

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Elections

RULE TITLE: Placement of Races on Primary Ballots
 RULE NO.: 1S-2.002

PURPOSE AND EFFECT: To establish standards for the order and appearance of races of ballots in elections held by all governing bodies, political subdivisions and municipalities of the State of Florida.

SUBJECT AREA TO BE ADDRESSED: Pursuant to Constitutional Revision No. 11, Article VI, section 5(b) of the Florida Constitution was created in 1998 (effective January 1999) to provide, "If all candidates for an office have the same party affiliation and the winner will have no opposition in the general election, all qualified electors, regardless of party affiliation may vote in the primary elections for that office." Proposed rule 1S-2.002 will provide standards for the placement of a race on the ballot in a manner consistent with the requirements of Article VI, section 5(b), and section 101.181, Florida Statutes, relating to form of the primary ballot.

SPECIFIC AUTHORITY: 101.015, 101.5609 FS.

LAW IMPLEMENTED: 101.181, 101.5609 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:30 a.m., May 31, 2000

PLACE: Director's Conference Room, Room 1801, The Capitol, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Paul Craft, Division of Elections, (850)921-4110

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Emergency Management

RULE CHAPTER TITLE: Review of Local Emergency Management Plans
 RULE CHAPTER NO.: 9G-6

RULE TITLES: Definitions
 RULE NOS.: 9G-6.002

Schedule for Development and Review of County and Municipal Comprehensive Emergency Management Plans
 9G-6.005

County Comprehensive Emergency Management Plans-Review by Division 9G-6.006

Municipal Comprehensive Emergency Plans-Review by Division 9G-6.010

PRPOSE AND EFFECT: The purpose of this revision to Rule Chapter 9G-6, is to revise steps in the local Comprehensive Emergency Management Plan review process for additional clarity and comprehension and to incorporate sections .003, .008 and .0012 of Rule 9G-7.

SUBJECT AREA TO BE ADDRESSED: Local Emergency Management Plans.

SPECIFIC AUTHORITY: 252.35(2)(u), 120.53, 120.57 FS.

LAW IMPLEMENTED: 252.35(1),(2)(a),(b),(c),(d),(k),(v), 120.57, 252.38(1),(2) FS.

IF REQUESTED 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 IS: Denise Imbler, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9916

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Emergency Management

RULE CHAPTER TITLE: Hazardous Materials
 RULE CHAPTER NO.: 9G-14

RULE TITLES: Section 313 Toxic Chemical Release
 RULE NOS.: 9G-14.0045

Inventory Fee 9G-14.006

Approved Forms 9G-14.007

Refunds 9G-14.007

EPCRA Public Information Requests; Inspection and Copies 9G-14.010

Hazardous Substance and Extremely Hazardous Substance Release Reporting 9G-14.011

PURPOSE AND EFFECT: This revision to Rule 9G-14 is to provide clarification and improved reporting forms for fees, refunds, updated addresses, and telephone number.

SUBJECT AREA TO BE ADDRESSED: Hazardous Materials Fees, Forms and Reporting.

SPECIFIC AUTHORITY: 252.83(l), 120.53 FS.

LAW IMPLEMENTED: 252.84, 252.85, 252.90(1), 120.53, 215.26, 119.07(l), 252.83, 252.88, 252.35 FS.

IF REQUESTED 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 IS: Gregg Dawkins, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9927

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Emergency Management

RULE CHAPTER TITLE: Hazardous Materials Risk Management Planning Fee

RULE CHAPTER NO.: 9G-21

Schedule

RULE TITLE: Approved Forms

RULE NO.: 9G-21.004

PURPOSE AND EFFECT: The purpose of this amendment to Rule Chapter 9G-21, Hazardous Materials Risk Management Planning Fee Schedule, is to make revisions to forms RMP-001, Annual Registration Fee Form and RMP-002, Multiple Source Location Annual Registration Fee Form, that will do away with one nonessential information entry and will add one key information entry that will more clearly define required reporting information. The changes to forms RMP-001 and RMP-002 consist of the following: removal of the entry for "Florida Secretary of State ID #" and the addition of "Facility Name."

SUBJECT AREA TO BE ADDRESSED: Accidental Release Prevention and Risk Management Planning.

SPECIFIC AUTHORITY: 252.937(2)(b) FS.

LAW IMPLEMENTED: 252.939(1) FS.

IF REQUESTED 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 IS: Gregg Dawkins, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9927

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

DEPARTMENT OF CORRECTIONS

RULE TITLE: Offender Restoration of Civil Rights

RULE NO.: 33-302.107

PURPOSE AND EFFECT: The purpose of the proposed rule is to establish procedures to inform offenders of the restoration of civil rights process and to establish criteria for eligibility.

SUBJECT AREA TO BE ADDRESSED: Offender Restoration of Civil Rights.

SPECIFIC AUTHORITY: 20.315, 944.09 FS.

LAW IMPLEMENTED: 940.05, 940.061, 944.09, 944.23 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m., May 30, 2000

PLACE: Law Library Conference Room, Room B-404, 2601 Blair Stone Road, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Giselle Lylen Rivera, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-302.107 Offender Restoration of Civil Rights.

(1) Officers shall inform offenders under supervision of the restoration of civil rights review process and eligibility requirements prior to their scheduled termination of supervision. This review shall include the following eligibility requirements for civil rights restoration:

(a) Have been adjudicated guilty at time of sentencing;

(b) Have completed all sentences and conditions of supervision (including parole, probation, community control, control release, and conditional release);

(c) Have no outstanding detainers or pending criminal charges;

(d) Have no more than \$1000 in outstanding financial obligations which result from a criminal conviction or traffic infraction, including fines, court costs, or unpaid costs of supervision;

(e) Have no outstanding financial penalties or liabilities if such penalties or liabilities are attributed to victim restitution, including restitution pursuant to a court order or civil judgment;

(f) Have no capital or life felony convictions;

(g) Have no previous Clemency Board actions;

(h) Have no more than two felony convictions of record;

(i) Have no felony convictions involving:

1. Prosecution by the Office of Statewide Prosecution under Section 16.56, Florida Statutes.

2. Prosecution under the Florida RICO (Racketeer Influenced and Corrupt Organization) Act.

3. Trafficking or conspiracy to traffic in a controlled substance under Section 893.135, Florida Statutes.

4. Crime defined as a "dangerous crime" under Section 907.041, Florida Statutes.

5. Two or more counts of a single conviction of violent crime.

6. Conspiracy to commit a crime of violence.

7. Lewd, lascivious indecent, or unnatural acts as defined by 800.02, 800.03 and 800.04, Florida Statutes.

8. Crime that required registration under the Florida Sexual Predators Act, Section 775.21, Florida Statutes.

9. Sexual battery as defined by Chapter 794, Florida Statutes.

10. Battery, aggravated assault, or aggravated battery of a law enforcement officer, firefighter, emergency medical care provider, public transit employee or agent, or other specified officer under Section 784.07, Florida Statutes.

11. DUI manslaughter or DUI classified as a felony under Section 316.193, Florida Statutes.

12. Homicide.

13. Public corruption or violations of election laws, or

14. Crime committed by an elected official.

(j) Be a U.S. citizen; and

(k) Be a legal resident of Florida, if convicted outside of Florida.

(2) Circuit Administrators will ensure Civil Rights Restoration Certificates received from the Office of Executive Clemency are mailed to offenders at their last known address.

Specific Authority 944.09 FS. Law Implemented 940.05, 940.061, 944.09, 944.293 FS. History—New.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE TITLE: Penalty Guidelines for Class IV and V Drug Violations

RULE NO.: 61D-6.011

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to interpret Florida Statutes which grant the Division the authority to adopt rules establishing penalty guidelines for Class I, II and III drug violations.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in this rule is the interpretation of Florida Statutes necessary to establish penalty guidelines for Class I, II and III drug violations.

SPECIFIC AUTHORITY: 550.0251(3), 550.2415(3),(13) FS.

LAW IMPLEMENTED: 550.0251, 550.235(2) FS.

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

TIME AND DATE: 10:00 a.m. – 4:00 p.m., June 1, 2000

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Room 312, 1940 N. Monroe Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at

least 5 calendar days before the program by contacting Mary Polombo at (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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 TITLE: Standards for Assembled Financial Statements

RULE NO.: 61H1-20.0053

PURPOSE AND EFFECT: Under the authority of the Board, the proposed rule is being amended in order to substitute the word fraud in place of irregularities.

SUBJECT AREA TO BE ADDRESSED: Standards for Assembled Financial Institutions.

SPECIFIC AUTHORITY: 473.304, 473.315 FS.

LAW IMPLEMENTED: 473.302, 473.322 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: Martha Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, FL 32606

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-20.0053 Standards for Assembled Financial Statements.

A Certified Public Accountant holding an active license may offer to perform or perform services involving assembled financial statements so long as the Certified Public Accountant complies with the standards for assembled financial statements, which are as follows:

(1) No change.

(a) that the engagement cannot be relied upon to disclose errors, ~~fraud, irregularities,~~ or illegal acts; and

(b) disclose whether or not the entity preparing the financial statement is or is not licensed by the Florida Board of Accountancy. An example engagement letter is provided for illustrative purposes:

(Appropriate Salutation)

This letter is to confirm our understanding of the terms and objectives of our engagement to provide accounting services during (date), the output of which will be in the form of (monthly/quarterly/other frequency) assembled financial statements.

- We will perform the following services (selected illustrations):
- Assist you in recording transactions on a (monthly/quarterly /other frequency) basis.
- Prepare a trial balance from your accounts and journals.
- Assemble that information in the form of financial statements.
- Provide comments of a business advisory nature.

We do not undertake to, and will not, provide any opinion or form of assurance on the financial statements we assemble in connection with these services and, accordingly, we do not undertake to make inquiries or perform other procedures to verify, corroborate, or review information supplied by you. In addition, those statements may (will) contain departures from generally accepted accounting principles or an other comprehensive basis of accounting.

Our engagement to assemble financial statements cannot be relied upon to disclose errors, ~~fraud irregularities~~, or illegal acts, including fraud or defalcations that may exist. These assembled financial statements are prepared by an entity that is (is not) licensed by the Florida Board of Accountancy.

Our fees for these services

We shall be pleased to discuss this letter with you at any time.

If the foregoing is in accordance with your understanding, please sign the copy of this letter in the space provided and return it to us.

Sincerely yours,

(Signature of certified public accountant)

Accepted and agreed to:

XYZ Company

President

(2) through (12) No change.

Specific Authority 473.304, 473.315 FS. Law Implemented 473.302, 473.322 FS. History–New 10-28-98, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE:

RULE NO.:

Form of Practice and Name-Shared

61H1-26.001

Office Space

PURPOSE AND EFFECT: The Board proposes to amend this rule to add a limited liability company as a forum whereby a certified public accountant may practice public accounting as an owner or an employee.

SUBJECT AREA TO BE ADDRESSED: Form of Practice and Name – Shared Office Space.

SPECIFIC AUTHORITY: 473.304, 473.3101, 473.321 FS.

LAW IMPLEMENTED: 473.3101, 473.321 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: Martha Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, FL 32606

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-26.001 Form of Practice and Name-Shared Office Space.

(1) A certified public accountant may practice public accounting, whether as an owner or employee, only in the form of a proprietorship, a partnership, a corporation, or a limited liability company. A certified public accountant shall not allow any person to practice in his name that is not a partner or shareholder with him or in his employ. A certified public accountant shall not practice under a name which is misleading or deceptive as to the legal form of the firm or as to persons who are partners or shareholders of the firm or as to any other matter. In this regard:

(a) through (b) No change.

(c) Use of the term "and Company" or "and Associates" requires at least one other fully employed licensee or non-CPA owner other than those named in the firm name; however, this rule does not preclude a licensee initially meeting this requirement from using the above-mentioned terms if the licensee subsequently does not fully employ at least one licensee other than those named in the firm name.

(d) A firm may ~~not~~ use the term "Certified Public Accountants" in the firm's name if all owners are CPAs if the name of a non-CPA owner also appears in the firm's name. If there are non-CPA owners, the ~~The~~ firm may use the terms "CPA Firm", ~~or~~ "CPAs and Associates" or "Certified Public Accountants and Associates" provided the firm has more than one CPA. Further, a CPA firm with non-CPA owners may not use the term Certified Public Accountants without indicating there are other owners such as Associates or Consultants.

(2) through (3) No change.

Specific Authority 473.304, 473.3101, 473.321 FS. Law Implemented 473.3101, 473.321 FS. History–New 12-4-79, Amended 11-7-84, 10-28-85, Formerly 21A-26.01, Amended 10-20-86, 12-28-89, 7-1-91, 1-7-93, Formerly 21A-26.001, Amended 11-30-93, 12-30-97, 8-16-99, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: RULE NO.:

Minimum Capitalization or Adequate Public Liability Insurance for Public Accounting Corporations, Limited Liability Companies (LLCs) and Partnerships (LLPs) 61H1-26.002

PURPOSE AND EFFECT: Under the authority of the Board, the proposed rule is being amended in order to be in compliance with the underlying statutes by specifying that Letters of Credit may be used in lieu of the minimum capitalization or liability insurance requirement.

SUBJECT AREA TO BE ADDRESSED: Minimum Capitalization or Adequate Public Liability Insurance for Public Accounting Corporations, Limited Liability Companies (LLCs) and Partnerships (LLPs).

SPECIFIC AUTHORITY: 473.304, 473.309 FS.

LAW IMPLEMENTED: 473.309 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: Martha Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, FL 32606

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-26.002 Minimum Capitalization or Adequate Public Liability Insurance for Public Accounting Corporations, Limited Liability Companies (LLCs) and Partnerships (LLPs). A public accounting corporation, LLC, or LLP shall not engage in the practice of public accounting in this state unless:

- (1) No change.
- (2) it has an irrevocable letter of credit which meets the following criteria:
 - (a) the responsibility for repayment of any sums disbursed under the letter of credit is not an obligation of the CPA firm, its owners, or any entity affiliated with the CPA firm;
 - (b) the letter of credit contains an "evergreen clause," which automatically renews the letter of credit unless the issuer of the letter of credit notifies the CPA firm and the Board within sixty (60) days of the decision not to renew; and
 - (c) the letter of credit is issued by a financial institution authorized to do so under applicable state or federal banking laws.

(2) through (3) renumbered (3) through (4) No change.

Specific Authority 473.304, 473.309 FS. Law Implemented 473.309 FS. History—New 12-4-79, Formerly 21A-26.02, Amended 10-20-86, Formerly 21A-26.002, Amended 11-30-93, 5-23-94, 6-10-96, 12-30-97, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: RULE NO.:

Licensure of Changes by Firms 61H1-26.004

PURPOSE AND EFFECT: The Board proposes to amend the rule to require any licensee to advise the Board of any convictions or findings of guilt of a crime in any jurisdiction.

SUBJECT AREA TO BE ADDRESSED: Convictions or findings of guilty against any licensee in any jurisdiction.

SPECIFIC AUTHORITY 473.304, 473.3101 FS.

LAW IMPLEMENTED 473.3101 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: Martha P. Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, FL 32606

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-26.004 Licensure of Changes by Firms.

(1) A firm licensed pursuant to Rule Chapter 61H1-26.003, shall file a written notification with the Department within thirty (30) days after the occurrence of any of the following events:

(a) The admission or addition of a non-CPA co-partner, shareholder or member in any Florida office, including whether any non-CPA co-partners, shareholders or members have convictions or findings of guilt, regardless of adjudication, of a crime in any jurisdiction; judgment or settlements of civil lawsuits in any jurisdiction (excluding domestic matters); having been acted against, including denial of licensure, by any regulatory agency or by a court; and any other matters which show a lack of good moral character as defined in Section 473.306(4)(a), F.S.;

(b) The admission or addition of a CPA co-partner, shareholder or member in any Florida office, including whether any CPA co-partners, shareholders or members have convictions or findings of guilt, regardless of adjudication, of a crime in any jurisdiction; judgment or settlements of civil lawsuits in any jurisdiction (excluding domestic matters); having the right to practice acted against, including denial of licensure, by the Securities Exchange Commission (SEC),

Internal Revenue Service (IRS), or any other regulatory agency or court; and any other matters which show a lack of good moral character as defined in Section 473.306(4)(a), F.S.;

(c) Any conviction or findings of guilt, regardless of adjudication, of a crime in any jurisdiction; judgment or settlements of civil lawsuits in any jurisdiction (excluding domestic matters); having the right to practice acted against, including denial of licensure, by the Securities and Exchange Commission (SEC), Internal Revenue Service (IRS), or any other regulatory agency or court; and any other matters which show a lack of good moral character as defined in Section 473.306(4)(a), F.S., for any licensee and any non-licensee owner.

~~(d)~~(e) The retirement or death of a co-partner, shareholder or member in any Florida office;

~~(e)~~(f) A change in the name of the partnership, corporation or limited liability company;

~~(f)~~(e) The termination of the partnership, corporation or limited liability company.

(2) No change.

(3) No change.

Specific Authority 473.304, 473.3101 FS. Law Implemented 473.3101 FS. History—New 12-4-79, Amended 2-3-81, Formerly 21A-26.04, Amended 6-4-86, Formerly 21A-26.004, Amended 11-3-97, 7-16-98, 8-17-98, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: Examinations RULE NO.: 61H1-28.001

PURPOSE AND EFFECT: The purpose of this rule amendment is to remove language that is obsolete.

SUBJECT AREA TO BE ADDRESSED: Examinations.

SPECIFIC AUTHORITY: 473.304, 473.306 FS.

LAW IMPLEMENTED: 473.306 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: Martha Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, FL 32606

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-28.001 Examinations.

(1) through (2)(b) No change.

(c) A conditioned candidate is defined as a candidate taking an examination after sitting as a first-time or extended candidate who has been granted credit for ~~either accounting practice or~~ two or three subjects on the examinations commencing with his most recent sitting as a first-time candidate.

(d) No change.

(3) No change.

Specific Authority 473.304, 473.306 FS. Law Implemented 473.306 FS. History—New 12-4-79, Amended 2-3-81, 9-16-84, 4-8-86, Formerly 21A-28.001, Amended 5-23-94, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: Experience for Licensure by Endorsement RULE NO.: 61H1-29.003

PURPOSE AND EFFECT: This rule is being amended to setforth what an applicant must do to complete the requirements for licensure by endorsement pursuant to 473.308(4), F.S.

SUBJECT AREA TO BE ADDRESSED: Experience for Licensure by Endorsement.

SPECIFIC AUTHORITY: 473.304, 473.308 FS.

LAW IMPLEMENTED: 473.308 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: Martha P. Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, FL 32606

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-29.003 Experience for Licensure by Endorsement. Experience used to meet the requirements of Section 473.308(4), F.S., must include five years experience in the practice of public accounting as a Certified Public Accountant ~~certified public accountant~~ or chartered accountant. In addition, the applicant must have practiced at least two years of the last three years immediately preceding application for licensure. The applicant must submit acceptable Peer Review Reports (including the Letter of Comment) covering the years being used to evidence the experience. The Peer Review must have been performed by a state regulatory agency, the American Institute of Certified Public Accountants, or any full service association of certified public accounting firms whose plans of administration have been approved by the Board. The

applicant shall, during those three years, complete continuing education in public accountancy at least equivalent to that required in Florida during that period.

Specific Authority 473.304, 473.308 FS. Law Implemented 473.308 FS. History—New 4-24-88, Amended 6-12-88, Formerly 21A-29.003, Amended 2-12-98, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: Continuing Professional Education

RULE NO.: 61H1-33.003

PURPOSE AND EFFECT: This rule is being amended to update the classification of CPE courses in order to implement the Quality Assurance Service (QAS).

SUBJECT AREA TO BE ADDRESSED: Continuing Professional Education.

SPECIFIC AUTHORITY: 473.304, 473.312 FS.

LAW IMPLEMENTED: 473.312 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

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: Martha P. Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, Florida 32606

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-33.003 Continuing Professional Education.

(1)(a) In any given reestablishment period, each certified public accountant must have completed at any time or times during the two-year period, at least 80 hours of educational instruction or training in public accounting subjects or courses of study, as defined hereinafter, of which at least 20 hours must have been in accounting-related and/or auditing-related subjects and of which no more than 20 hours may be in behavioral subjects beginning with the reestablishment period ending June 30, 1990.

(b) Licensees who do not meet the requirements by June 30th will be granted an automatic extension until September 15th provided the licensee submits an additional 8 hours in Accounting and Auditing subjects. An automatic extension will be granted until December 1st provided the licensee submits an additional 16 hours in Accounting and Auditing

subjects. Licensees utilizing the automatic extension must submit reporting forms postmarked by September 15 or December 1st.

(2) Educational instruction or training in public accounting subjects or courses of study is hereby defined as formal programs of learning, as defined below, which contribute directly to professional competency following licensure to practice public accountancy. Unless otherwise approved by the Board, subjects or courses of study qualifying an individual for the purpose of this rule shall be limited to accounting and auditing subjects to consist of:

(a) Accounting and auditing subjects to consist of:

1. Accounting-related subjects or courses, including, but not limited to, financial accounting (including current authoritative literature in generally-accepted accounting principles in the United States and the Pronouncements of the Accounting Principles Board and the Financial Accounting Standards Board), and accounting for specialized industries.

2. Auditing-related subjects or courses, including, but not limited to, general auditing theory and practice (including current authoritative literature in generally-accepted auditing standards in the United States and the Statements on Auditing Standards promulgated by the American Institute of Certified Public Accountants), auditing for specialized industries (including governmental auditing requirements) and audit applications to computers and information systems; and other category courses to consist of:

(b) Technical business subjects to consist of:

1. Taxation.

2. Management services and management advisory services.

3. General business including, but not limited to, economics, business law, production or operational systems, marketing, finance, quantitative applications in business and business policy, and computers and information systems without audit applications); and

(c) Behavioral subjects to consist of:

1. Oral and written communications.

2. The social environment of business.

4. General business including, but not limited to, economics, the social environment of business, business law, production or operational systems, marketing, finance, quantitative applications in business and business policy, and computers and information systems (without audit application).

3. Administration of a public accounting practice including, but not limited to, behavioral sciences, managerial effectiveness and management by objectives.

(3) Effective July 1, 1999, educational instruction or training in public accounting subjects or courses of study is hereby defined as formal programs of learning as defined below, which contribute directly to professional competency following licensure to practice public accountancy. Subjects or

courses of study qualifying an individual for the purposes of this shall be limited to: Unless otherwise approved by the Board and subject to the formalities and further requirements of Rule 61H1-33.003(4), programs of learning shall be limited to:

(a) Accounting and auditing subjects to consist of: Courses taken at institutions of higher education.

Accounting and financial reporting subjects, the body of knowledge dealing with recent pronouncements of authoritative accounting principles issued by the standard-setting bodies, and any other related subject generally classified within the accounting discipline. Subjects include auditing subjects related to the examination of financial statements, operations systems, and programs; the review of internal and management controls; and the reporting on the results of audit findings, compilation and review. It also includes assurance services that relate to Standards for Attest Engagements.

(b) Technical business subjects to consist of: Other professional education or training:

1. Taxation including tax compliance and tax planning. Professional development courses sponsored by, and technical sessions at meetings of, the American Institute of Certified Public Accountants, state societies of certified public accountants, and chapters thereof, and other approved organizations, including but not limited to, the National Association of Accountants, American Accounting Associations, Financial Executives Institute, American Woman's Society of Certified Public Accountants and similar professional organizations.

2. Consulting services including management advisory services; personal financial planning services; planning and control systems dealing with planning, organizing and controlling any phase of individual financial activity or business activity; designing, implementing, and evaluating operating systems as well as business advisory services and personal financial planning. Formal organized in-firm educational programs, including multifirm programs.

3. Management including practice management for the public practitioner; financial management of an organization including information systems, budgeting and asset management, planning, buying and selling businesses, contracting for goods and services and foreign operation; budgeting; cost analysis; human resource management; and financial management. Formal correspondence or other individual study programs.

4. Specialized knowledge and applications including subjects related to specialized industries such as not for profit organizations, health care, oil and gas.

(c) Behavioral subjects including oral and written communications and the social environment of business. Preparation of books or articles which are published in recognized academic, trade or professional journals, in the subject matter set forth in Rule 61H1-33.003(2).

All courses not covered above are considered behavior except for business meetings, social functions, committee service and courses in elementary accounting or basic mathematics which do not qualify for credit.

(4) Credit may be prorated by the sponsor for courses that cover more than one area of study by (1) prorating the amount of time spent in each area or (2) awarding credit based on the lowest topic covered with accounting and auditing being the highest and behavioral the lowest. Therefore an eight-(8)-hour course that was 75% accounting and auditing and 25% management would receive (1) six (6) hours of accounting and auditing credit and two (2) hours of technical business or two (2) hours all technical business. Hours cannot be prorated in less than one hour increments.

(5)(4) In order for a licensee to receive credit for programs of learning, as defined above, the following formalities and further requirements must be met:

(a) Courses taken at institutions of higher education:

1. Higher education credit courses shall be credited for continuing professional education purposes at the rate of 15 hours for each semester hour of higher education credit and 10 hours for each quarter hour of higher education credit, provided the number of contact hours (hours in the classroom) totals at least 90% of the continuing professional education credit so determined. Otherwise, continuing professional education credit shall be limited to the actual number of contact hours.

2. Higher education non-credit courses shall be credited for continuing professional education purposes equivalent to the actual number of contact hours.

3. Continuing professional education credit for instructing a higher education course shall be twice the credit which would have been granted participants for the first presentation of a specific course of program, the same as the credit granted a participant for the second presentation and none thereafter, except as permitted by Rule 61H1-33.003(5)(b)4.

4. No continuing professional education credit shall be permitted for attending or instructing accounting courses considered to be elementary.

(b) Other professional education or training:

1. Professional development courses shall be credited for continuing professional education purposes in full hours only, equivalent to the actual number of contact hours (hours in the classroom which must include at least fifty minutes of continuous participation) provided an outline (defined as a schedule of activity listing major topics of discussion) is prepared in advance and retained; a course is at least one contact hour in length; the course conducted by a qualified

instructor, lecturer or discussion leader; and a record of registration and attendance is maintained. For this purpose, a one-day program will be granted eight hours credit if the total lapsed time is at least eight hours and the contact time is approximately 400 minutes. An instructor, lecturer or discussion leader will be considered qualified if, through formal training or experience, he has obtained sufficient knowledge of the subject matter to competently instruct the course. A course participant will be granted credit for only that portion of a course actually attended. If a record of registration and attendance is not maintained by the sponsoring organization, the course participant must be able to prove registration and attendance.

2. Formal organization in-firm educational programs shall be credited for continuing professional education purposes to the same extent and by the same requirements as other professional development courses.

3. Instructors, lecturers, panelists and discussion leaders for professional development courses and formal organized in-firm educational programs shall be credited for continuing professional education purposes at twice the credit granted participants for the first presentation of a specific course or program, the same as the credit granted a participant for the second presentation and none thereafter, except as permitted in 61H1-33.003(5)(b)4. Co-panelists and co-discussion leaders shall be credited for the portion of specific course or program they must prepare to discuss and lead as a co-panelist or co-discussion leader.

4. To the extent course content has been substantially revised, the revised portion shall be considered a first presentation for the purposes of 61H1-33.003(5)(b)3.

5. Formal correspondence or other individual study programs must require registration and provide evidence of satisfactory completion and shall be credited for continuing professional education purposes as approved in an amount equal to one-half of the average completion time established by the course sponsor. Formal correspondence or other individual study programs must be pre-approved by the Committee on Continuing Professional Education. In order to receive approval of courses and/or providers, evidence of the following must be submitted by the provider:

- a. that there is a registration requirement,
- b. that the course is developed and intended primarily as an educational activity,
- c. that the course has been pre-tested to determine the average completion time,
 - (i) non-interactive programs shall be credited in an amount equal to one-half of the average completion time, and
 - (ii) interactive programs shall be credited for actual completion time,
- d. evidence of satisfactory completion,
- e. an evaluation (test) to determine whether learning objectives were met has been conducted.

~~(e) The preparation of books or articles shall be credited for continuing professional education purposes on a self-declaration basis but shall be limited to twenty (20) hours of credit in any two-year reestablishment period.~~

~~(6)(5) Each certified public accountant shall, on or before July 15 prior to his biennial license renewal, report on forms prescribed by the Board, programs of continuing professional education completed during the applicable reestablishment period. Each certified public accountant's documentation supporting such programs shall be retained through the two years following a two-year reestablishment period. Documentation is to be retained to support evidence of completion of the required hours to enable a random audit by the Department of Business and Professional Regulation to determine compliance with the requirements. If staff review or review by the Committee on Continuing Professional Education determines that courses are either improperly classified or do not otherwise meet the requirements of the chapter, then the licensee will be given 60 days from the date of notification, but no later than December 1, to comply with the continuing professional education requirements. Licensees who complete the continuing professional education requirements timely but who are found to be deficient after December 1 of their renewal year must correct the error and pay a \$50 fine within 60 days.~~

~~(7)(6) Effective July 1, 1999, sponsors of formal correspondence or other individual study technical business and accounting and auditing programs must be approved by the National Association of State Board of Accountancy Quality Assurance Service. Credit for courses taken from National Association of State Board of Accountancy Quality Assurance Service sponsors will be awarded in an amount equal to the average completion time. Credit from non-approved sponsors is not acceptable for accounting and auditing and technical business courses.~~

Specific Authority 473.304, 473.312 FS. Law Implemented 473.312 FS. History—New 12-4-79, Amended 2-3-81, 4-5-83, 10-19-83, 7-7-85, 8-20-85, 9-18-88 Formerly 21A-33.03, Amended 9-18-88, 7-7-92, 12-2-92, Formerly 21A-33.003, Amended 12-14-93, 1-26-98,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: School Records; Class Rosters
 RULE NO.: 61J2-17.012

PURPOSE AND EFFECT: The DBPR is developing procedures, which will ensure that real estate educators comply with the monitoring of continuing education requirements, pursuant to ss. 475.2177 and 475.2178, F.S.

SUBJECT AREA TO BE ADDRESSED: The Commission will implement rules to comply with the new procedures.

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 475.04, 475.17, 475.175, 475.451, 475.5015 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 8:30 a.m., June 21, 2000
PLACE: Office of Florida Real Estate Commission, 400 West Robinson Street, Suite 301, North Tower, Orlando, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Herbert S. Fecker, Jr., Director, Division of Real Estate, 400 West Robinson Street, Suite 308, North Tower, Orlando, Florida 32801

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLES: RULE NOS.:
Citation Authority 61J2-24.002
Notice of Noncompliance 61J2-24.003

PURPOSE AND EFFECT: To determine whether penalties, which are recommended for specific violations of rules and statutes, need to be revised.

SUBJECT AREA TO BE ADDRESSED: Generally, the Commission will consider the penalties for violations of rules and statutes, which do not and will not pose economic or physical harm to a person and which do not pose substantial threat to public health, safety and welfare or the threat has been removed. Specifically, the Commission will review the penalty for licensees who voluntarily notify the Commission of their failure to take required continuing education courses.

SPECIFIC AUTHORITY: 475.05 FS.
LAW IMPLEMENTED: 120.695, 455.224, 455.225(3) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 8:30 a.m., June 21, 2000
PLACE: Office of Florida Real Estate Commission, 400 West Robinson Street, Suite 301, North Tower, Orlando, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Herbert S. Fecker, Jr., Director, Division of Real Estate, 400 West Robinson Street, Suite 308, North Tower, Orlando, Florida 32801

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 00-03R

RULE CHAPTER TITLE: RULE CHAPTER NO.:
Ground Water Permitting and Monitoring Requirements 62-522

RULE TITLE: RULE NO.:
General Provisions for Ground Water Permitting and Monitoring 62-522.300

PURPOSE AND EFFECT: To make Chapter 62-522 consistent with newly adopted provisions in Chapter 62-610, Reuse of Reclaimed Water and Land Application.

SUBJECT AREA TO BE ADDRESSED: To provide for a zone of discharge for secondary drinking water standards and sodium for aquifer storage and recovery of reclaimed water, injection of reclaimed water for ground water recharge, and salinity barrier systems.

SPECIFIC AUTHORITY: 403.061 FS.
LAW IMPLEMENTED: 403.021, 403.061, 403.087, 403.088 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 TO OBTAIN A COPY OF THE PRELIMINARY DRAFT AT NO CHARGE IS: Donnie McLaugherty, Department of Environmental Protection, Bureau of Watershed Management, MS 3575, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; telephone (850)921-9438.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE TITLE: RULE NO.:
Standards for Onsite Sewage Treatment and Disposal Systems 64E-6

RULE TITLES: RULE NOS.:
General 64E-6.001
System Size Determination 64E-6.008

PURPOSE AND EFFECT: Recent changes to Chapter 64E-6, Florida Administrative Code, included procedures for the voluntary inspections of existing onsite sewage treatment and disposal systems. The proposed rule amendments will allow persons performing such inspections to provide only those specific assessments deemed necessary by the person requesting the assessment. Also, the proposed change eliminates the appearance of the department having discretionary authority to require the separate installation of laundry systems.

SUBJECT AREAS TO BE ADDRESSED: Areas to be addressed include rule requirements for and the department policy on voluntary inspection and assessment of existing systems and the use of separate laundry systems.

SPECIFIC AUTHORITY: 381.0011(4),(13), 381.006, 381.0065(3)(a), 489.553(3), 489.557(1) FS.

LAW IMPLEMENTED: 154.01, 381.001(2), 381.0011(4), 381.0012, 381.0025, 381.006(7), 381.0061, 381.0065, 381.0067, 386.041, 489.553 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 IS: Gerald Briggs, Department of Health, Bureau of Water and Onsite Sewage Programs, HSEWOS, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64E-6.001 General.

(1) through (4) No change.

(5) ~~The If a person having ownership of, control of, or use of an onsite sewage treatment and disposal system requests to have the system inspected due to a reason that is not related to an increase in sewage flow or change in sewage characteristics, or failure of the system, the department~~ Procedure for Voluntary Non-Mandatory Inspection and Assessment of Existing Systems, August 1999, herein incorporated by reference, shall be applied except in situations pertaining to an increase in sewage flow or change in sewage characteristics, or failure of the system used. The inspection is designed to assess the condition of a system at a particular moment in time. The inspection will identify obviously substandard systems, for example systems without drainfields. The inspection is not designed to determine precise code compliance, nor provide information to demonstrate that the system will adequately serve the use to be placed upon it by this or any subsequent owner. Nothing in this section shall be construed to limit the amount of detail an inspector may provide at their professional discretion. Persons allowed to perform work under this section shall be master septic tank contractors, registered septic tank contractors, state-licensed plumbers, and persons certified under section 381.0101, F.S. Department employees are excluded from performing these evaluations. Aerobic treatment units and performance-based treatment systems shall not be evaluated using this criteria, but shall be evaluated by the approved maintenance entity which maintains the unit or system. Nothing in this section restricts the owner from requesting a partial inspection. The inspector shall provide the person requesting the inspection a copy of the department

Procedure for Voluntary Inspection and Assessment of Existing Systems and written notice of their right to request an inspection based on part or all of the standards.

(6) through (7) No change.

Specific Authority 381.0011(13), 381.006, 381.0065(3)(a), 489.553(3), 489.557(1) FS. Law Implemented 154.01, 381.001(2), 381.0011(4), 381.0012, 381.0025, 381.006(7), 381.0061, 381.0065, 381.0067, 386.041, 489.553 FS. History—New 12-22-82, Amended 2-5-85, Formerly 10-6.41, Amended 3-17-92, 1-3-95, 5-14-96, 2-13-97, Formerly 10D-6.041, Amended 11-19-97, 2-3-98, 3-22-00,_____.

64E-6.008 System Size Determination.

(1) through (3) No change.

(4) ~~A separate laundry waste tank and drainfield system may be utilized for residences and may be required by the DOH county health department where building codes allow separation of discharge pipes of the residence to separate stubouts and where lot sizes and setbacks allow system construction.~~ Where an aerobic treatment unit is used, all blackwater, graywater and laundry waste flows shall be consolidated and treated by the aerobic treatment unit. Where a residential laundry waste tank and drainfield system is used:

(a) through (c) No change.

(5) through (8) No change.

Specific Authority 381.0011(4),(13), 381.006, 381.0065(3)(a), 489.553 FS. Law Implemented 154.01, 381.001(2), 381.0011(4), 381.0012, 381.0025, 381.0061, 381.0065, 381.0067, 386.041, 489.553 FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.48, Amended 3-17-92, 1-3-95, Formerly 10D-6.048, Amended 11-19-97, 3-22-00,_____.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Florida Keys National Marine Sanctuary

RULE TITLES:	RULE NOS.:
Definitions	68B-6.001
Designation of Boundaries of Ecological Reserve, Sanctuary Preservation Areas, and Special-use Area	68B-6.002
Florida Keys National Marine Sanctuary: Prohibited Activities in Specified State Waters	68B-6.003

PURPOSE AND EFFECT: The purpose of this rule development is to implement a plan of the Florida Keys National Marine Sanctuary to establish a reserve (closure area) around the Dry Tortugas. The rules being developed by the Fish and Wildlife Conservation Commission would set up and provide regulations for use of the state waters portion of the closure area within the Sanctuary. The effect of such a reserve would be to minimize human influences, to provide natural spawning, nursery, and permanent residence areas for the replenishment and genetic protection of marine life, and also to protect and preserve natural assemblages of habitats and species within the closure area. This notice will serve to

announce a series of joint public hearings throughout South Florida to gather public comment and suggestions regarding the proposed reserve.

SUBJECT AREA TO BE ADDRESSED: Dry Tortugas Reserve within the Florida Keys National Marine Sanctuary.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.
THE FISH AND WILDLIFE CONSERVATION COMMISSION WILL CONDUCT RULE DEVELOPMENT WORKSHOPS, IN CONJUNCTION WITH THE FLORIDA KEYS NATIONAL MARINE SANCTUARY, NATIONAL PARK SERVICE, AND THE GULF OF MEXICO FISHERY MANAGEMENT COUNCIL, AT THE TIMES, DATES AND PLACES SHOWN BELOW:

Brief presentations by each agency in attendance on their respective plans will occur at 3:30 p.m. and again at 6:00 p.m. at all Florida meetings, and at 2:30 p.m. at the Washington, DC meeting.

TIME AND DATE: 3:00 – 8:00 p.m., June 12, 2000
PLACE: Homestead Senior High School, S. E. 12th Avenue, Main Cafeteria, Homestead, FL

TIME AND DATE: 3:00 – 8:00 p.m., June 13, 2000
PLACE: Comfort Inn Executive Suites, 3860 Toll Gate Blvd., 2nd Floor Conference Room, Naples, FL

TIME AND DATE: 3:00 – 8:00 p.m., June 14, 2000
PLACE: University of South Florida, Campus Activities Center, 2nd Street and 6th Avenue, South, CAC Central Room, St. Petersburg, FL

TIME AND DATE: 3:00 – 8:00 p.m., June 21, 2000
PLACE: The Sombrero Country Club, 4000 Sombrero Blvd., Nautilus Room, Marathon, FL

TIME AND DATE: 3:00 – 8:00 p.m., June 22, 2000
PLACE: Holiday Inn Beachside, 3841 N. Roosevelt Blvd., Main Ballroom, Key West, FL

TIME AND DATE: 2:00 – 5:00 p.m., July 11, 2000
PLACE: U.S. Commerce Bldg., First Floor HCHB Auditorium, Washington, DC

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 calendar days before the workshop/meeting by contacting Andrena Knicely at (850)487-1406. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

Section II Proposed Rules

DEPARTMENT OF STATE

Division of Historical Resources

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Tax Exemptions for Historic Properties	1A-38
RULE TITLES:	RULE NOS.:
Definitions	1A-38.002
Application for Exemption	1A-38.003
Evaluation of Property	1A-38.004

PURPOSE AND EFFECT: The purpose and effect of the proposed changes is to amend these rules and the forms incorporated therein to streamline application procedures and to correct minor errors in the current versions of the rule.

SUMMARY: The Division of Historical Resources seeks to amend these rules and the forms incorporated therein to streamline application procedures to obtain Historic Property Tax Exemptions. Also, the Division has been made aware of minor errors in the current version of the rules, which it seeks to correct.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 196.1997(13), 196.1998(3) FS.

LAW IMPLEMENTED: 196.1997-.1998 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m., June 13, 2000
PLACE: R. A. Gray Building, Conference Room, Room 316-H, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: David Ferro, Architect Supervisor, Bureau of Historic Preservation, Division of Historical Resources, 500 South Bronough Street, Tallahassee, Florida 32399-0250, telephone (850)487-2333

THE FULL TEXT OF THE PROPOSED RULES IS:

1A-38.002 Definitions.

(4) "Improvements" means changes in the condition of real property brought about by the expenditure of labor or money for restoration, renovation or rehabilitation of such property. Improvements may include additions and accessory structures (i.e., a garage), cabana, guest cottage, storage/utility