

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

**DEPARTMENT OF STATE**

**Division of Elections**

RULE NO.:           RULE TITLE:  
1S-2.0001           Designation of Division of Elections  
                          as Filing Office for Department of  
                          State; Requirements for Candidate  
                          Qualifying Papers; Withdrawal of  
                          Candidacy

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 28, July 15, 2011 issue of the Florida Administrative Weekly.

The following is added at the end of the Summary of Statement of Regulatory Costs to read: This rule will not require legislative ratification pursuant to Section 120.541(3), F.S., because the rule applies only to election-related activities. Based upon past experiences with rules of this nature, this rule will not have an adverse effect on businesses or private-sector economic growth, job-creation, employment or investment; nor will it increase regulatory costs in excess of the threshold mandating legislative ratification. No other statute requires legislative ratification for this rule.

**DEPARTMENT OF STATE**

**Division of Elections**

RULE NO.:           RULE TITLE:  
1S-2.0091           Constitutional Amendment Initiative  
                          Petition; Submission Deadline;  
                          Signature Verification

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**DEPARTMENT OF STATE**

**Division of Elections**

RULE NO.:           RULE TITLE:  
1S-2.042           Third-Party Voter Registration  
                          Organizations

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**DEPARTMENT OF STATE**

**Division of Elections**

RULE NO.:           RULE TITLE:  
1S-2.050           Cancellation of Political Party  
                          Filings

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Hotels and Restaurants**

RULE NO.:           RULE TITLE:  
61C-5.0085       Continuing Education Requirements

**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. 37, No. 18, May 6, 2011 issue of the Florida Administrative Weekly.

- 61C-5.0085 Continuing Education Requirements.
- (1) No change.

(2) Course Provider Registration.

(a) Each course provider must register with the bureau to conduct courses that satisfy continuing education requirements of Chapter 399, F.S., by submitting DBPR Form HR 5023-017 APPLICATION FOR COURSE PROVIDER REGISTRATION AND COURSE APPROVAL <http://www.flrules.org/Gateway/reference.asp?No=Ref-00260>, incorporated herein by reference and effective ~~2011 July 15 2011 April 14~~. Instructions for completing DBPR Form HR 5023-017 are available in DBPR Form HR 5023-017i, INSTRUCTIONS FOR COMPLETING DBPR Form HR 5023-017 APPLICATION FOR COURSE PROVIDER REGISTRATION AND COURSE APPROVAL <http://www.flrules.org/Gateway/reference.asp?No=Ref-00261>, incorporated herein by reference and effective ~~2011 July 15 2011 April 14~~. Copies of these forms are available from the Division of Hotels and Restaurants Internet website at [www.MyFloridaLicense.com/dbpr/hr](http://www.MyFloridaLicense.com/dbpr/hr) by e-mail to [dh.elevators@dbpr.state.fl.us](mailto:dh.elevators@dbpr.state.fl.us); or upon written request to the Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. Each application for course provider registration must include application for approval of at least one course.

(b) through (h) No change.

(3) through (6) No change.

Rulemaking Authority 399.01, 399.02, 399.10 FS. Law Implemented 399.01(16), 399.17 FS. History—New 11-9-06, Amended.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

RULE NO.:	RULE TITLE:
61G7-5.001	Application Procedure; Application Form; Fees; Confidential Information; Denial of Application; Request for Hearing

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 17, April 30, 2010 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NOS.:	RULE TITLES:
61G15-31.003	Design of Structures Utilizing Prefabricated Wood Trusses
61G15-31.006	Design of Structural Systems Utilizing Open Web Steel Joists and Joist Girders

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 45, November 13, 2009 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NOS.:	RULE TITLES:
61G15-31.010	Design of Structures Utilizing Cold-Formed Steel Framing
61G15-31.011	Design of Aluminum Structures
61G15-31.012	Design of Temporary Support Structures

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 45, November 13, 2009 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Division of Family Health Services**

RULE NO.:	RULE TITLE:
64F-12.001	General Regulations; Definitions

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 14, April 9, 2010 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Division of Family Health Services**

RULE NO.:	RULE TITLE:
64F-12.012	Records of Drugs, Cosmetics and Devices

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 42, October 23, 2009 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Division of Family Health Services**

RULE NO.:	RULE TITLE:
64F-12.013	Prescription Drugs; Receipt, Storage and Security

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 42, October 23, 2009 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of State Fire Marshal**

RULE NO.:                    RULE TITLE:  
 69A-60.006                Manufactured and Prototype  
    Buildings

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 25, June 24, 2011 issue of the Florida Administrative Weekly has been withdrawn.

**Section IV  
 Emergency Rules**

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

RULE NO.:                    RULE TITLE:  
 12AER11-14                Sales of Clothing and School  
    Supplies during the Period August  
    12 through August 14, 2011

**SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE:** Section 36, Chapter 2011-76, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules to implement the provisions of the law specifying a period during which the sale of certain clothing, and school supplies are exempt from sales and use tax. The law provides that conditions necessary for an emergency rule have been met. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate means regarding the exemption during the period from 12:01 a.m., August 12, 2011 through 11:59 p.m., August 14, 2011, for sales of clothing, wallets, or bags having a selling price of \$75 or less per item and for sales of school supplies having a selling price of \$15 per item or less. The exemption does not apply to sales within a theme park or entertainment complex as defined in Section 509.013(9), F.S., or within a public lodging establishment as defined in Section 509.013(4), F.S., or within an airport as defined in Section 330.27(2), F.S. The rule defines “clothing,” “school supplies,” “theme park or entertainment complex,” “public lodging establishment,” “airport” and “mail order sales.” The rule describes the items that are included in the exemption and explains how various transactions are to be handled for purposes of the exemption, including sales of sets of both exempt and taxable items, items normally sold as a unit, mail order sales, shipping and handling charges, layaway sales, rain checks, exchanges, refunds, coupons, rebates, and discounts, repairs and alterations, gift certificates, rentals of clothing, reporting requirements, documentation to be maintained, and merchant’s license fees. The rule provides a list of items and their taxable status during the exemption period for clothing and school supplies.

**REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES:** The Legislature expressly authorized the promulgation of an emergency rule to administer the provisions of Section 36, Chapter 2011-76, Laws of Florida, which specify a period during which the sale of certain clothing and school supplies are exempt from sales and use tax. Additionally, an emergency rule is the most expedient and appropriate means of notifying dealers and taxpayers of the provisions of Section 36, Chapter 2011-76, Laws of Florida.

**SUMMARY:** Emergency Rule 12AER11-14 notifies the general public and retailers of the exemption during the period from 12:01 a.m., August 12, 2011 through 11:59 p.m., August 14, 2011, for sales of clothing, wallets, or bags having a selling price of \$75 or less per item and for sales of school supplies having a selling price of \$15 per item or less.

**THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS:** Gary Gray, Revenue Program Administrator I, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-6777

**THE FULL TEXT OF THE EMERGENCY RULE IS:**

12AER11-14 Sales of Clothing and School Supplies During the Period August 12 through August 14, 2011.

(1) Clothing Sales.

(a) Beginning at 12:01 a.m. on August 12, 2011, and ending at 11:59 p.m. on August 14, 2011 (the exemption period), no tax is due on the sale or purchase of any article of clothing, wallet, or bag, including handbags, backpacks, fanny packs, and diaper bags, but excluding briefcases, suitcases, and other garment bags, with a selling price of \$75.00 or less. This exemption does not apply to sales of clothing, wallets, or bags within a theme park, entertainment complex, public lodging establishment, or airport.

(b)1. The sales tax exemption applies to each eligible item of clothing, wallet, or bag, selling for \$75.00 or less. The exemption applies regardless of how many items are sold on the same invoice to a customer.

2. Example: A customer purchases two shirts for \$40.00 each. Both items will qualify for the exemption, even though the customer’s total purchase price (\$80.00) exceeds \$75.00.

(c)1. The exemption does not apply to the first \$75.00 of price of an eligible item of clothing, wallet, or bag, selling for more than \$75.00.

2. Example: A customer purchases a pair of pants costing \$79.95. Tax is due on the entire \$79.95.

(2) Exempt Sales of School Supplies.

(a) Beginning at 12:01 a.m. on August 12, 2011, and ending at 11:59 p.m. on August 14, 2011 (the exemption period), no tax is due on the sale or purchase of any item of school supplies with a selling price of \$15.00 or less. This