

**Section I**

**Notices of Development of Proposed Rules and Negotiated Rulemaking**

**DEPARTMENT OF REVENUE**

**RULE NO.:** 12-16.005  
**RULE TITLE:** Requirements for Consent Agreements

**PURPOSE AND EFFECT:** Section 213.23, F.S., authorizes the Executive Director, or his or her designee, to enter into consent agreements with a taxpayer to extend the period during which an assessment may be issued or a claim for refund may be filed. When both the Department and the taxpayer provide written consent, a tax assessment may be issued or a claim for a tax refund may be made at any time prior to the expiration of the period agreed upon. The purpose of the amendments to Rule 12-16.005, F.A.C., is to eliminate confusion over the language that appears to require that the agreement be signed by the Department prior to being signed by the taxpayer.

**SUBJECT AREA TO BE ADDRESSED:** The subject area to be addressed is the procedures for signing written agreements to extend the period during which an assessment may be issued or a claim for refund may be filed.

**RULEMAKING AUTHORITY:** 213.06(1) FS.

**LAW IMPLEMENTED:** 213.23 FS.

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

**DATE AND TIME:** January 27, 2010, 9:00 a.m.

**PLACE:** Room 118, Carlton Building, 501 S. Calhoun 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 48 hours before the workshop/meeting by contacting: Larry Green at (850)922-4830. 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:** Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

**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)

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
12A-1.002	Practitioners of the Healing Arts
12A-1.015	Industrial Gases
12A-1.020	Drugs, Medicine and Medical Products and Supplies
12A-1.021	Prosthetic and Orthopedic Appliances
12A-1.0215	Veterinary Sales and Services
12A-1.097	Public Use Forms

**PURPOSE AND EFFECT:** The purpose of the proposed repeal of Rule 12A-1.002, F.A.C. (Practitioners of the Healing Arts), is to remove provisions that will be rendered unnecessary with the adoption of the proposed substantial rewording of Rule 12A-1.020, F.A.C., and the proposed creation of Rule 12A-1.0215, F.A.C. Provisions applicable to practitioners of the healing arts are included in those proposed rules.

The purpose of the proposed repeal of Rule 12A-1.015, F.A.C. (Industrial Gases), is to remove provisions regarding the application of tax to certain gases that are redundant of other administrative rules. Provisions for compressed medical gases and medical oxygen are included in the proposed amendments to Rule 12A-1.020, F.A.C., and the creation of Rule 12A-1.0215, F.A.C.

The purpose of the proposed substantial rewording of Rule 12A-1.020, F.A.C. (Licensed Practitioners; Drugs, Medical Products and Supplies), is to clarify the application of tax to items sold to hospitals, healthcare entities, physicians, dentists, and other licensed practitioners for use in their practice of medicine and clarify the exemption for drugs, medicinal supplies, and medical products, supplies, and devices. These rule amendments, when adopted, will provide: (1) a definition of the terms "licensed practitioner" and "drug or medicinal drug" for purposes of the rule; (2) that hospitals, healthcare entities, and licensed practitioners are required to pay tax on taxable items or services consumed in providing medical services; (3) the exemption for prescription drugs and medical gases and opaque drugs; (4) the exemption for common household remedies recommended and generally sold for internal or external use in the cure, mitigation, treatment, or prevention of illness or disease in human beings and the taxability of cosmetics, toilet articles, and hygiene products; (5) that, unless specifically exempt, medical products, supplies, and devices are subject to tax; (6) that medical products, supplies, or devices are exempt when dispensed pursuant to a written prescription; (7) that medical products, supplies, or devices bearing the prescription labeling required under federal or state law are exempt when intended to be used one time only; (8) the exemption for medical products, supplies, or devices that are temporarily or permanently incorporated into a patient; (9) that medical trays required by federal or state law

to be dispensed only by prescription and that are intended to be used one time only are exempt from tax; (10) a suggested exemption certificate to be used to purchase tax-exempt medical products, supplies, or devices; (11) the taxability of chemical compounds and test kits, including a list of tax-exempt and a list of taxable chemical compounds and test kits; (13) the exemption for parts or other items added to tangible personal property so that a handicapped person may use an item; (14) the exemption for orthopedic or corrective shoes; (15) the taxability of eyeglasses and lenses; (16) the exemption for stock lenses and a suggested exemption certificate to buy certain stock lenses tax-exempt; and (17) recordkeeping requirements.

The purpose of the proposed amendments to Rule 12A-1.021, F.A.C. (Prosthetic and Orthopedic Appliances), is to: (1) update the term "duly licensed physician" to physician licensed under Chapter 458, Chapter 459, Chapter 460, Chapter 461, or Chapter 466, F.S.; (2) update the list of tax-exempt prosthetic and orthopedic appliances and to remove items that are specifically exempt under Section 212.08(2), F.S.; (3) provide that materials and supplies that are incorporated into and become a component part of a prosthetic or orthopedic appliance or device dispensed by a licensed prosthetist or orthotist pursuant to a prescription written by a licensed practitioner are not subject to sales or use tax; (4) provide that expendable materials and supplies used for such purposes are subject to tax; (5) provide a suggested exemption certificate to buy such materials and supplies tax-exempt; (6) provide the recordkeeping requirements for such exemption certificates; and (7) remove provisions for the exemption provided in Section 212.08(2)(j), F.S., for prescribed parts and attachments added to tangible personal property to assist a person with special needs that are provided in Rule 12A-1.020, F.A.C., as amended.

The purpose of the proposed creation of Rule 12A-1.0215, F.A.C. (Veterinary Sales and Services), is to provide for the taxability of veterinary services, for the taxability of items used in the practice of veterinary medicine, for the exemptions provided for substances possessing curative or remedial properties, and for the taxability of medical products, supplies, and devices used in the treatment of animals. The proposed new rule, when adopted, will provide: (1) that professional services provided by veterinarians are not subject to tax; (2) that charges for hospitalization of animals are not subject to tax; (3) that charges for boarding and grooming are not subject to tax, but items consumed in providing those services are subject to tax; (4) that prescription drugs, medical gases, and opaque drugs are exempt when required by federal or state law to be dispensed by prescription only; (5) for the taxability of items used by veterinarians for treatment of animals and a list of items that are specifically exempt when purchased by veterinarians; (6) that medical products, supplies, or devices bearing the prescription labeling required under federal law are exempt when intended to be used one time only; (7) that

medical products, supplies, or devices that are temporarily or permanently incorporated into an animal are exempt; (8) that medical trays required by federal or state law to be dispensed only by prescription and that are intended to be used one time only are exempt from tax; (9) when commonly recognized substances possessing curative or remedial properties purchased by veterinarians are exempt; (10) a suggested exemption certificate to be used to purchase tax-exempt substances and medical products, supplies, or devices; (11) how to purchase items tax-exempt for purposes of resale to clients; and (12) recordkeeping requirements.

The purpose of the proposed amendments to Rule 12A-1.097, F.A.C., is to adopt, by reference, changes to Form DR-46NT, Nontaxable Medical and General Grocery List, to include updated lists of tax-exempt common household remedies and tax-exempt prosthetic and orthopedic appliances.

**SUBJECT AREA TO BE ADDRESSED:** The subject of this workshop is the proposed changes to Rule Chapter 12A-1, F.A.C. (Sales and Use Tax), regarding: (1) the application of tax to items sold to hospitals, healthcare entities, physicians, dentists, and other licensed practitioners for use in their practice of medicine and the taxability of chemical compounds and test kits, common household remedies, drugs, eyeglasses and lenses, medical gases, medical products, supplies, and devices, and prosthetic and orthopedic appliances; and (2) the application of tax to items used in the practice of veterinary medicine, including medical products, supplies, and devices, and substances possessing curative or remedial properties used in the treatment of animals.

**RULEMAKING AUTHORITY:** 212.17(6), 212.18(2), (3), 213.06(1) FS.

**LAW IMPLEMENTED:** 92.525(1)(b), (3), 95.091, 212.02(14), (19), 212.05, 212.06, 212.07(1), 212.08(2), 212.085, 212.13, 212.18(2), (3), 213.37, 465.186, 465.187 FS.

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

**DATE AND TIME:** January 27, 2010, 10:00 a.m.

**PLACE:** Room 118, Carlton Building, 501 South Calhoun 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 48 hours before the workshop/meeting by contacting: Larry Green at (850)922-4830. 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:** Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

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).

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

RULE NO.:                    RULE TITLE:  
12A-1.060                    Registration

**PURPOSE AND EFFECT:** A petition challenging the validity of the provisions of subparagraphs 12A-1.060(6)(a)1. and 2., F.A.C. – All In One Consultants, LLC v. Department of Revenue (DOAH Case No. 09-3012RX). In the rule challenge, All In One Consultants alleged that the Department did not have statutory authority to promulgate a rule defining “person,” a term defined in Section 212.02(12), F.S., and therefore the rule provision constituted an invalid exercise of delegated legislative authority under Section 120.52(8), F.S. The Department has agreed to remove the definition from the rule. The purpose of this rulemaking is to remove the definition of the term “person” contained within subparagraphs (6)(a)1. and 2. of Rule 12A-1.060, F.A.C. (Registration).

**SUBJECT AREA TO BE ADDRESSED:** The subject of this workshop is the removal of the definition of “person” from subparagraphs (6)(a)1. and 2. of Rule 12A-1.060, F.A.C. (Registration).

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

**LAW IMPLEMENTED:** 212.03(1), (2), 212.04(4), 212.0596(1), (2), 212.06(2), 212.12(2), (5), (6), 212.14(4), 212.16(1), (2), 212.18(3) FS.

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

**DATE AND TIME:** January 27, 2010, 9:00 a.m.  
**PLACE:** Room 118, Carlton Building, 501 S. Calhoun 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 48 hours before the workshop/meeting by contacting: Larry Green at (850)922-4830. 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:** Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

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).

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

RULE NOS.:                    RULE TITLES:  
12A-19.071                    Department of Revenue Electronic Database  
12A-19.100                    Public Use Forms

**PURPOSE AND EFFECT:** The Geographic Names Information System Feature Identifier (GNIS Feature ID) has superseded the Federal Information Processing System 55 (FIPS 55) database place code as the federal and national standard geographical feature record identifier.

Effective October 3, 2009, the Department's Address/Jurisdiction Database, maintained by the Department for purposes of assigning communications service addresses and insurance policies and premiums to local taxing jurisdictions, contains a combination of both GNIS Feature ID place codes and FIPS 55 place codes. The FIPS 55 place code will remain as a field in the database. Local taxing jurisdictions submit address/jurisdiction changes to the Department using the Guide for Address Change Requests. This guide contains the required record layout using the specified place codes.

Providers of communications services address/jurisdiction database and vendors of such databases may request that the Department certify their database for accuracy of the address/jurisdictions contained within the database. To apply, service providers and database vendors must submit Form DR-700012 (Application for Certification of Communications Services Database) and their database in the required record layout using the specified place codes. The required database layout contains of combination of Federal Information Processing Standards (FIPS) 55 place codes and the Geographic Names Information System (GNIS) Feature Identifier place codes.

The purpose of the proposed amendments to Rule 12A-19.071, F.A.C. (Department of Revenue Electronic Database), and to Rule 12A-19.100, F.A.C. (Public Use Forms), is to adopt, by reference, updates to Form DR-700012 and to the Guide for Address Change Requests necessary to update the FIPS 55 place codes and the GNIS Feature Identifier place codes.

**SUBJECT AREA TO BE ADDRESSED:** The subject of the workshop is the adoption of the Geographic Names Information System Feature Identifier places codes in the Department's Address/Jurisdiction Database to assign service addresses to local taxing jurisdictions.

**RULEMAKING AUTHORITY:** 175.1015(5), 185.085(5), 202.151, 202.16(2), 202.26(3)(a), (b), (c), (d), (e), (g), (j), 202.27(7) FS.

**LAW IMPLEMENTED:** 175.1015, 185.085, 202.11(3), (10), (11), 202.12(1), (3), 202.13(2), 202.151, 202.16(2), (4), 202.17(6), 202.19(1), (7), 202.22(2), (6), 202.23, 202.27, 202.28(1), (2), 202.30(3), 202.33, 202.34(3), (4)(c), 202.35(1), (2) FS.

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

**DATE AND TIME:** January 27, 2010, 9:00 a.m.

**PLACE:** Room 118, Carlton Building, 501 S. Calhoun 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 48 hours before the workshop/meeting by contacting: Larry Green at (850)922-4830. 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:** Janet Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT:** myflorida.com/dor/rules.

**DEPARTMENT OF REVENUE**

**Miscellaneous Tax**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
12B-4.060	Tax on Transfers of Ownership Interest in Legal Entities

**PURPOSE AND EFFECT:** Section 201.02(1)(b), F.S., as created by Chapter 2009-131, Laws of Florida (L.O.F.), imposes tax on transfers of ownership interests in a conduit entity when the transfer is within three years of a transfer of Florida real property into the conduit entity, documentary stamp tax was not paid on the full consideration when the real property was transferred into the conduit entity, and the ownership interest transferred belonged to the grantor of the real property. Chapter 2009-131, L.O.F., authorized the Department to promulgate an emergency rule and a permanent rule to implement the provisions of the law. The Department is seeking public participation and information to develop new Rule 12B-4.060, F.A.C. (Tax on Transfers of Ownership Interest in Legal Entities), regarding the documentary stamp tax imposed under Section 201.02(1)(b), F.S., on the transfer of ownership interest in a conduit entity.

**SUBJECT AREA TO BE ADDRESSED:** This is a rule development workshop at which participation and information regarding Chapter 2009-131, L.O.F., is encouraged. This rule development workshop will assist the Department in understanding issues related to the application of the documentary stamp tax on the transfer of ownership interest in a conduit entity, as provided in Section 201.02(1)(b), F.S., as created by Chapter 2009-131, L.O.F.

Persons are encouraged to participate in the rule development workshop and to submit written comments regarding the tax imposed under Chapter 2009-131, L.O.F., for the following issues:

1. Undefined Terms. The legislation uses several terms that are undefined and may require increased administration. These terms include, but are not limited to:

- Legal Entity,
- Arm's length transaction,
- Direct or indirect ownership,
- Real property interest, and
- Transfer of an interest for consideration.

2. Giving Credit for Prior Tax Paid. The legislation imposes tax on sales of ownership interests in entities after Florida real property is transferred into the entity. The statute appears to contemplate that no tax was paid when property was put into the entity. However, tax may be paid on partial consideration. The statute does not specify whether any credit should be granted for these prior taxes.

1. Mergers. The statute is silent with regard to treatment of mergers.

2. Additional Issues Related to Section 201.02(1)(b), F.S. Additional issues regarding the documentary stamp tax on the transfer of ownership interest in a conduit entity, as provided in Section 201.02(1)(b), F.S.

**RULEMAKING AUTHORITY:** s. 6, Ch. 2009-131, L.O.F.

**LAW IMPLEMENTED:** 201.02(1) FS., Ch. 2009-131, L.O.F.

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

**DATE AND TIME:** January 27, 2010, 2:30 p.m.

**PLACE:** Room 118, Carlton Building, 501 S. Calhoun 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 48 hours before the workshop/meeting by contacting: Larry Green at (850)922-4830. 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:** Tim Phillips, Revenue Program Administrator I, Technical

Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4724

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

## DEPARTMENT OF REVENUE

### Miscellaneous Tax

RULE NO.: 12B-8.0016  
 RULE TITLE: Department of Revenue Electronic Database

PURPOSE AND EFFECT: The Geographic Names Information System Feature Identifier (GNIS Feature ID) has superseded the Federal Information Processing System 55 (FIPS 55) database place code as the federal and national standard geographical feature record identifier.

Effective October 3, 2009, the Department's Address/Jurisdiction Database, maintained by the Department for purposes of assigning communications service addresses and insurance policies and premiums to local taxing jurisdictions, contains a combination of both GNIS Feature ID place codes and FIPS 55 place codes. The FIPS 55 place code will remain as a field in the database. Local taxing jurisdictions submit address/jurisdiction changes to the Department using the Guide for Address Change Requests. This guide contains the required record layout using the specified place codes.

The purpose of the proposed amendments to Rule 12B-8.0016, F.A.C. (Department of Revenue Electronic Database), is to adopt, by reference, updates to the Guide for Address Change Requests necessary to update the FIPS 55 place codes and the GNIS Feature Identifier place codes.

SUBJECT AREA TO BE ADDRESSED: The subject of the workshop is the adoption of the Geographic Names Information System Feature Identifier places codes in the Department's Address/Jurisdiction Database to assign insurance policies and premiums to local taxing jurisdictions.

RULEMAKING AUTHORITY: 175.1015(5), 185.085(5) FS.

LAW IMPLEMENTED: 175.1015, 185.085 FS.

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

DATE AND TIME: January 27, 2010, 9:00 a.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun 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 48 hours before the workshop/meeting by contacting: Larry Green at (850)922-4830. 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: Janet Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

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).

## DEPARTMENT OF REVENUE

### Corporate, Estate and Intangible Tax

RULE NO.: 12C-1.013  
 RULE TITLE: Adjusted Federal Income Defined

PURPOSE AND EFFECT: Chapter 2009-192, Laws of Florida, amends Section 220.13(1)(e), F.S., to require adjustments for the special 50 percent bonus depreciation, section 179, I.R.C., expense in excess of \$128,000, and deferral of cancellation of indebtedness income. These provisions were added to the Internal Revenue Code by the American Recovery and Reinvestment Act of 2009, Public Law 111-5. The proposed amendments to Rule 12C-1.013, F.A.C. (Adjusted Federal Income Defined), are necessary to update the provisions for adjustments to federal income for Florida income tax purposes and to establish procedures for reporting the additions and claiming the subtractions required by Section 220.13(1)(e), F.S., and provide procedures for filing amended Florida corporate income tax returns for the 2007 and 2008 tax years. When in effect, the proposed amendments: (1) provide the additions that taxpayers are required to make for the amount of the federal deduction claimed under I.R.C. section 179 that exceeds \$128,000, the amount of special 50 percent bonus depreciation, and the amount of deferral of cancellation of indebtedness; (2) provide the subtractions that are available in each of seven tax years beginning with the year an addition is made under Section 220.13(1)(e), F.S.; (3) require taxpayers to maintain a schedule reflecting all adjustments made under Section 220.13(1)(e), F.S.; (4) provide that these adjustments do not affect the basis of the property; (5) require taxpayers who filed their Florida corporate income tax returns in a manner other than provided in Chapter 2009-192, L.O.F., to amend their Florida tax return; (6) provide that penalty and interest that are a direct result of the changes in Chapter 2009-192, L.O.F., will be compromised or waived when an amended Florida corporate income tax return is filed; (7) provide when the subtractions under Section 220.13(1)(e), F.S., are not to be included in a taxpayer's Florida corporate income tax return; and (8) provide when the deductions allowed under section 179, I.R.C., and for special 50 percent bonus depreciation are not required to be included in a taxpayer's Florida corporate income tax return.

**SUBJECT AREA TO BE ADDRESSED:** The subject of this workshop is the requirement to make adjustments for the special 50 percent bonus depreciation provisions for Florida corporate income tax purposes, for section 179, I.R.C., expense in excess of \$128,000, and for deferral of cancellation of indebtedness income, as provided in Section 220.13(1)(e), F.S., as amended by Chapter 2009-192, Laws of Florida.

**RULEMAKING AUTHORITY:** 213.06(1), 220.51 FS., s. 3, Ch. 2009-192, L.O.F.

**LAW IMPLEMENTED:** 220.02(3), 220.03(5), 220.13, 220.131(1), 220.43(1), (3) FS.

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

**DATE AND TIME:** January 27, 2010, 9:00 a.m.

**PLACE:** Room 118, Carlton Building, 501 S. Calhoun 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 48 hours before the workshop/meeting by contacting: Larry Green at (850)922-4830. 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:** Robert DuCasse, Revenue Program Administrator I, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4111

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT:** myflorida.com/dor/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 MANAGEMENT SERVICES**

**Division of Building Construction**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
60D-15.001	Definitions and Incidental Policies
60D-15.002	Agencies Procedures for Contracting with Continuing Contract Entities

**PURPOSE AND EFFECT:** The purpose of these rules is: (1) to establish rules in conformity with statute changes in Chapter 2009-227, Laws of Florida (2) to adopt standards and

requirements for state agencies use of construction management entities under contract with the Department of Management Services.

**SUBJECT AREA TO BE ADDRESSED:** New administrative procedures will be establish for state agencies use of construction management entities that are under contract with the Department of Management Services. This will include definition; standards for state agencies contracting with construction management entities; requirements for project management and reporting contracting activity.

**RULEMAKING AUTHORITY:** 255.32 FS.

**LAW IMPLEMENTED:** 255.32 FS.

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

**DATE AND TIME:** Thursday, February 4, 2010, 1:30 p.m. – 4:00 p.m.

**PLACE:** Betty Easley Conference Center, 4075 Esplanade Way, Room 180, 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 48 days before the workshop/meeting by contacting: Tom Berger at (850)487-9921. 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:** Tom Berger, Deputy Director, Division of Real Estate Development and Management, 4050 Esplanade Way, Suite 335E, Tallahassee, Florida 32399-0950; (850)487-9921, Tom.Berger@dms.myflorida.com

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors' Licensing Board**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
61G6-5.002	Application for Certification by Examination; Reexamination
61G6-5.003	Application for Examination for Certification

**PURPOSE AND EFFECT:** The Board proposes to amend the rule to update the incorporated form.

**SUBJECT AREA TO BE ADDRESSED:** Application for Certification by Examination; Reexamination.

**RULEMAKING AUTHORITY:** 489.507(3) FS.

**LAW IMPLEMENTED:** 489.505(12), (21), (22), 489.511, 489.521 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, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors' Licensing Board**

RULE NOS.:	RULE TITLES:
61G6-5.0061	Registration of Additional New Business Entity or Transfers

61G6-5.009	Endorsement
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PURPOSE AND EFFECT: The Board proposes the promulgation of Rule 61G6-5.0061, F.A.C., to incorporate form and list required documentation. The Board proposes to review the existing language in Rule 61G6-5.0091, F.A.C., to correct statutory references and determine whether other changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Registration of Additional New Business Entity or Transfers; Endorsement.

RULEMAKING AUTHORITY: 489.507(3), 489.511(3), (6), 489.521(2), (3)(a) FS.

LAW IMPLEMENTED: 489.511(3), (9), 489.521(2), (3)(a), (8) 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, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors' Licensing Board**

RULE NO.:	RULE TITLE:
61G6-8.001	Fees

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Fees.

RULEMAKING AUTHORITY: 455.271(6)(b) FS.

LAW IMPLEMENTED: 455.271(6)(b) 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, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors' Licensing Board**

RULE NO.:	RULE TITLE:
61G6-10.0065	Reinstatement of Null and Void License Pursuant to Section 455.271(6)(b) of the Florida Statutes

PURPOSE AND EFFECT: The Board proposes the rule promulgation in order to provide instruction for reinstatement of a null and void license pursuant to Section 455.271(6)(b), F.S. and to incorporate form.

SUBJECT AREA TO BE ADDRESSED: Reinstatement of Null and Void License Pursuant to Section 455.271(6)(b) of the Florida Statutes.

RULEMAKING AUTHORITY: 455.271(6)(b) FS.

LAW IMPLEMENTED: 455.271(6)(b) 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, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

**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 Clinical Laboratory Personnel**

RULE NOS.:	RULE TITLES:
64B3-5.0011	Definitions
64B3-5.002	Supervisor
64B3-5.003	Technologist
64B3-5.004	Technician

PURPOSE AND EFFECT: The Board proposes to review the majority of this Chapter in order to ensure that all rules conform with existing statutory requirements and to determine if amendments are necessary to address any matters concerning the profession of clinical laboratory personnel.

SUBJECT AREA TO BE ADDRESSED: Definitions; Supervisor; Technologist; Technician.

RULEMAKING AUTHORITY: 483.805, 483.811(2), 483.823 FS.

LAW IMPLEMENTED: 381.0034(3), 483.800, 483.809, 483.811(2), 483.815, 483.823 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.:	RULE TITLE:
64B3-5.007	Director; Limitations and Qualifications

PURPOSE AND EFFECT: The Board proposes to review the existing language in the rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Director; Limitations and Qualifications.

RULEMAKING AUTHORITY: 483.805(4) FS.

LAW IMPLEMENTED: 381.0034(3), 483.800, 483.809, 483.823(1), 483.824 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NOS.:	RULE TITLES:
64B3-9.001	Application Fees
64B3-9.002	Initial Licensure Fees
64B3-9.0035	Additional Specialty Fee
64B3-9.004	Active Status Renewal Licensure Fee

PURPOSE AND EFFECT: The Board proposes to review the existing language in the rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Application Fees; Initial Licensure Fees; Additional Specialty Fee; Active Status Renewal Licensure Fee.

RULEMAKING AUTHORITY: 456.025, 456.036, 483.805(4), 483.807(1) FS.

LAW IMPLEMENTED: 456.025, 456.036, 483.807, 483.815 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.:	RULE TITLE:
64B3-10.005	Scope of Practice Relative to Specialty of Licensure

PURPOSE AND EFFECT: The Board proposes to review the existing language in the rule to determine whether changes are necessary.



SUBJECT AREA TO BE ADDRESSED: Scope of Practice Relative to Specialty of Licensure.

RULEMAKING AUTHORITY: 483.805(4) FS.

LAW IMPLEMENTED: 483.813, 483.823, 483.825 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: 64B3-12.001      RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes to review the existing language in the rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

RULEMAKING AUTHORITY: 456.079, 483.805(4) FS.

LAW IMPLEMENTED: 456.072, 456.079, 483.825 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-44.007      RULE TITLE: Standards of Practice

PURPOSE AND EFFECT: To consider the rule in light of technological developments and national changes in the practice field which may be impacting Florida practitioners negatively.

SUBJECT AREA TO BE ADDRESSED: Standards of Practice.

RULEMAKING AUTHORITY: 456.072(1)(t), 468.503(4), 468.507, 468.516(1)(a) FS.

LAW IMPLEMENTED: 456.072(1)(t), 468.503(4), 468.516, 468.517, 468.518 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 Psychology**

RULE NO.: 64B19-11.011      RULE TITLE: Provisional License; Supervision of Provisional Licensees

PURPOSE AND EFFECT: The Board proposes to review the rule to delete unnecessary language and to add new language if necessary to clarify supervision of provisional licensees.

SUBJECT AREA TO BE ADDRESSED: Provisional licenses.

RULEMAKING AUTHORITY: 456.013, 490.003(6), 490.004(4), 490.0051 FS.

LAW IMPLEMENTED: 456.013, 490.003(6), 490.004(4), 490.0051, 490.009 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Psychology/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 Psychology**

RULE NO.: 64B19-12.002      RULE TITLE: Application and Examination Fee for Licensure by Examination; Review Fee

PURPOSE AND EFFECT: The Board proposes to review the rule to delete unnecessary language and to add new language to modify application and examination fees.

SUBJECT AREA TO BE ADDRESSED: Application and examination fees.

RULEMAKING AUTHORITY: 456.013(2), 490.004(4), 490.005(1)(a) FS.

LAW IMPLEMENTED: 456.013(2), 456.017, 460.005(1)(a) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Mental Health Program**

RULE NO.: 65E-4.014  
 RULE TITLE: Standards for Client Records, Treatment and Quality Assurance

PURPOSE AND EFFECT: The purpose of the rule development is to amend the current rule to incorporate statutory changes in Section 394.674, F.S., as it relates to definitions, client eligibility and enrollment. These rules shall apply to all community mental health providers and licensed mental health residential treatment facilities under contract with the department or the agency to provide treatment services to the Mental Health Program Office priority populations in Chapter 394, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Those sections related to applicability, definitions, client eligibility and enrollment.

RULEMAKING AUTHORITY: 394.674(4) FS.

LAW IMPLEMENTED: 394.674 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 21 days before the workshop/meeting by contacting: Denise L. Barber, Governmental Operation Consultant III, Department of Children and Families, Mental Health Program, 1317 Winewood Blvd., Building 6, Room 207, Tallahassee, Florida 32399, (850)414-1501. 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: Denise L. Barber, Governmental Operation Consultant III, Department of Children and Families, Mental Health Program, 1317 Winewood Blvd., Building 6, Room 207, Tallahassee, Florida 32399

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

**FINANCIAL SERVICES COMMISSION**

**FSC – Financial Institution Regulation**

RULE NO.: 69U-100.045  
 RULE TITLE: Examination Manuals and Referenced Standards

PURPOSE AND EFFECT: The rule is being amended to incorporate by reference current versions of examination manuals.

SUBJECT AREA TO BE ADDRESSED: Financial Institutions – Examination Manuals.

RULEMAKING AUTHORITY: 655.012(2) FS.

LAW IMPLEMENTED: 655.045 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: Linda Charity, Director, Division of Financial Institutions, Office of Financial Regulation, 200 E. Gaines Street, Tallahassee, Florida 32399, linda.charity@flofr.com, (850)410-9800

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69U-100.045 Examination Manuals and Referenced Standards.

(1) Examination manuals used by OFR ~~that which~~ contain referenced standards are available for inspection at OFR’s Office in Tallahassee, ~~and at the following location:~~

~~Federal Deposit Insurance Corporation  
 10 Tenth Street N. E.  
 Suite 800  
 Atlanta, Georgia 30309-3906~~

(2) The OFR ~~uses the~~ following examination manuals ~~are used by OFR in the~~ implementation of its examination responsibilities; ~~which and~~ are hereby ~~adopted and~~ incorporated by reference into the body of printed materials

that the ~~which~~ OFR uses for the purposes of conducting examinations of financial institutions to assess the performance and condition of such institutions. The OFR examiners use the manuals ~~are used by the examiners~~ as reference guidelines when conducting safety and soundness examinations of such financial institutions:

(a) Federal Financial Institutions Examination Council Bank Secrecy Act/Anti-Money Laundering Examination Manual (8/24/2007), which may be obtained electronically through the following website: [http://www.ffiec.gov/bsa\\_aml\\_infobase/](http://www.ffiec.gov/bsa_aml_infobase/). ~~OFR Examination Procedures Manual (7/89)~~.

(b) Federal Deposit Insurance Corporation DSC Risk Management Revised DOS Manual of Examination Policies (12/2004 Revised 6/95), which may be obtained electronically through the following website: <http://www.fdic.gov/regulations/safety/manual/index.html>.

(c) Federal Deposit Insurance Corporation Trust Examination Manual (05/12/2005), which may be obtained electronically through the following website: <http://www.fdic.gov/regulations/examinations/trustmanual/>. ~~Management Evaluation Guidelines (5/93)~~.

(d) National Credit Union Administration Examiner's Guide (06/2002), which may be obtained electronically through the following website: [http://www.ncua.gov/GenInfo/GuidesManuals/examiners\\_guide/examguide.aspx](http://www.ncua.gov/GenInfo/GuidesManuals/examiners_guide/examguide.aspx). ~~Examiner's Guide for the Core Examination Program (2/87)~~.

(e) State Credit Union Section Examiner's Guide (Revised 03/25/09 7/90).

(f) The Federal Reserve Board's Examination Manual for U.S. Branches and Agencies of Foreign Banking Organizations (07/1997), which may be obtained electronically through the following website [http://www.federalreserve.gov/boarddocs/supmanual/us\\_branches/usbranch.pdf](http://www.federalreserve.gov/boarddocs/supmanual/us_branches/usbranch.pdf). ~~Bureau of International Banking Examination Procedures Manual (3/90)~~.

Rulemaking Specific Authority 120.53(4), 655.012(2)(3) FS. Law Implemented 655.045 FS. History--New 10-24-93, Formerly 3C-1.015, Amended 1-2-95, 6-4-95, 5-22-96, Formerly 3C-100.045, Amended.

## Section II Proposed Rules

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

#### Division of Animal Industry

RULE NOS.:	RULE TITLES:
5C-3.001	Definitions
5C-3.002	General Requirements and Limitations
5C-3.003	Equine
5C-3.004	Cattle or Bison

5C-3.005	Goats or Sheep
5C-3.007	Swine
5C-3.009	Dogs or Cats
5C-3.011	Cervids (Farmed or Captive)
5C-3.012	Domestic Fowl, Poultry, Poultry Products and Ratites

**PURPOSE AND EFFECT:** The purpose and effect of this rule is to specify, detail and clarify the importation requirements by species for animals and certain animal products into Florida from other states.

**SUMMARY:** This rule proposes modifications and updates in the general requirements, definitions, and species-specific requirements, tests and documentation by complying with the current national disease status regarding interstate animal transportation, animal movement, and disease control.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The agency has determined that this rule will have an impact on small business. A SERC has been prepared by the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

**RULEMAKING AUTHORITY:** 570.07(23), 585.002(4), 585.08(2)(a) FS.

**LAW IMPLEMENTED:** 570.07(15), 570.36(2), 585.003, 585.08(1), (2)(a), 585.11(1), (4), 585.14, 585.145(1), (2), 585.16, 828.29(1)(a), (2)(a) FS.

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

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: Dr. William C. Jeter, Chief, Bureau of Animal Disease Control, Division of Animal Industry, Room 332, 407 South Calhoun Street, Tallahassee, FL 32399-0800; Phone: (850)410-0900; Fax: (850)410-0957. 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 RULES IS:** Dr. William C. Jeter, Chief, Bureau of Animal Disease Control, Division of Animal Industry, Room 332, 407 South Calhoun Street, Tallahassee, FL 32399-0800; Phone: (850)410-0900; Fax: (850)410-0957

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

#### IMPORTATION OF ANIMALS

5C-3.001 Definitions.

For the purpose of this chapter, the definitions in Section 585.01, F.S., and the following shall apply ~~words shall have the meaning indicated:~~