

based on information contained in the applicant's Hatchery and Genetic Management Plan (HGMP) that must be submitted as part of the application process. The information requested in the HGMP is designed to address four primary genetic concerns: potential impacts from translocations of non-indigenous genes, potential impacts from propagation-related genetic changes in cultured fish, potential impacts from excessive genetic input into natural populations, and indirect genetic impacts.

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

Paragraph (3)(b) has been amended to reflect the new application incorporation date as follows:

68B-8.011 Aquaculture Broodstock Collection Special Activity License.

(3) FEES AND APPLICATION.

(a) No change.

(b) An applicant for an Aquaculture Broodstock Collection SAL must complete and submit an Aquaculture Broodstock Collection SAL application provided by the Commission (Form DMF-ABCSAL (9/09 ~~2/09~~)).

Paragraph (3)(b) has been amended to reflect the new application incorporation date as follows:

68B-8.012 Snook Special Activity License.

(3) FEES AND APPLICATION.

(a) No change.

(b) An applicant for a Snook SAL must complete and submit a Snook SAL application form provided by the Commission (Form DMF-SSAL (9/09 ~~2/09~~)).

Paragraphs (5)(c) and (8)(c) have been amended to reflect the new application incorporation date as follows:

68B-8.013 Non-Conforming Gear Special Activity Licenses and Exemptions.

(5) GEAR INNOVATION SPECIAL ACTIVITY LICENSE.

(c) FEES AND APPLICATION.

1. No change.

2. An applicant for a Gear Innovation SAL must complete and submit a Gear Innovation SAL application form provided by the Commission (Form DMF-GISAL (9/09 ~~2/09~~)).

(8) NONPROFIT CORPORATION SPECIAL ACTIVITY LICENSE.

(c) FEES AND APPLICATION.

1. No change.

2. An applicant for a Nonprofit Corporation SAL must complete and submit a Nonprofit Corporation SAL application form provided by the Commission (Form DMF-NPSAL (9/09 ~~2/09~~)).

No other changes were made to the rule amendments as proposed.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of State Fire Marshal**

RULE NO.: RULE TITLE:

69A-52.003 Application

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 28, July 17, 2009 issue of the Florida Administrative Weekly.

DFS-K3-1973 adopted in subsection (5) has been changed.

DFS-K3-1528 adopted in subsection (6) has been changed. To obtain copies of the forms, please see the State Fire Marshal website, <http://www.fldfs.com/SFM/>, or contact Lesley Mendelson, (850)413-3604.

**Section IV  
Emergency Rules**

**DEPARTMENT OF REVENUE**

**Property Tax Oversight Program**

RULE NO.: RULE TITLE:

12DER09-2 Reporting of Fiscal Data by Fiscally Constrained Counties to the Department of Revenue For Local Fiscal Year 2009-2010

**SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE:** Chapter 2008-173 (Senate Bill 1588), Laws of Florida, authorized the Department of Revenue to adopt emergency rules that could remain in effect for 18 months and that could be renewed. These acts further provided that all conditions imposed by Chapter 120, Florida Statutes, were deemed to be met.

**REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES:** The Legislature expressly authorized the Department of Revenue to adopt emergency rules that implement the provisions of Chapter 2008-173 (Senate Bill 1588), Laws of Florida. The law provides that these emergency rules remain in effect for a period of 18 months and that they may be renewed. The form included here is based on the requirements of Section 218.12, Florida Statutes, as passed by the 2008 Legislature. The Department of Revenue has taken several actions to inform interested parties about the form, procedures, and emergency rules that are being developed to implement this new law, and to give such parties an opportunity to review and comment. These interested parties include Property Appraisers, county governments and the professional associations that represent them. The actions that the Department has taken include: making the proposed drafts available via the Internet for public review and comments at: <http://dor.myflorida.com/dor/property/fiscal.html>, establishing a Department email address

to make it easier for interested parties to submit comments and questions to the agency, emailing copies of the draft forms to interested parties, as well as receiving and incorporating public comments on the drafts of forms.

SUMMARY: Emergency Rule 12DER09-2 (Reporting of Fiscal Data by Fiscally Constrained Counties to the Department of Revenue For Fiscal Year 2009-2010), provides assistance regarding certain actions to be taken by local governments and officials. Section 218.12, Florida Statutes, states each fiscally constrained county shall apply to the Department of Revenue to participate in the distribution of funds appropriated by the Legislature in the form and manner prescribed by the Department by November 15 each year. This rule adopts and incorporates by reference Form DR-420FC, Distribution To Fiscally Constrained Counties Application (R. 09/09), to be used by counties that meet the fiscally constrained definition in Section 218.67(1), Florida Statutes.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Janice Forrester, Department of Revenue, Property Tax Technical Unit, 725 S. Calhoun Street, Tallahassee, Florida 32399-0100; telephone (850)922-7945; Fax (850)488-9482; email address: forrestj@dor.state.fl.us

THE FULL TEXT OF THE EMERGENCY RULE IS:

12DER09-2 Reporting of Fiscal Data by Fiscally Constrained Counties to the Department of Revenue For Local Fiscal Year 2009-2010.

(1) This rule applies to counties that meet the fiscally constrained definition in Section 218.67(1), Florida Statutes. Pursuant to Section 218.12, Florida Statutes, such counties are required to apply for a distribution of funds appropriated by the Legislature for the purpose of offsetting reductions in property tax revenues occurring as a direct result of the implementation of revisions to Article VII, Florida Constitution approved in the special election held on January 29, 2008 (Amendment 1). Application must be in a form and manner prescribed by the Department of Revenue. For local fiscal year 2009-10, these reductions include the additional \$25,000 homestead exemption, the \$25,000 tangible personal property exemption, homestead assessment difference transferability, and the 10% assessment increase limitation on nonhomestead property.

(2) An application is to be filed with the Department of Revenue on Form DR-420FC, Distribution To Fiscally Constrained Counties Application (R. 09/09), which is hereby incorporated by reference.

(3) Each fiscally constrained county must provide the completed form to the Department of Revenue by November 15, beginning in 2008. The form must be prepared by the county property appraiser. The following is a summary of the information required on the form:

(a) An estimate of the reduction in taxable value for all county government taxing jurisdictions directly attributable to the constitutional amendment. This estimate must be based on

values comparable to those certified on Form DR-420, Certification of Taxable Value. For local fiscal year 2009-10 only, that portion of the estimated reduction in ad valorem taxable value occurring as a result of homestead assessment difference transfers shall include only the reduction in taxable value for homesteads established on January 1, 2009;

(b) Millage rates for all county government taxing jurisdictions as included on the tax roll extended pursuant to Section 193.122, Florida Statutes, for all such jurisdictions for both the current and prior year;

(c) Rolled-back rates, if available, for each jurisdiction determined as provided in Section 200.065, Florida Statutes, and included on Form DR-420 by each taxing jurisdiction;

(d) Maximum millage rates, if available, for each jurisdiction that could have been levied by a majority vote pursuant to Section 200.185, Florida Statutes, as included on Form DR-420MM, Maximum Millage Levy Calculation – Final Disclosure, by each taxing jurisdiction.

(4) The calculation must include both operating and debt service levies, including millages levied for two years or less under Section 9(b), Article VII, Florida Constitution.

(5) Copies of Form DR-420FC, Distribution To Fiscally Constrained Counties Application, are available, without cost, by downloading the selected forms from the Department's Internet site at <http://dor.myflorida.com/dor/property/>.

(6) This rule shall replace Rule 12DER08-29 (Reporting of Fiscal Data by Fiscally Constrained Counties to the Department of Revenue For Fiscal Year 2008-09), which took effect October 31, 2008.

Rulemaking Authority Section 13 of Ch. 2008-173, L.O.F. Law Implemented 200.065, 218.12, 218.67 FS. History–New 9-16-09.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: September 16, 2009

#### **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."