

existence of cargo insurance into the surety bond or alternative security device calculation for licensees whose business is limited to the physical transportation of currency or other valuables via armored cars.

SUMMARY: The proposed rule amends 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 to the physical transportation of currency or other valuables via armored cars.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost has been prepared and is available by contacting: 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

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: 560.105, 560.209 FS.

LAW IMPLEMENTED: 560.209 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: 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 FULL TEXT OF THE PROPOSED RULE IS:

69V-560.1012 Adoption of Forms.

(1) The following forms are incorporated by reference and readopted by this rule for the purposes of Rules 69V-560.102-.913, F.A.C.:

(a) Application for Licensure as a Money Services Business, Form OFR-560-01, effective ~~1-13-09~~.

(b) Location Notification Form, Form OFR-560-02, effective 1-13-09.

(c) Declaration of Intent to Engage in Deferred Presentment Transactions, Form OFR-560-03, effective 1-13-09.

(d) Money Services Business Quarterly Report Form, Form OFR-560-04, effective 1-13-09.

(e) Pledge Agreement, Form OFR-560-05, effective 1-13-09.

(f) Money Services Business Surety Bond Form, Form OFR-560-06, effective 1-13-09.

(g) Security Device Calculation Form, Form OFR-560-07, effective ~~1-13-09~~.

(h) Florida Fingerprint Card (FL922720Z), effective 1-13-09.

(i) Currency Transaction Report, FinCEN Form 104, effective 1-13-09.

(j) Suspicious Activity Report by Money Services Business, FinCEN Form 109, effective 1-13-09.

(k) Report of International Transportation of Currency or Monetary Instruments, FinCEN Form 105, effective 1-13-09.

(2) All forms adopted by this rule are available on the Office’s website at www.flofr.com and by mail from the Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0376.

Specific Authority 560.105, 560.118, 560.141, 560.2085, 560.209, 560.403 FS. Law Implemented 560.118, 560.140, 560.141, 560.205, 560.2085, 560.209, 560.403, 943.053 FS. History–New 1-13-09, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: 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

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 27, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 17, 2009

### Section III Notices of Changes, Corrections and Withdrawals

#### 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 BUSINESS AND PROFESSIONAL REGULATION

##### Board of Landscape Architecture

RULE NO.:	RULE TITLE:
61G10-15.005	Responsible Supervision Control Over Landscape Architectural Practices in the Landscape Architect’s Office

##### NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 19, May 15, 2009 issue of the Florida Administrative Weekly.

The correction is as follows:

The Rule Development publication date listed in the Notice of Proposed Rulemaking should read:

DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN THE FAW: February 27, 2009

THE PERSON TO BE CONTACTED REGARDING THE  
 PROPOSED RULE IS: Juanita Chastain, Executive Director,  
 Board of Landscape Architecture, 1940 North Monroe Street,  
 Tallahassee, Florida 32399-0750

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
 REGULATION**

**Florida Real Estate Commission**

RULE NO.:                      RULE TITLE:  
 61J2-24.003                      Notice of Noncompliance

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been  
 made to the proposed rule in Vol. 35, No. 8, February 27, 2009  
 issue of the Florida Administrative Weekly.

The original notice of rule development erroneously stated that  
 a SERC was prepared. The board has determined that the  
 proposed rule will not affect small businesses. A statement of  
 Estimated Regulatory Costs has not been prepared. The date of  
 publishing for the original notice of rule development was  
 erroneously given as February 19, 2008. The correct date is  
 June 27, 2008. The foregoing changes do not affect the  
 substance of the proposed rule.

**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 Medicine**

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

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been  
 made to the proposed rule in Vol. 35, No. 17, May 1, 2009  
 issue of the Florida Administrative Weekly.

Although the Notice of Proposed Rulemaking stated that a  
 Statement of Estimated Regulatory Costs (SERC) had been  
 prepared and was available, the Notice did not summarize the  
 SERC. The following is a Summary of the Statement of  
 Estimated Regulatory Costs:

- The said rule may affect those licensees who are in violation of statute; furthermore, the said rule may affect any licensee who renewed his or her license without completing the required education.
- The agency will not incur any additional costs.
- Licensees will not incur additional costs.
- The change will impact licensees; however, the change will not impose a cost; rather, the change will require

documentation of continuing education.

This correction does not affect the substance of the rule as it  
 appeared in the Florida Administrative Weekly as outlined  
 above.

THE PERSON TO BE CONTACTED REGARDING THE  
 ABOVE CORRECTION IS: Allen Hall, Executive Director,  
 Dietetics and Nutrition Practices Council, 4052 Bald Cypress  
 Way, Bin #C05, Tallahassee, Florida 32399-3253

**DEPARTMENT OF HEALTH**

**Board of Medicine**

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

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been  
 made to the proposed rule in Vol. 35, No. 17, May 1, 2009  
 issue of the Florida Administrative Weekly.

Although the Notice of Proposed Rulemaking stated that a  
 Statement of Estimated Regulatory Costs (SERC) had been  
 prepared and was available, the Notice did not summarize the  
 SERC. The following is a Summary of the Statement of  
 Estimated Regulatory Costs:

- All licensees must comply with the rule. Licensees are not required to complete continuing education through a home study; however, licensees have the option of doing so.
- Only rule making costs will be incurred.
- Transaction costs are impossible to estimate.
- There is no way to determine how much of an impact the rule will have on small businesses as it is unknown how many licensees will choose home study programs; the rule will not impact small towns or cities.

This correction does not affect the substance of the rule as it  
 appeared in the Florida Administrative Weekly as outlined  
 above.

THE PERSON TO BE CONTACTED REGARDING THE  
 ABOVE CORRECTION IS: Allen Hall, Executive Director,  
 Dietetics and Nutrition Practices Council, 4052 Bald Cypress  
 Way, Bin #C05, Tallahassee, Florida 32399-3253

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.:                      RULE TITLE:  
 64B8-45.002                      Continuing Education Approval

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been  
 made to the proposed rule in Vol. 35, No. 17, May 1, 2009  
 issue of the Florida Administrative Weekly.

Although the Notice of Proposed Rulemaking stated that a  
 Statement of Estimated Regulatory Costs (SERC) had been  
 prepared and was available, the Notice did not summarize the  
 SERC. The following is a Summary of the Statement of  
 Estimated Regulatory Costs:

- Not all licensees must comply with the rule; however, all licensees have the option of taking college courses for continuing education credits toward renewal of their licenses.
- Only rule making costs will be incurred.
- No transactional costs will be incurred.
- The proposed rule will not impact small businesses, small towns, or small cities.

This correction does not affect the substance of the rule as it appeared in the Florida Administrative Weekly as outlined above.

THE PERSON TO BE CONTACTED REGARDING THE ABOVE CORRECTION IS: Allen Hall, Executive Director, Dietetics and Nutrition Practices Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.: 64B15-6.0038      RULE TITLE: Formulary

**NOTICE OF CORRECTION**

The above-referenced rule notice was published in Vol. 35, No. 17, of the April 17, 2009, Florida Administrative Weekly. Although the rule notice stated that a Statement of Estimated Regulatory Costs (SERC) had been prepared and was available, the notice did not summarize the SERC. The following is a Summary of the Statement of Estimated Regulatory Costs:

1. The proposed change will allow Physician Assistants (PAs) to prescribe antipsychotics and parenteral preparations.
2. This rule change may affect up to 4,321 PAs and the physicians that supervise them.
3. The rule change will not require any government entity to incur additional costs or receive additional revenues.
4. No transactional costs will be incurred by any person or entity affected by this rule revision.
5. This proposed rule revision will have a positive impact on physician offices because it will expand access to direct patient care.

This correction does not affect the substance of the rule as it appeared in the Florida Administrative Weekly as outlined above. The person to be contacted regarding this rule is: Kaye Howerton, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.: 69O-149.041      RULE TITLE: Marketing Communication Material and Marketing Guidelines

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 25, June 20, 2008 issue of the Florida Administrative Weekly has been withdrawn.

**Section IV  
Emergency Rules**

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

**DEPARTMENT OF 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.”

**Section V  
Petitions and Dispositions Regarding Rule  
Variance or Waiver**

**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.”

**WATER MANAGEMENT DISTRICTS**

NOTICE IS HEREBY GIVEN THAT on May 14, 2009, the Suwannee River Water Management District has issued an order.

This order (2009-0005) denied variance under Section 120.542, F.S., to Janice Wood, for a Works of the District existing dock (ERP08-0837). A petition for variance was received on January 29, 2009, and an amendment to petition was received on March 13, 2009. Notices of receipt of petitions requesting variance were published in F.A.W. in Vol. 35, No. 6, on February 13, 2009, and Vol. 35, No. 12, on March 27, 2009, respectively. No public comment was received. This order denies variance of SRWMD’s criteria for subsection 40B-4.3030(9), F.A.C., to the zero-rise certification and paragraph 40B-4.3030(12)(b), F.A.C., to the 75-foot setback requirements within Township 6 South, Range 14 East, Section