

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

60BB-8.210 Reenrollment for Good Cause and Extreme Hardship in the Voluntary Prekindergarten Education Program.

(1) Definitions. As used in this rule:

(a) “Dismissed student” means a student removed from a Voluntary Prekindergarten Education (VPK) provider’s VPK class by the VPK provider for failing to comply with the provider’s attendance policy. A provider shall provide written documentation of a student’s dismissal to the student’s parent or guardian.

(b) “Substantial completion” means a student has been enrolled in a VPK provider’s class for 70 percent or more of the instructional hours for the program type (school-year or summer).

(c) “Withdrawn student” means a student removed from a VPK provider’s program at the request of or following written notice from the student’s parent or guardian which is received by the coalition or provider.

(2) Reenrollment for good cause. A dismissed or withdrawn student may be reenrolled for good cause with a VPK provider delivering the school-year or summer program if all the following applies:

(a) The student has been enrolled in ten (10) percent or less of the instructional hours of the program type from which the student is dismissed or withdrawn;

(b) The student has not previously reenrolled for good cause under this paragraph or due to an extreme hardship under subsection (3) below; and

(c) The student's parent or guardian attests in writing to the coalition to one of the following as a reason for the dismissal or withdrawal of a student from the VPK program:

1. The illness of the student or the student's immediate family member;

2. A conflict between the parent or guardian and the provider or school concerning policies, practices, or procedures at the provider's or school's VPK program;

3. A change in the student's residence;

4. A change in the parent's or guardian's employment schedule or place of employment;

5. Any condition described as an extreme hardship in paragraph (3)(c) below.

(3) Reenrollment for extreme hardship. A dismissed or withdrawn student may be reenrolled in a summer VPK program and be reported for funding purposes as one full FTE student in the summer VPK program, if all of the following applies:

(a) The student has been enrolled with a VPK provider for more than 10 percent of the instructional hours for the program type from which the student is dismissed or withdrawn but has not substantially completed a VPK program;

(b) The student has not previously reenrolled due to an extreme hardship under this subparagraph or for good cause under subsection (2) above; and

(c) The student's parent or guardian submits to the coalition or its designee written notice of one or more of the following:

1. The extended illness of the student or the student's immediate family member, as documented in writing by a medical professional, if the illness results in the student being:

a. Absent from more than 30 percent of hours for which the student is enrolled, as documented by the coalition; or

b. Dismissed by the provider for noncompliance with the provider's attendance policy, as documented by the provider.

2. Withdrawal of the student due to the provider's inability to meet the student's health or educational needs, as documented by the provider;

3. The termination of the student's VPK class before 70 percent of the instructional hours is delivered for the class, as documented by the provider or coalition;

4. The provider's misconduct or noncompliance with law, rule, or the Statewide Provider Agreement signed in accordance with Rule 60BB-8.301, F.A.C., that results in the termination of the VPK provider's Statewide Provider agreement, as documented by the coalition;

5. A change in the student's residence, as documented by rent, mortgage, or utility records, which:

a. Results in the cessation of transportation by the provider or school, as documented by the provider or school;

b. Causes the student's travel time to exceed 50 minutes from the student's residence to the provider or school; or

c. Extends the parent's or guardian's total travel time by 50 minutes or more from the student's residence, to the provider or school, and to the parent's or guardian's place of employment.

6. A change in the parent's or guardian's place of employment, as documented in writing by the employer, which:

a. Results in the cessation of transportation by the provider or school, as documented by the provider or school; or

b. Extends the parent's or guardian's total travel time by 50 minutes or more from the student's residence, to the provider or school, and to the parent's or guardian's place of employment.

7. A change in the parent's or guardian's employment schedule, as documented in writing by the employer, which prevents the parent or guardian from providing the student with transportation to or from the provider or school.

8. The parent or guardian's inability to meet the basic needs of the student or the student's immediate family, including, but not limited to, a lack of food, shelter, clothing, or transportation, as documented in writing by a law enforcement official, social worker, or counselor.

9. A state of emergency affecting the student's place of residence or the provider with which the student is enrolled is declared by federal, state, or local officials.

(4) Withdrawal or dismissal before the student attends VPK instruction. If a student is withdrawn or dismissed before the student's first day of attendance, the student may be reenrolled in a school-year or summer program without relying on reenrollment for good cause or extreme hardship under this rule.

(5) Procedures for reenrollment.

(a) To reenroll a student under this rule, the student's parent or guardian shall:

1. Complete the Reenrollment Application (Form AWI-VPK 05), which is hereby incorporated by reference, attach documentation of an extreme hardship or written attestation of good cause, and submit the completed application to the coalition with which the student will be reenrolled.

2. If the student is reenrolled with a coalition other than the coalition of the previous enrollment, the parent or guardian shall also complete and resubmit the Child Application (Form AWI-VPK 01) in accordance with Rule 60BB-8.201, F.A.C.

(b) The coalition shall follow the registration, eligibility determination, and enrollment procedures described in Rule 60BB-8.202, F.A.C., to reenroll a student, except that the coalition is not required to repeat the face-to-face parent consultation.

Rulemaking Authority 1002.71(4), 1002.75(2)(i), 1002.79(2) FS. Law Implemented 1002.71(4) FS. History—New _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NOS.:	RULE TITLES:
61-35.0171	Landscape Architecture: Application for Individual Licensure – Examination or Re-examination
61-35.0172	Landscape Architecture: Application for Licensure of a Business Entity – Certification of Authorization
61-35.0173	Landscape Architecture: Application for Licensure – Endorsement
61-35.0174	Landscape Architecture: Application for Licensure – Certificate of Temporary Authorization or Registration
61-35.0175	Landscape Architecture: Application for Individual Licensure – Reinstate Null and Void License Based on Illness or Undue Hardship
61-35.0176	Landscape Architecture: Application for Individual Licensure – Examination or Re-Examination – Practical Experience Form

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to create new, more efficient licensure application forms.

SUBJECT AREA TO BE ADDRESSED: Licensure application forms.

RULEMAKING AUTHORITY: 20.165(8), 455.203, 455.213 FS.

LAW IMPLEMENTED: 455.271, 481.309, 481.310, 481.311, 481.317, 481.319 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: Juanita Chastain, Executive Director, Board of Landscape Architecture, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399; (850)487-8304

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

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

Division of Beaches and Shores

RULE NOS.:	RULE TITLES:
62B-34.010	Definitions
62B-34.060	Non-Habitable Major Structures and Associated Minor Structures or Activities
62B-34.070	Single Family Dwelling and Associated Minor Structures or Activities
62B-34.150	Lee County
62B-34.160	Collier County
62B-34.170	Sarasota County
62B-34.180	Manatee County
62B-34.190	Charlotte County
62B-34.200	Bay County
62B-34.210	Escambia County
62B-34.220	Franklin County
62B-34.230	Gulf County
62B-34.240	Brevard County
62B-34.250	Indian River County
62B-34.260	Martin County
62B-34.270	Palm Beach County

PURPOSE AND EFFECT: To amend Chapter 62B-34, F.A.C., that provides a streamlined permitting process in additional coastal counties for activities seaward of the Coastal Construction Control Line that do not cause measureable interference with the beach and dune system or with marine turtles and their nesting habitats, in accordance with current statutes.

SUBJECT AREA TO BE ADDRESSED: Revisions to general definitions, prohibitions and limitations, turtle protections requirements, and native vegetations protection requirements. Establish General Permit Lines in Lee, Collier, Sarasota, Manatee, Charlotte, Bay, Escambia, Franklin, Gulf, Brevard, Indian River, Martin, and Palm Beach Counties. This notice of rule development modifies the notices of rule development published on July 3, 2007 and July 16, 2007.

RULEMAKING AUTHORITY: 161.053(19) FS.

LAW IMPLEMENTED: 161.0535, 161.054 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:

TIME AND DATE: June 3, 2009, 9:00 a.m.

PLACE: The Florida Department of Environmental Protection Bureau of Beaches and Coastal Systems, 5050 West Tennessee Street, Building B, Tallahassee, Florida 32304

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Stephanie Gudeman, Department of Environmental Protection,

Bureau of Beaches and Coastal Systems, Mail Station #300, 3900 Commonwealth Blvd., Tallahassee, Florida 32399-3000; (850)488-7816, or Stephanie.Gudeman@dep.state.fl.us
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-1.007
 RULE TITLE: List of Approved Forms; Incorporation

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address additional changes to various forms in response to concerns raised by the staff of the Joint Administrative Procedures Committee.

SUBJECT AREA TO BE ADDRESSED: Incorporation of revised forms.

RULEMAKING AUTHORITY: 120.55(1)(a), (4), 456.013, 456.036(5), 456.048(1), 458.309, 458.311, 458.3124(6), 458.313(4), 458.3145, 458.315(2), 458.320(8), 458.321(2), 458.347(13), 458.3475, 458.351(6) FS.

LAW IMPLEMENTED: 456.013, 456.035, 4456.036, 456.048, 456.073, 458.309, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.3475, 458.348, 458.351, 465.0276 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: 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 NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-4.009
 RULE TITLE: Applications

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to incorporate revised licensure applications in the application rule.

SUBJECT AREA TO BE ADDRESSED: Various application forms for licensure.

RULEMAKING AUTHORITY: 120.53, 456.031, 456.033, 458.309, 458.311, 458.3137 FS.

LAW IMPLEMENTED: 120.53, 456.013(7), 456.031, 456.033, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.3165, 458.317 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: 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 NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-13.005
 RULE TITLE: Continuing Education for Biennial Renewal

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to delete credit for serving on the Medical Advisory Committee since the Committee no longer exists.

SUBJECT AREA TO BE ADDRESSED: Deletion of subsection (8) of the continuing education rule.

RULEMAKING AUTHORITY: 456.013(6), (7), 456.031(4), 458.309, 458.319 FS.

LAW IMPLEMENTED: 456.013(6), (7), 456.031(1)(a), (3), 456.033, 458.319(4) 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: 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:

64B8-13.005 Continuing Education for Biennial Renewal.
 (1) through (7) No change.

~~(8) In addition to the continuing medical education credits authorized above, any volunteer physician who serves as a member of the Medical Advisory Committee as a consultant for at least one full weekend of case reviews shall receive 15 hours of risk management continuing medical education credit toward license renewal for the biennium during which the work was performed.~~

~~(8)(9) No change.~~

~~(9)(10) No change.~~

~~(10)(11) No change.~~

Rulemaking Specific Authority 456.013(6), (7), 456.031(4), 458.309, 458.319 FS. Law Implemented 456.013(6), (7), 456.031(1)(a), (3), 456.033, 458.319(4) FS. History--New 9-7-86, Amended 11-17-87, 11-15-88, 1-31-90, 9-15-92, Formerly 21M-28.002, Amended 12-5-93, Formerly 61F6-28.002, Amended 3-1-95, 1-3-96, 1-26-97, Formerly 59R-13.005, Amended 5-18-99, 2-7-01, 6-4-02, 10-8-03, 5-4-04, 5-20-04, 4-5-05, 4-25-06, 12-26-06, 1-16-08, 5-6-08, 11-25-08,_____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:
64B8-40.003 Delegation of Powers and Duties

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify delegation of powers and duties.

SUBJECT AREA TO BE ADDRESSED: Delegation of Powers and Duties.

RULEMAKING AUTHORITY: 468.507 FS.

LAW IMPLEMENTED: 468.507 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.: RULE TITLE:
64B8-45.001 General Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendment to reconsider maximum number of home study hours.

SUBJECT AREA TO BE ADDRESSED: General Requirements.

RULEMAKING 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

Division of Emergency Medical Operations

RULE NOS.: RULE TITLES:
64J-1.005 Air Ambulances
64J-1.007 Vehicle Permits

PURPOSE AND EFFECT: To update the Air Ambulance Application to reflect the requirement to submit Air Worthiness Certificate and Provider ID and to combine DH Form 1575 and DH Form 1576 into one form.

SUBJECT AREA TO BE ADDRESSED: Air Ambulance License and Permitting.

RULEMAKING AUTHORITY: 401.251, 401.26, 401.35 FS.

LAW IMPLEMENTED: 401.251 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: Lisa M. Walker, Government Analyst II, Bureau of EMS, 4052 Bald Cypress Way, Bin C-18, Tallahassee, FL, 32399; telephone (850)245-4440 ext. *2733; email: Lisa_Walker2@doh.state.fl.us.

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NOS.: RULE TITLES:
69B-228.030 Definitions
69B-228.220 Licensee Compliance; Requirements;
 Penalties for Non-Compliance

PURPOSE AND EFFECT: The proposed amendment deletes the term “satellite” and thus allows courses that would have fallen in that category to be subject to the same compliance standards as other similar courses. A definition of “printed material” is added to allow for electronic text documents provided they are readily printable. Rule 69B-228.220, F.A.C., is amended to require public adjusters have their continuing education in public adjuster courses. Technical corrections are also made to the history notes.

SUBJECT AREA TO BE ADDRESSED: The workshop is to discuss improvements and clarifications to rules relating to continuing education requirements for insurance agents and other licensees subject to rule Chapter 69B-228, F.A.C.

RULEMAKING AUTHORITY: 624.308, 626.2816(2), (3), 648.26(1)(a) FS.

LAW IMPLEMENTED: 624.307(1), 626.221(2)(d), 626.2815, 626.2816, 626.611, 626.621, 626.681, 626.691, 626.869(5), 648.385, 648.386(2) 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, May 5, 2009, 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: Lyra Erath; (850)413-5497 or by email Lyra.Erath@myfloridacfo.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, IF AVAILABLE, IS: Lyra Erath, Senior Management Analyst Supervisor, Bureau of Licensing, Division of Agent and Agency Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0319; (850)413-5497

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON THE DEPARTMENT’S DIVISION OF AGENT AND AGENCY SERVICES WEBSITE AT: <http://www.myfloridacfo.com/Agents/Industry/News/docs/ProvRule%20Dev%204-6-2009.doc>

FINANCIAL SERVICES COMMISSION

Finance

RULE NO.: 69V-560.1012 **RULE TITLE:** Adoption of Forms

PURPOSE AND EFFECT: Money services businesses licensed under Part II of Chapter 560, F.S., must maintain a corporate surety bond or an alternative security device in

amount set by rule. The amount of the device may not be less than \$50,000 or greater than \$2 million. Section 560.209(4), F.S., authorizes the use of an approved alternative security device. The proposed rules amend forms OFR-560-01 and OFR-560-07 to factor the existence of cargo insurance into the surety bond or alternative security device calculation for licensees whose business is limited solely to the physical transportation of currency or other valuables via armored cars. **SUBJECT AREA TO BE ADDRESSED:** Money Services Businesses.

RULEMAKING AUTHORITY: 560.105, 560.209 FS.

LAW IMPLEMENTED: 560.209 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: Mike Ramsden, Chief, Money Transmitter Regulation, Office of Financial Regulation, The Fletcher Building, 200 East Gaines Street, Tallahassee, Florida 32399; (850)410-9805; mike.ramsden@flofr.com

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

**Section II
Proposed Rules**

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.099822 **RULE TITLE:** School Improvement Rating for Alternative Schools

PURPOSE AND EFFECT: The purpose of the rule amendment is to define “alternative school” for the purpose of calculating school improvement ratings, establish a process to identify alternative schools and a process for calculating school improvement ratings that fulfill statutory requirements for school accountability consistent with Sections 1008.34(3)(a)2. and 1008.341, F.S. The effect of the rule amendment will be the deletion of the obsolete definition of “home school” to prevent conflict with Section 1008.34(3)(c)3., F.S. Additionally, the amendment clarifies how students are credited back to a “home school” in calculating school grades and the minimum number of students necessary to ensure a statistically reliable calculation.

SUMMARY: The rule is amended to be consistent with Sections 1008.34 and 1008.341, F.S., as they relate to defining “alternative school”, establish a process to identify alternative