



(d) “Impossibility of performance” means an actual impossibility or impracticability of compliance as the result of a condition or circumstance which the third-party voter registration organization did not create and could not reasonably have anticipated.

(e) “Registration agent” means any individual who is employed by or volunteers for a third-party voter registration organization and ~~who solicits for collection of~~ who collects voter registration applications from Florida voter registration applicants on behalf of the organization.

(3) Registration.

(a) Before engaging in any voter registration activities, a third-party voter registration organization (hereinafter “organization”) shall complete and file Form DS-DE 119 with the Division. The organization must submit the form as an attachment in pdf format in an email to 3PVRO@dos.myflorida.com or transmit the form to the Division’s facsimile machine at (850)245-6291. An affiliate organization which itself independently engages in separate ~~solicits for collection of or collects~~ voter registration applications from Florida voter registration applicants on behalf of the affiliate must file a Form DS-DE 119 even if its affiliated organization has filed a Form DS-DE 119. An organization shall also use Form DS-DE 119 to update or terminate its registration.

(b) Upon receipt of an organization’s initial and completed registration, the Division shall assign the organization a unique third-party voter registration organization identification number that begins with “3P.” An organization is not deemed registered as a third-party voter registration organization until the Division issues the organization its identification number.

~~(c) A registration agent must complete, sign, and date Form DS-DE 120 before beginning his or her duties for the organization and the organization must ensure the form is submitted to the Division within 10 days after the form is signed. Form DS-DE 120 may be submitted to the Division when the organization submits its initial Form DS-DE 119. For any addition to the list of its registration agents or change in information about a registration agent other than termination of a registration agent, the organization shall submit an updated Form DS-DE 119. For permissible means of notifying the Division of the termination of a registration agent, See paragraph (6)(b).~~

~~(c)(d) A registration agent may be a registration agent for one or more organizations, but each organization must ensure that the registration agent submits a separate Form DS-DE 120 for its organization.~~

~~(d)(e) An organization shall submit any change in information previously submitted to the Division, including any addition to the list of its employee registration agents, any termination of an employee registration agent, or change in information about an employee registration agent, within 10~~

days following the change. A change is not considered filed until the Division receives the change. Notice of termination of an employee registration agent shall be provided as set forth in paragraph (6)(b).

~~(e)(f) Except as otherwise provided in paragraph (6)(b), any forms or amendments or additions to forms required under this subsection must be submitted in the same manner of transmission required for the Form DS-DE 119 used to initially register an organization.~~

(4) Voter Registration Applications Provided to and Used by Third-Party Voter Registration Organizations.

(a) All voter registration applications provided by the Division and each supervisor of elections to an organization shall include the third-party voter registration organization identification number on the bottom of the reverse side of each voter registration application in a manner that does not obscure any other entry.

(b) The registration agent or the organization shall print the date ~~and time~~ that the ~~voter registration applicant delivered~~ completed the application to the registration agent in a conspicuous space on the bottom portion of the reverse side of the voter registration application ~~it collects from a voter registration applicant~~ in a manner that does not obscure any other entry. The date ~~and time~~ printed by the registration agent or the organization shall be in the following numerical format: MM/DD/YY; ~~hh:mm a.m./p.m.~~ For example, if the voter registration applicant completed the application on May 15, 2014 ~~at 1:30 p.m.~~, the entry on the bottom portion of the reverse side of the application shall be: 5/15/14; ~~1:30 p.m.~~ The entry for an application completed on October 11, 2014 at 11:30 a.m., would be printed as 10/11/14; 11:30 a.m. on the bottom portion of the reverse side of the application.

(c) Each organization shall ensure that its assigned organization identification number is recorded on the bottom portion of the reverse side of any voter registration application it delivers to the Division or a supervisor of elections in a manner that does not obscure any other entry.

(d) Delivery of the voter registration application by the organization to the Division or a supervisor of elections may be accomplished by in-person delivery or mail. All applications must be delivered to the Division or a supervisor of elections or be postmarked within 10 calendar days of collection by an organization or any of its registration agents. If the 10th day falls on a weekend, holiday, or other day on which the Division or the supervisor of elections office is closed, the voter registration application must be delivered to the Division or the supervisor of elections or be postmarked by the following business day. If, however, a book closing deadline for any given election for federal or state office falls within the 10-day period described above, all applications collected by an

organization or any of its registration agents before book closing must be delivered to the Division or a supervisor of elections on or before the book closing deadline.

(5) Referral to Attorney General for Enforcement; Waiver of Fines upon Showing of Force Majeure or Impossibility of Performance Monthly Report by Organizations.

(a) In exercising the authority to refer violations of the third-party voter registration law to the Attorney General for enforcement, the Secretary of State's principal concern is the protection of applicants who have entrusted their voter registration applications to a third-party voter registration organization. By law, the organization serves as a fiduciary to those applicants, who have a right to expect that their applications will be timely delivered to an elections official irrespective of party affiliation, race, ethnicity, or gender. By the 10th day of each month, each organization shall submit to the Division a Form DS-DE 123 to account for the number of state and federal voter registration application forms provided to and received from each of its registration agents for the preceding month. If the organization had no voter registration activity in the preceding month, the organization shall still submit Form DS-DE 123 reflecting that it did not provide voter registration applications to, or receive any from, its registration agents.

(b) Any organization claiming that its failure to deliver a voter registration application within the required timeframe was based upon force majeure or impossibility of performance may provide a sworn statement to the Division explaining the circumstances constituting force majeure or impossibility of performance. Form DS-DE 123 required under this subsection must be submitted as an attachment in pdf format in an email to 3PVRO@dos.myflorida.com or transmitted to the Division's facsimile machine at (850)245-6291.

(c) If the information provided to the Division by the organization demonstrates that the failure to timely deliver a voter registration application was the result of force majeure or impossibility of performance, the Secretary of State will not refer the violation to the Attorney General for enforcement.

(6) Termination of Organization and Employee Registration Agent.

(a) If an organization terminates its status as a third-party voter registration organization, the organization shall submit within 10 days a Form DS-DE 119 reflecting its termination and also a Form DS-DE 123 to report its final accounting of voter registration application forms provided to the organization by the Division or any supervisor of elections. All such voter registration applications remaining in the organization's possession should be returned either to the Division or a supervisor of elections within 10 days of filing Form DS-DE 123. The address for the Division is Bureau of Voter Registration Services, Division of Elections, R. A. Gray Building, Room 316, Tallahassee, Florida 32399-0250. The

address for the applicable supervisor of elections may be obtained by telephoning (850)245-6200 or found on the Internet at [http://election.dos.state.fl.us/SOE/supervisor\\_elections.shtml](http://election.dos.state.fl.us/SOE/supervisor_elections.shtml).

(b) If an employee registration agent's employment with, or volunteer services for, an organization is terminated, the organization shall file notice of the terminated status of a the employee registration agent by submitting an updated Form DS-DE 119 or by sending a notification of the termination by email to 3PVRO@dos.myflorida.com or by transmitting the notification to the Division's facsimile machine at (850)245-6291 within 10 days of the termination. If Form DS-DE 119 is not used as the means of notification, the notification shall contain the organization's assigned identification number and the name of the employee registration agent being terminated.

(c) Forms DS-DE 119 and DS-DE 123 required under this subsection must be submitted as an attachment in pdf format in an email to 3PVRO@dos.myflorida.com or transmitted to the Division's facsimile machine at (850)245-6291.

(7) Processing of Voter Registration Applications from an Organization by the Division and Supervisors of Elections.

(a) For each non-blank registration application that an organization delivers to the Division or supervisor of elections, a voter registration official shall record the date and time of delivery on the bottom portion of the reverse side of the application in a manner that does not obscure any other entries. For purposes of this rule and not for voter registration purposes, an application is considered delivered to the Division or a supervisor of elections at the time the application is actually delivered by the organization by in-person delivery or, if mailed, the date of delivery shall be the date of a clear postmark, if one is present on the mailing envelope. If a postmark is not present or unclear, the date of delivery to the Division or a supervisor of elections is the actual date of receipt. If the date of delivery is the mail postmark, the applicable 48 hour period for the determination of fines pursuant to Section 97.0575, F.S., shall be based upon a whether the postmark is within two days of the date when the applicant completed the voter registration application, unless the organization provides documentation at the time of mailing the application that the date the applicant completed the application was on an earlier date than when the applicant delivered the application to the organization. For a determination of a fine based upon the application being received by mail after the book closing date, a clear postmark on or before the date of book closing will excuse the fine. If an organization delivers more than one application at the same time, those applications shall bear the same date and time of delivery regardless of when the applications are processed.

(b) An organization’s untimely delivery of a voter registration application does not affect the validity of the application. Every Such application must be processed regardless of the timeliness of its delivery.

(c) The Division and supervisors of elections shall record the number of state or federal voter registration applications they provide to, and receive from, each organization. Each supervisor of elections shall report to the Division on Form DS-DE 124 by noon of the following business day the number of voter registration applications provided to and received from each organization the previous business day. Supervisors of Elections are not required to submit Form DS-DE 124 when they did not provide any voter registration applications to, or receive any from, an organization on the preceding business day.

(d) Form DS-DE 124 required under this subsection must be submitted as an attachment in pdf format in an email to 3PVRO@dos.myflorida.com or transmitted to the Division’s facsimile machine at (850)245-6291.

(8) Complaints.

(a) Any person claiming to have provided a completed voter registration application to a third-party voter registration organization but whose name does not appear as an active voter on the voter registration rolls shall use Form DS-DE 121 to file the complaint with the Division.

(b) Any other person, except supervisors of elections or their staff, may report allegations of irregularities or fraud involving voter registration by filing an elections fraud complaint with the Division. *See* Rule 1S-2.025, F.A.C.

(c) Supervisors of elections or their staff shall report any untimely filed voter registration application submitted by an organization by sending the Division an explanatory statement in an email and attaching documents which reflect the untimely submission in pdf format to 3PVRO@dos.myflorida.com, ~~or~~ by transmitting the explanatory statement and documentation to the Division’s facsimile machine at (850)245-6291, or by having them delivered by express mail or expedited courier service. For any application containing an organization’s identification number – but no other information indicating it was collected by a third-party voter registration organization, such as a cover letter or a “date delivered” mark as required by paragraph (4)(b) and that was received after the book closing date or more than 10 days after the date on which the applicant signed it – the explanatory statement should include a description of the supervisor’s efforts to contact the applicant to confirm that the application was delivered to the organization.

(d) The Secretary of State will not refer a violation to the Attorney General unless there is evidence that the applicant entrusted the voter registration application to a third-party voter registration organization.

Rulemaking Authority 20.10(3), 97.012(1), (2), (15), 97.0575(1), (2), (5) FS. Law Implemented 97.012(1), (2), (15), 97.021(37), 97.053, 97.0575 FS. History–New 2-26-09, Amended 5-31-10, 11-2-11,\_\_\_\_\_.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Water Policy**

RULE NOS.:	RULE TITLES:
5M-16.001	Purpose
5M-16.002	Approved BMPs
5M-16.003	Presumption of Compliance with State Water Quality Standards
5M-16.004	Notice of Intent to Implement BMPs
5M-16.005	BMP Record Keeping

PURPOSE AND EFFECT: The purpose of this rule is to effect pollutant reduction through the implementation of agricultural best management practices (BMPs) that may be determined to have minimal individual or cumulative adverse impacts to the water resources of the state. The effect will be the adoption of Best Management Practices for the Florida citrus industry.

SUBJECT AREA TO BE ADDRESSED: The proposed rule will address the implementation of Best Management Practices for the Florida citrus industry.

RULEMAKING AUTHORITY: 403.067(7)(c)2., 570.07(10), 570.07(23) FS.

LAW IMPLEMENTED: 403.067(7)(c)2. FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mr. Bill Bartnick, 1203 Governor Square Boulevard, Suite 200, Tallahassee, Florida 32301, (850)617-1700

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5M-16.001 Purpose.

The purpose of this rule is to effect pollutant reduction through the implementation of agricultural best management practices (BMPs) that may be determined to have minimal individual or cumulative adverse impacts to the water resources of the state.

Rulemaking Authority 403.067(7)(c)2., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(c)2. FS. History–New \_\_\_\_\_.

5M-16.002 Approved BMPs.

The manual titled *Water Quality/Quantity Best Management Practices for Florida Citrus* (2012), DACS-P-01756, is hereby adopted and incorporated by reference. Copies of the manual may be obtained from the University of Florida Cooperative Extension Service county office or from the Florida

Department of Agriculture and Consumer Services (FDACS), Office of Agricultural Water Policy, 1203 Governor Square Boulevard, Suite 200, Tallahassee, FL 32301 or accessed online at [Dept of State Link].

Rulemaking Authority 403.067(7)(c)2., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(c)2. FS. History–New \_\_\_\_\_.

5M-16.003 Presumption of Compliance with State Water Quality Standards.

Pursuant to Section 403.067(7)(c)3., F.S., agricultural operations that implement BMPs, in accordance with FDACS rules, that have been verified by the Florida Department of Environmental Protection as effective in reducing pollutants addressed by the practices are presumed to comply with state water quality standards, and are released from the provisions of Section 376.307(5), F.S., for those pollutants. In order to meet the requirements for a presumption of compliance and release from Section 376.307(5), F.S., the producer must:

(1) Submit a Notice of Intent to Implement, as provided in Rule 5M-16.004, F.A.C., that identifies the applicable BMPs;

(2) Implement all applicable BMPs in accordance with the timeline requirements in Rule 5M-16.004, F.A.C.; and

(3) Maintain records to document the implementation and maintenance of the identified BMPs, in accordance with Rule 5M-16.005, F.A.C.

Rulemaking Authority 403.067(7)(c)2., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(c)2. FS. History–New \_\_\_\_\_.

5M-16.004 Notice of Intent to Implement BMPs.

A Notice of Intent to Implement (NOI) BMPs and the accompanying BMP Checklist, both of which are in the manual referenced in Rule 5M-16.002, F.A.C., shall be submitted to the FDACS Office of Agricultural Water Policy, 1203 Governor Square Boulevard, Suite 200, Tallahassee, Florida 32301. The Notice of Intent to Implement Water Quality/Quantity Best Management Practices for Florida Citrus (DACS-01598, Rev. 05/12), hereby adopted and incorporated by reference, may be obtained from FDACS or accessed online at [Dept of State link].

(1) The NOI shall include:

(a) The name of the property owner, the location of the property, the property tax ID number(s), and any other pertinent property identification information;

(b) The amount of acreage on which BMPs will be implemented;

(c) The name and contact information of a person to contact;

(d) The signature of the land owner, lease holder, or authorized agent; and

(e) A BMP Checklist with a schedule for implementation, as contained in the manual. The producer shall select the applicable BMPs by following the instructions in the manual.

Except as provided in the manual, all applicable BMPs must be implemented as soon as practicable, but no later than 18 months after submittal of the NOI.

(2) Submittal of the NOI enables the producer to receive assistance with BMP implementation.

Rulemaking Authority 403.067(7)(c)2., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(c)2. FS. History–New \_\_\_\_\_.

5M-16.005 BMP Record Keeping.

BMP participants must keep records, as directed in the manual, to document the implementation and maintenance of the practices submitted to FDACS pursuant to this rule. These records are subject to inspection upon request, in accordance with a mutually agreed upon time and manner, and must be retained for a period of at least five years.

Rulemaking Authority 403.067(7)(c)2., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(c)2. FS. History–New \_\_\_\_\_.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-14.0411                      RULE TITLE: Issuance of Continuing Contracts

PURPOSE AND EFFECT: The purpose and effect of the rule change is to update the current process of issuing continuing contracts. The effect will be a rule aligned with Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Continuing contracts at state/community colleges.

RULEMAKING AUTHORITY: 1001.025(1), 1012.855 FS.

LAW IMPLEMENTED: 1012.83 FS.

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

DATE AND TIME: Friday, August 31, 2012, 9:00 a.m. – 12:00 Noon

PLACE: Seminole State College of Florida, 100 Weldon Blvd, Automotive Showroom, Building AT, Sanford, Florida 32773

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Kasongo Butler, Assistant Chancellor, Division of Florida Colleges, Florida Department of Education, 325 W. Gaines Street, Suite 1544, Tallahassee, Florida 32399-0400, (850)245-9455 or Kasongo.Butler@fldoe.org

The draft rule may also be obtained from the Department's website at: <https://appl.fldoe.org/rules/default.aspx>

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

**DEPARTMENT OF REVENUE****Sales and Use Tax**

RULE NO.:                    RULE TITLE:  
 12A-1.070                    Leases and Licenses of Real  
    Property; Storage of Boats and  
    Aircraft

**PURPOSE AND EFFECT:** The purpose of the proposed amendments to Rule 12A-1.070, F.A.C. (Leases and Licenses of Real Property) is to update, consistent with current statutory provisions, the tax imposed on the rental, lease, or license to use, occupy, or enter upon any real property. When in effect, the proposed amendments will:

- Update the exclusion from the tax on the use of real property at a port authority. (Section 212.031(1)(a)8., F.S., as amended by Chapter 97-221, L.O.F.)
- Update the exclusion from the tax on real property for poles, conduits, fixtures, and similar improvements located on streets or rights-of-ways occupied by a utility or provider of communications services. (Section 212.031(1)(a)5., F.S., as amended by Section 1, Chapter 99-363, L.O.F., Section 53, Chapter 2000-260, L.O.F., and Section 27, Chapter 2001-140, L.O.F.)
- Remove provisions stating that for jetways and baggage conveyors to be deemed real property, the land upon which they are attached must be owned by the owner of the jetways and baggage conveyors. This provision was rendered obsolete when the term “real property” was defined to include land and improvements and fixtures. (Section 212.06(14), F.S., as created by Section 5, Chapter 98-141, L.O.F.)
- Update the exclusion from tax on real property for persons providing food and drink retail concessionaire services expanded to include publicly-owned facilities, and update the definition of the term “retail concessionaire” for purposes of the rule. (Section 212.031(1)(a)10., F.S., as amended by Section 1, Chapter 99-270, L.O.F.)
- Add the exclusion from tax on the lease of real property for property used or occupied predominantly for space flight business purposes. (Section 212.031(1)(a)12., as created by Chapter 2000-183, L.O.F.)
- Add the exemption for real property rented, leased, or licensed by a postsecondary educational institute to a person operating a bookstore on the property. (Section 212.08(7)(eee), F.S., as created by Chapter 2007-53, L.O.F.)
- Add the exclusion from tax on the lease of real property to a person providing telecommunications, data systems management, or Internet services at a convention hall, civic hall, or meeting space at public lodgings. (Section 212.031(1)(a)13., F.S., as created by Section 5, Chapter 2010-147, L.O.F.)
- Remove obsolete provisions regarding the taxability of the rental of premises within an airport by a person providing retail concessionaire services effective prior to July 1, 1987. (Section 10, Chapter 87-101, L.O.F.)

- Update provisions regarding the exclusion from tax on the lease of real property by a qualified production company that holds a Certificate of Exemption for Entertainment Industry Qualified Production Company issued by the Department, as provided in Rule 12A-1.085, F.A.C. Changes are made to remove the obsolete suggested certificate of exemption and to remove the unnecessary recitation of statutory provisions. (Section 212.031(1)(a)9., F.S., as amended by Section 2, Chapter 2000-182, L.O.F.)
- Remove obsolete reference to definitions that are no longer included in Rule 12A-1.044, F.A.C.
- Remove the unnecessary restatement of the statutory sales tax rate.
- Remove provisions regarding the storage of aircraft or boats redundant of Rule 12A-1.073, F.A.C., and remove “Storage of Boats and Aircraft” from the rule title to reflect this change.
- Update provisions providing that privilege, franchise, or concession fees paid to an airport are not payments for a lease or license for the use of real property. (Section 212.02(10)(j), F.S., as amended by Section 1, Chapter 95-391, L.O.F.)
- Update examples on the taxability of utility charges paid by a tenant to the lessor for the use of real property.
- Include provisions regarding when tax collected on the rental, lease, or license for the use of specified public facilities to hold an event of not more than seven days is due to the Department. (Section 212.031(3), F.S., as amended by Section 1, Chapter 2000-345, L.O.F.)
- Provide that the lessee who records a cancellation or termination fee as rental income, and who does not pay the tax to the lessor, is required to remit the tax directly to the Department.
- Provide when tax is due on the cost price of real property improvements completed or funded by a tenant, as provided in *Department of Revenue v. Seminole Clubs, Inc.*, 745 So.2d 473 (Fla. 5th DCA 1999) and *Department of Revenue v. Ruehl No. 925, LLC*, 76 So.3d 389 (Fla. 1st DCA 2011).
- Include the exemption for the rental, license, or lease of real property from the turnpike enterprise as provided in Section 338.234, F.S. (Amended by Section 52, Chapter 2007-196, L.O.F.)
- Provide that, consistent with Section 212.031(2)(b), F.S., the amount of tax due on consideration paid for the use of real property is not decreased by a progression of transactions.
- Provide that the calculation of the pro rata portion of premises leased or rented by for-profit entities that provide a residential facility for the aged uses a proration method based on square footage. (Section 212.031(1)(b), F.S., as amended by Section 3, Chapter 98-140, L.O.F.)
- Provide that the calculation of the pro rata portion of leased or rented hotel premises providing dwelling accommodations is prorated based on square footage. *Department of Revenue v. Vanjaria Enterprises, Inc.*, 675 So. 2d 252 (Fla. 5th DCA

1996), provides that the Department would be required to promulgate a rule to require a proration method based on square footage.

– Consolidate provisions regarding advertising displays into a single subsection.

– Remove provisions regarding bailment agreements that are not the rental, lease, or license to use real property.

**SUBJECT AREA TO BE ADDRESSED:** The subject area of the rule development workshop is the development of updated procedures regarding the tax imposed on the rental, lease, or license to use, occupy, or enter upon any real property.

**RULEMAKING AUTHORITY:** 212.17(6), 212.18(2), 213.06(1) FS.

**LAW IMPLEMENTED:** 212.02(10)(g), (h), (i), (j), (12), (13), 212.03(6), 212.031, 212.06(1)(b), (2)(j), (14), 338.234(2) FS.

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

**DATE AND TIME:** September 6, 2012, 10:00 a.m.

**PLACE:** 2450 Shumard Oak Boulevard, Building One, Room 1220, Tallahassee, Florida. The public can also participate in this rule development workshop through a simultaneous electronic broadcast of this event by the Department of Revenue using WebEx, and conference calling technology. The requirements to participate are access to the Internet and a telephone. The public can participate in this electronic workshop by accessing the broadcast from their home or office. Specific information about how to participate in this electronic meeting from your home or office will be included in the Agenda for this workshop posted on the Department’s Proposed Rule site at [www.myflorida.com/dor/rules](http://www.myflorida.com/dor/rules).

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: Tammy Miller at (850)617-8347. 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:** French Brown, Deputy Director, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-6309

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT’S INTERNET SITE AT:** [myflorida.com/dor/rules](http://myflorida.com/dor/rules).

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

**RULE NO.:** 19B-4.001 **RULE TITLE:** Application

**PURPOSE AND EFFECT:** To update the form for the Florida Prepaid College Plan and Florida College Investment Plan New Account Application, the Florida Prepaid College Plan Add-a-Plan Application, and the Master Covenant, and to update the name of the Florida College Investment Plan to the “Florida 529 Savings Plan.”

**SUBJECT AREA TO BE ADDRESSED:** The Florida Prepaid College Plan and Florida College Investment Plan New Account Application form, Florida Prepaid College Plan Add-a-Plan application form, Florida Prepaid College Plan Master Covenant, and the new name for the Florida College Investment Plan to the Florida 529 Savings Plan.

**RULEMAKING AUTHORITY:** 1009.971(1), (4), (6) FS.

**LAW IMPLEMENTED:** 1009.98 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:** August 31, 2012, 2:00 p.m.

**PLACE:** Suite 210, Hermitage Building, 1801 Hermitage Boulevard, 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: Kevin Thompson, (850)488-8514. 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:** Kevin Thompson, (850)488-8514

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

19B-4.001 Application.

(1) No change.

(2) The Florida Prepaid College Plan and Florida 529 Savings ~~College Investment~~ Plan New Account Application, Form No. FPCB 2013-01 ~~2012-01~~, is hereby incorporated by reference and may be obtained from the Board by calling 1(800)552-GRAD (4723) (prompt 1). The Florida Prepaid College Plan Master Covenant, Form No. FPCB 2013-02 ~~2012-02~~, is hereby incorporated by reference and may be obtained from the Board by calling 1(800)552-GRAD (4723) (prompt 1). The Florida Prepaid College Plan Add-a-Plan Application, Form No. FPCB 2013-03 ~~2012-03~~, is hereby incorporated by referenced and may be obtained from the Board by calling 1(800)552-GRAD (4723) (prompt 1).

Rulemaking Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.98 FS. History--New 3-29-89, Amended 2-6-90, 3-19-92, Formerly 4G-4.001, Amended 12-5-93, 5-31-95, 6-20-96, 10-20-96, 12-16-97, 2-18-99, 6-6-99, 2-8-00, 5-21-00, 1-3-01, 10-9-01, 11-27-02, 10-1-03, 1-29-04, 12-28-04, 6-2-05, 12-20-05, 1-1-07, 11-27-07, 12-17-07, 11-18-08, 1-28-09, 4-5-09, 10-26-09, 10-18-10, 12-5-11,\_\_\_\_\_.

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

RULE NO.: 19B-4.005  
 RULE TITLE: Maximum Account Balance Limit  
 PURPOSE AND EFFECT: To update the name of the Florida College Investment Plan to the "Florida 529 Savings Plan."  
 SUBJECT AREA TO BE ADDRESSED: The new name for the Florida College Investment Plan is changed to the Florida 529 Savings Plan.  
 RULEMAKING AUTHORITY: 1009.971(1), (4), (6) FS.  
 LAW IMPLEMENTED: 1009.98 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 5 days before the workshop/meeting by contacting: Kevin Thompson, (850)488-8514. 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: Kevin Thompson, (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-4.005 Maximum Account Balance Limit.

(1) The maximum account balance limit shall be determined annually by the Board. The maximum account balance limit shall be calculated by multiplying the qualified higher education expenses, including tuition fees, room and board, and supplies, at the most expensive eligible educational institution, by seven (7), and rounding the resulting product downward to the nearest \$1,000.00 increment. In determining the qualified higher education expenses at the most expensive eligible educational institution, the Board will consult the figures compiled by the College Board and published in the annual College Handbook which is found at the College Board's website at <http://store.collegeboard.com>. The maximum account balance limit shall not exceed the amount

permitted pursuant to s. 529 of the Internal Revenue Code. The Board will publish the amount of the maximum account balance limit annually in the Florida Administrative Weekly. The redemption value of an advance payment contract plus the account balance of an account in the Florida 529 Savings College Investment Plan, for the same beneficiary shall not exceed the maximum account balance limit.

(2) No change.

(3) If the Board receives an application for an advance payment contract or an additional plan as an addendum to an advance payment contract for a beneficiary and the sum of the redemption value of that application's benefit(s), the redemption value of any existing advance payment contract for that beneficiary and the account balance of a Florida 529 Savings College Investment Plan account for that beneficiary exceeds the maximum account balance limit, the Board will notify the purchaser that the Board cannot accept the application.

Rulemaking Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.98, 1009.981 FS. History--New 11-27-02, Amended 12-28-03, 7-13-06, 12-17-07, 7-9-08, 10-18-10,\_\_\_\_\_.

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

RULE NO.: 19B-6.001  
 RULE TITLE: Fee Schedule  
 PURPOSE AND EFFECT: To update the name of the Florida College Investment Plan to the "Florida 529 Savings Plan."  
 SUBJECT AREA TO BE ADDRESSED: The new name for the Florida College Investment Plan is changed to the Florida 529 Savings Plan.  
 RULEMAKING AUTHORITY: 1009.971(1), (4), (6) FS.  
 LAW IMPLEMENTED: 1009.98 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: August 31, 2012, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, 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 hours before the workshop/meeting by contacting: Kevin Thompson, (850)488-8514. 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: Kevin Thompson, (850)488-8514



THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-6.001 Fee Schedule.

The following fee schedule will apply for all advance payment contract applicants and purchasers:

- (1) Application Fee –
  - (a) No change.
  - (b) If the purchaser named on the application for the advance payment contract has a Florida ~~529 Savings College Investment~~ Plan account and the designated beneficiary of that account is the same as beneficiary named on the application for the advanced payment contract, a thirty dollar (\$30.00) nonrefundable application fee will be collected at the time the application is submitted.

(c) If an application for both the advance payment contract and the Florida ~~529 Savings College Investment~~ Plan is submitted on the same application, an eighty dollar (\$80.00) nonrefundable application fee will be collected at the time the application is submitted.

(d) A fee of ten dollars (\$10.00) will be assessed for any purchaser of a 4-Year Florida University Plan, 2 + 2 Florida Plan or Tuition Plan who subsequently adds a Dormitory Plan to the previously purchased 4-Year Florida University Plan, 2 + 2 Florida Plan or Tuition Plan.

(e) A fee of ten dollars (\$10.00) will be assessed for any purchaser of a Tuition Plan who subsequently adds the corresponding Local Fee Plan to the previously purchased Tuition Plan.

(f) A fee of ten dollars (\$10.00) will be assessed for any purchaser of a Tuition Plan who subsequently adds the corresponding Tuition Differential Fee Plan to the previously purchased Tuition Plan.

(2) through (7) No change.

Rulemaking Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.971(4), 1009.98 FS. History–New 3-29-89, Amended 2-6-90, 3-19-92, 8-23-92, Formerly 4G-6.001, Amended 12-5-93, 6-20-96, 12-16-97, 2-18-99, 2-8-00, 11-6-01, 11-27-02, 12-17-07, 10-18-10,\_\_\_\_\_.

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE NO.: 19B-16.001 RULE TITLE: Application of Rule Chapter; Definitions

PURPOSE AND EFFECT: This rule is amended to reflect the updated name Florida College Investment Plan to the “Florida 529 Savings Plan.”

SUBJECT AREA TO BE ADDRESSED: The Florida College Investment Plan’s new name will be “Florida 529 Savings Plan.”

RULEMAKING AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.981, 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: August 31, 2012, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, 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: Kevin Thompson, (850)488-8514. 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: Kevin Thompson, (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-16.001 Application of Rule Chapter; Definitions.

(1) These rules apply to participants in the Florida ~~529 Savings Plan Program~~ (the “~~Savings Florida College Investment~~ Plan”), a qualified tuition program that allows persons to make contributions to a trust account established for the purpose of meeting some or all of the qualified higher education expenses of a designated beneficiary.

(2) For the purposes of the Florida ~~529 College Savings Plan Program~~ and Rule Chapter 19B-16, F.A.C.:

(a) through (b) No change.

(c) “Application” means the Florida Prepaid College Plan and Florida ~~529 Savings College Investment~~ Plan New Account Application and the Florida ~~529 Savings Plan College Investment Plan~~ Add-On Application, adopted pursuant to Rule 19B-16.002, F.A.C.

(d) through (o) No change.

(p) “Program” means the Florida ~~529 Savings Plan Florida College Savings Program~~ (the “~~Savings Florida College Investment~~ Plan”).

(q) through (s) No change.

Rulemaking Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.981 FS. History–New 5-30-02, Amended 11-27-02,\_\_\_\_\_.

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE NO.: 19B-16.002 RULE TITLE: Application for Participation in the Program

PURPOSE AND EFFECT: This rule is amended to reflect the new name for the Florida College Investment Plan to the “Florida 529 Savings Plan” and to update the form number for the Florida Prepaid College Plan and of the Florida College Investment Plan New Account Application.

SUBJECT AREA TO BE ADDRESSED: The Florida Prepaid College Plan and Florida College Investment Plan New Account Application form and the new name for the Florida College Investment Plan to the “Florida 529 Savings Plan.”

RULEMAKING AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.981 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 5 days before the workshop/meeting by contacting: Kevin Thompson, (850)488-8514. 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: Kevin Thompson, (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-16.002 Application for Participation in the Program.

(1) No change.

(2) The Florida Prepaid College Plan and Florida 529 Savings College Investment Plan New Account Application, Form No. FPCB 2013-01 ~~2012-01~~, is hereby incorporated by reference. The form may be obtained from the Board by calling 1(800)552-GRAD (4723) (prompt 1).

(3) No change.

Rulemaking Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.981 FS. History--New 11-27-02, Amended 1-29-04, 12-28-04, 6-2-05, 12-20-05, 1-1-07, 11-27-07 11-18-08, 1-28-09, 4-5-09, 10-26-09, 10-18-10, 12-5-11, \_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NO.: 40D-21.275  
 RULE TITLE: Implementing a Water Shortage Declaration

PURPOSE AND EFFECT: This rulemaking is necessary to establish that the Southwest Florida Water Management District (District) will provide notice of a Declaration of Water

Shortage to those Permittees whose permits will be affected or whose permitted water use will otherwise be restricted by a Water Shortage Declaration. The District previously provided notice of a Declaration of Water Shortage to all Permittees within an area affected by a Declaration of Water Shortage.

SUBJECT AREA TO BE ADDRESSED: Water Shortage Plan.

RULEMAKING AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.175, 373.246 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 5 days before the workshop/meeting by contacting: The Southwest Florida Water Management District Human Resources Director, 2379 Broad Street, Brooksville, FL 34604-6899, telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702; TDD (FL only), 1(800)231-6103 or e-mail to ADACoordinator@swfwmd.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: Sonya White, Senior Legal Assistant, Office of General Counsel, Southwest Florida Water Management District, 7601 U.S. Highway 301 North, Tampa, FL 33637-6759, (813)985-7481, ext. 4660. (OGC#2012012)

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 Accountancy**

RULE NO.: 61H1-33.003  
 RULE TITLE: Continuing Professional Education  
 PURPOSE AND EFFECT: The Board proposes the rule amendment to provide proper instructions for documentation of each continuing education course.  
 SUBJECT AREA TO BE ADDRESSED: Continuing Professional Education.  
 RULEMAKING AUTHORITY: 455.213(6), 455.2177, 455.2178, 455.2179, 473.304, 473.305, 473.312 FS.  
 LAW IMPLEMENTED: 455.213(6), 455.2177, 455.2178, 455.2179, 473.305, 473.312 (1)(a), (c) 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: Veloria A. Kelly, Executive Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

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 Accountancy**

RULE NO.: 61H1-33.0033  
 RULE TITLE: Obligations of CPA Ethics Course Continuing Education Providers

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify language regarding the certificate of attendance.

SUBJECT AREA TO BE ADDRESSED: Obligations of CPA Ethics Course Continuing Education Providers.

RULEMAKING AUTHORITY: 455.213(6), 455.2178, 455.2179, 473.304, 473.312 FS.

LAW IMPLEMENTED: 455.213(6), 455.2178, 455.2179, 473.312 (1)(a), (c) 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: Veloria A. Kelly, Executive Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.: 62-701.100  
 62-701.200  
 62-701.210  
 62-701.220  
 62-701.300  
 62-701.310

RULE TITLES: Intent  
 Definitions  
 Documents Incorporated by Reference  
 General Applicability  
 Prohibitions  
 Approval of Alternate Procedures and Requirements

62-701.315 Permit Fees for Solid Waste Management Facilities  
 62-701.320 Solid Waste Management Facility Permit Requirements, General  
 62-701.330 Landfill Permit Requirements  
 62-701.340 General Criteria for Landfills  
 62-701.400 Landfill Construction Requirements  
 62-701.410 Hydrogeological and Geotechnical Investigation Requirements  
 62-701.430 Vertical Expansion of Landfills  
 62-701.500 Landfill Operation Requirements  
 62-701.510 Water Quality and Leachate Monitoring Requirements  
 62-701.520 Special Waste Handling  
 62-701.530 Gas Management Systems  
 62-701.600 Landfill Final Closure  
 62-701.610 Other Closure Procedures  
 62-701.620 Long-Term Care  
 62-701.630 Financial Assurance  
 62-701.710 Waste Processing Facilities  
 62-701.730 Construction and Demolition Debris Disposal and Recycling  
 62-701.802 General Permit for Land Application of Grade II Domestic Wastewater Treatment Sludge (Repealed)  
 62-701.803 General Permit for Off-site Disposal of Land Clearing Debris Forms  
 62-701.900  
 PURPOSE AND EFFECT: Subsection 403.707(9), F.S., requires that all construction and demolition debris landfills be constructed with liners and leachate control systems. This same subsection also requires that all construction and demolition debris be processed prior to disposal when economically feasible. Section 403.087(6), F.S., requires that all permit fees be updated every five years to account for inflation. The rule chapter must be amended to address these new requirements. There are also several minor changes that need to be made to update and clarify the chapter.  
 SUBJECT AREA TO BE ADDRESSED: Solid Waste Management.  
 RULEMAKING AUTHORITY: 403.061, 403.087, 403.0877, 403.704, 403.707, 403.814 FS.  
 LAW IMPLEMENTED: 403.021, 403.061, 403.087, 403.0877, 403.121, 403.702-403.7193, 403.75-403.769, 403.814 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 Tedder, Department of Environmental Protection, MS 4565,

2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8735, or email at Richard.Tedder@dep.state.fl.us

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

**DEPARTMENT OF HEALTH**

**Division of Medical Quality Assurance**

RULE NO.: 64B-9.003  
 RULE TITLE: Military Spouse Temporary License

PURPOSE AND EFFECT: To update the material incorporated by reference to decrease the background screening fee.

SUBJECT AREA TO BE ADDRESSED: Temporary licenses for military spouses.

RULEMAKING AUTHORITY: 456.024(3) FS.

LAW IMPLEMENTED: 456.024(3) 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, Division of Medical Quality Assurance, Medical Therapies-Psychology Board, 4052 Bald Cypress Way, Bin #C-01, Tallahassee, Florida 32399-3257

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

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NOS.: 64B15-13.001  
 RULE TITLES: Continuing Education for Biennial Renewal

64B15-13.003 Proof of Completion of Continuing Medical Education Hours

PURPOSE AND EFFECT: The Board intends to address proposed rule amendments to set forth the five most misdiagnosed conditions for the purpose of the course in prevention of medical errors and to clarify the requirements of licensure renewal as it relates to continuing medical education. SUBJECT AREA TO BE ADDRESSED: Continuing medical education (CME) regarding the five most misdiagnosed conditions and the requirements for completion of CME for licensure renewal.

RULEMAKING AUTHORITY: 456.013(9), 459.005, 459.008 (2), (4) FS.

LAW IMPLEMENTED: 456.013, 456.031, 459.013(8), (9), 459.008 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: Anthony Jusevitch, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

**FLORIDA HOUSING FINANCE CORPORATION**

RULE NOS.:	RULE TITLES:
67-21.002	Definitions
67-21.003	Application and Selection Process for Developments
67-21.0035	Applicant Administrative Appeal Procedures
67-21.004	Federal Set-Aside Requirements
67-21.0045	Determination of Method of Bond Sale
67-21.006	Development Requirements
67-21.007	Fees
67-21.008	Terms and Conditions of MMRB Loans
67-21.009	Interest Rate on Mortgage Loans
67-21.010	Issuance of Revenue Bonds
67-21.013	Non-Credit Enhanced Multifamily Mortgage Revenue Bonds
67-21.014	Credit Underwriting Procedures
67-21.015	Use of Bonds with Other Affordable Housing Finance Programs
67-21.017	Transfer of Ownership
67-21.018	Refundings and Troubled Development Review
67-21.019	Issuance of Bonds for Section 501(c)(3) Entities

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall administer the Application process, determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the Multifamily Mortgage Revenue Bond (MMRB) Program authorized by Section 142 of the Code and Section 420.509, F.S.

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to the

development of the 2013 application and program requirements for the MMRB Program, as specified in Rule Chapter 67-21, Florida Administrative Code (F.A.C.).  
 RULEMAKING AUTHORITY: 420.507, 420.508 FS.  
 LAW IMPLEMENTED: 420.509 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:  
 DATE AND TIME: September 6, 2012, 2:30 p.m.  
 PLACE: Hyatt Regency Tampa, Two Tampa City Center, Tampa, FL 33602, (813)225-1234. The workshop will not be accessible via telephone.

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: Len Stirrat, (850)488-4197. 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: Len Stirrat, Multifamily Bonds Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197

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

**FLORIDA HOUSING FINANCE CORPORATION**

RULE NOS.:	RULE TITLES:
67-48.001	Purpose and Intent
67-48.002	Definitions
67-48.004	Application and Selection Procedures for Developments
67-48.005	Applicant Administrative Appeal Procedures
67-48.007	Fees
67-48.0072	Credit Underwriting and Loan Procedures
67-48.0075	Miscellaneous Criteria
67-48.009	SAIL General Program Procedures and Restrictions
67-48.0095	Additional SAIL Application Ranking and Selection Procedures
67-48.010	Terms and Conditions of SAIL Loans
67-48.0105	Sale, Transfer or Refinancing of a SAIL Development
67-48.013	SAIL Construction Disbursements and Permanent Loan Servicing
67-48.014	HOME General Program Procedures and Restrictions

67-48.015	Match Contribution Requirement for HOME Allocation
67-48.017	Eligible HOME Activities
67-48.018	Eligible HOME Applicants
67-48.019	Eligible and Ineligible HOME Development Costs
67-48.020	Terms and Conditions of Loans for HOME Rental Developments
67-48.0205	Sale, Transfer or Refinancing of a HOME Development
67-48.022	HOME Disbursements Procedures and Loan Servicing
67-48.023	Housing Credits General Program Procedures and Requirements
67-48.027	Tax-Exempt Bond-Financed Developments
67-48.028	Carryover Allocation Provisions
67-48.029	Extended Use Agreement
67-48.030	Sale or Transfer of a Housing Credit Development
67-48.031	Termination of Extended Use Agreement and Disposition of Housing Credit Developments

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall: (1) administer the Application process, determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the State Apartment Incentive Loan (SAIL) Program authorized by Section 420.5087, Florida Statutes (F.S.), and the HOME Investment Partnerships (HOME) Program authorized by Section 420.5089, Florida Statutes; and (2) administer the Application process, determine Housing Credit (HC) amounts and implement the provisions of the Housing Credit Program authorized by Section 42 of the Code and Section 420.5099, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to (1) the development of the 2013 application and program requirements for the SAIL, HOME, HC Programs, as specified in Rule Chapter 67-48, Florida Administrative Code (F.A.C.) and (2) amendments to the Florida Housing Finance Corporation's 2012 Qualified Allocation Plan (QAP).

RULEMAKING AUTHORITY: 420.507 FS.  
 LAW IMPLEMENTED: 420.5087, 420.5089, 420.5099 FS.  
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:  
 DATE AND TIME: September 6, 2012, 2:30 p.m.  
 PLACE: Hyatt Regency Tampa, Two Tampa City Center, Tampa, FL 33602, (813)225-1234. The workshop will not be accessible via telephone.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jean Salmonsens at (850)488-4197. 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: Kevin Tatreau, Director of Multifamily Development Programs  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Vessel Registration and Boating Safety**

RULE NO.: 68D-24.010  
 RULE TITLE: Pinellas County Boating Restricted Areas

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule changes reducing vessel speeds on the Florida Intracoastal Waterway within Pinellas County, updating rule maps and making other minor technical changes to rule language where necessary to manage and promote the use of this state waterway for safe and enjoyable boating.

SUBJECT AREA TO BE ADDRESSED: Vessel speed limits on the Florida Intracoastal Waterway within Pinellas County, specifically the possible expansion of zones surrounding the Memorial Causeway Bridge and Honeymoon Island Causeway Bridge due to changes in bridge and maritime infrastructure. These changes would include updates to rule maps and other minor technical changes to rule language where necessary to manage and promote the use of this state waterway for safe and enjoyable boating.

RULEMAKING AUTHORITY: 327.46 FS.

LAW IMPLEMENTED: 327.46 FS.

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

DATE AND TIME: Thursday, September 6, 2012, 6:00 p.m. – 8:00 p.m.

PLACE: Clearwater Community Sailing Center, 1001 Gulf Boulevard, Clearwater, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ryan Moreau, Boating and Waterways Section, Division of Law Enforcement, 620 South Meridian St., Tallahassee, Florida 32399-1600

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Funeral, Cemetery, and Consumer Services**

RULE NO.: 69K-1.005  
 RULE TITLE: Licensure Application Procedures

PURPOSE AND EFFECT: This rulemaking action specifies how a license applicant proves that they meet the education requirements for licensure. The provisions being added to existing Rule 69K-1.005, F.A.C., in this rulemaking were approved by the Board of Funeral, Cemetery, and Consumer Services at its monthly meeting on 12-2-2010.

SUBJECT AREA TO BE ADDRESSED: Proof of satisfying education requirements for licensure under Chapter 497, F.S.

RULEMAKING AUTHORITY: 497.103(2), (5)(b), 497.141(2), (12)(g) FS.

LAW IMPLEMENTED: 497.368(1)(d), (e), 497.369(1)(b)2., (c), 497.370(2), 497.373(1)(d), (e), 497.374(1)(b)2., (c), 497.375(1)(b), 497.602(3)(b), (c), 497.141 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: September 5, 2012, 9:00 a.m.

PLACE: Room 332, Pepper Building, 111 W. Madison 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: LaTonya Bryant-Parker, at (850)413-4957 or LaTonya.Bryant-Parker@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: Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, Division of Funeral, Cemetery, and Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, FL 32399-0361, (850)413-4984, shropshired@MyFloridaCFO.com. Direct any request for rule development workshop to Mr. Shropshire

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