

## Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

**DEPARTMENT OF EDUCATION**

**Commission for Independent Education**

RULE TITLE: Fair Consumer Practices  
 RULE NO.: 6E-1.0032

PURPOSE AND EFFECT: The Commission proposes the rule amendment to update the minimum time guidelines for student refund policies.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment changes the minimum time for student refunds for enrolled periods less than the duration of an entire program from two weeks to one week.

SPECIFIC AUTHORITY: 1005.22(1)(e)1., 1005.34 FS.

LAW IMPLEMENTED: 1005.04, 1005.22(1)(k), 1005.31(13), 1005.32(5), 1005.34 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: Samuel Ferguson, Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6E-1.0032 Fair Consumer Practices.

(1) through (5) No change.

(6) Each prospective student shall be provided a written copy, or shall have access to an electronic copy, of the institution's catalog prior to enrollment or the collection of any tuition, fees or other charges. The catalog shall contain the following required disclosures, and catalogs of licensed institutions must also contain the information required in subsections 6E-2.004(11) and (12), F.A.C.:

(a) through (h) No change.

(i) Student refund policies: This rule establishes the Commission's minimum refund guidelines for licensed institutions. Refund policies which pertain to students who are receiving Title IV Federal Student Financial Assistance or veterans' benefits shall be in compliance with applicable federal regulations. All institutions shall have an equitable prorated refund policy for all students, which shall be disclosed in the catalog and enrollment agreement or similar documents, and must be uniformly administered. Any nonrefundable fees or charges shall also be disclosed. The institution's refund

policy shall provide a formula for proration of refunds based upon the length of time the student remains enrolled, up to a minimum of 40 percent of a program, if the student is charged tuition for an entire program; or 20 percent, if the institution charges the student for a term, quarter, semester, or other time period that is less than the duration of the entire program. As an alternative, an institution that charges tuition for a term, quarter, semester or other time period that is less than the duration of the entire program may establish a drop/add period which shall be no less than 10 percent of the period for which the student is financially committed, or one ~~two~~ weeks, whichever is less. If the student withdraws before the end of the drop/add period, the student will be refunded all tuition and fees, as well as any funds paid for supplies, books, or equipment which can be and are returned to the institution. The refund policy shall not consider that all or substantially all tuition for an entire program or term is earned when a student has been enrolled for only a minimal percentage of the program or term. The refund policy shall provide for cancellation of any obligation, other than a book and supply assessment for supplies, materials and kits which are not returnable because of use, within 3 working days from the student's signing an enrollment agreement or contract. Refunds shall be made within 30 days of the date that the institution determines that the student has withdrawn. Institutions need not keep attendance, but must adopt and publish an equitable policy by which withdrawal dates will be determined, which may include notification by the student or reports from faculty. This policy shall be submitted to the Commission before publication. Nonrefundable application fees for Florida students shall not exceed \$50. The requirements regarding refund policies as stated herein do not apply to dormitory or meal fees. Refund policies for those fees, if charged, shall be set by the institution and also disclosed in conjunction with the refund policy.

(j) through (k) No change.

(7) through (10) No change.

Specific Authority 1005.22(1)(e)1., 1005.34 FS. Law Implemented 1005.04, 1005.22(1)(k), 1005.31(13), 1005.32(5), 1005.34 FS. History—New 10-19-93, Amended 4-2-96, 11-5-00, 1-7-03, \_\_\_\_\_.

**DEPARTMENT OF EDUCATION**

**Commission for Independent Education**

RULE TITLE: Medical Clinical Clerkship Programs  
 RULE NO.: 6E-2.0042

PURPOSE AND EFFECT: The Commission proposes the rule amendments to update an applicant medical school's licensure requirements for its medical clinical clerkship program.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments address the responsibilities for adequate library resources and evaluation of the educational program.

SPECIFIC AUTHORITY: 1005.22(1)(e)1., 1005.31(2),(3),(11) FS.

LAW IMPLEMENTED: 1005.31(11) 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: Samuel Ferguson, Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6E-2.0042 Medical Clinical Clerkship Programs.

(1) No change.

(2) Applications for licensure of clinical clerkship programs. In addition to submitting all the forms and documents, accurately, fully and satisfactorily completed as required for each step of licensure in accordance with these rules, for the applicant medical school to be found qualified for licensure it must:

(a) through (c) No change.

(d) Ensure that the application contains sufficiently detailed information showing that the educational program, faculty planning, teaching, budgeting and allocation of other educational resources, faculty appointments and student assignments are coordinated and integrated with the overall program of the parent medical school. ~~Formal agreements shall be executed between the parent medical school and the teaching hospital or approved facility in which the students are to be engaged in clinical clerkships and shall be submitted to the Commission. The formal agreement between the parent medical school and the teaching hospital or approved facility shall vest responsibility and authority for the conduct and evaluation of the educational program in the parent medical school.~~

(e) through (l) No change.

(m) Demonstrate that the hospital provides access to adequate library facilities and resources available to the students to support the medical clerkship. ~~Demonstrate that the hospital has adequate library facilities to support a medical education program leading to the M.D. degree.~~

(n) No change.

(o) Formal agreements shall be executed between the parent medical school and the teaching hospital or approved facility in which the students are to be engaged in clinical clerkships and shall be submitted to the Commission. The formal agreement between the parent medical school and the teaching hospital or approved facility shall vest responsibility and authority for the conduct and evaluation of the educational program in the parent medical school.

(3) through (9) No change.

Specific Authority 1005.22(1)(e)1., 1005.31(2),(3),(11) FS. Law Implemented 1005.31(11) FS. History—New 12-6-84, Formerly 6E-2.042, Amended 11-27-88, 11-29-89, 10-19-93, 12-11-96, 1-7-03,\_\_\_\_\_.

**DEPARTMENT OF COMMUNITY AFFAIRS**

**Florida Building Commission**

RULE CHAPTER TITLE: Florida Building Commission –

RULE CHAPTER NO.: 9B-70

Building Code Training Program

9B-70

RULE TITLE: Building Code Training Program

RULE NO.: 9B-70.001

PURPOSE AND EFFECT: Delete obsolete core courses from rule and make provision for the core curriculum in the future accommodating courses created by or at the direction of staff to the Florida Building Commission and those offered from private sources and discussion of voluntary accreditation of advanced courses pertaining to the Florida Building Code.

SUBJECT AREA TO BE ADDRESSED: Building Code Education Program.

SPECIFIC AUTHORITY: 553.841(2) FS.

LAW IMPLEMENTED: 553.841 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 NOT REQUESTED, THIS WORKSHOP WILL NOT BE HELD):

TIME AND DATE: 1:00 p.m. – 5:00 p.m., June 26, 2003

PLACE: Sheraton Ft. Lauderdale Airport Hotel, 1825 Griffin Road, Dania, Florida 33004, (954)926-0691

Any person requiring special accommodations at the workshop because of a disability or physical impairment should contact Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824, at least seven days before the date of the workshop. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (voice) or 1(800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)922-6091

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

**DEPARTMENT OF REVENUE**

RULE CHAPTER TITLE: Refunds

RULE CHAPTER NO.: 12-26

RULE TITLES: Application for Refund

RULE NOS.: 12-26.003

Public Use Forms

12-26.008

**PURPOSE AND EFFECT:** The purpose of the proposed amendments to Rule 12-26.003, F.A.C. (Application for Refund), is to: (1) reorganize the rule for easier reading of guidelines on how to claim a refund of taxes and fees administered by the Department; (2) provide guidelines on how to claim a refund of communications services tax paid; (3) clarify the forms used by the Department in the administration of refunds claimed for corporate income tax; (4) clarify the forms used by the Department in the administration of refunds claimed for insurance premium taxes, fees, and surcharges imposed under Chapter 624, F.S.; (5) provide that refunds of intangible personal property tax claimed under Chapter 199, F.S., must be filed on form DR-26I, Application for Refund-Intangible Personal Property Tax; (6) remove obsolete form DR-29, Refund of Cash Bond, which is no longer used by the Department; (7) provide that forms used by the Department in the administration of refunds for fuel taxes imposed under Chapter 206, F.S., are provided in Rule Chapter 12B-5, F.A.C.; (8) change the application form used by the Department in the administration of refunds for sales and use tax, discretionary sales surtax, and fees administered under Chapter 212, F.S., from form DR-26 to form DR-26S, Application for Refund-Sales and Use Tax; (9) provide that refund applications filed under the provisions of s. 212.08(5)(q), F.S. (community contribution tax credit for donations), also require the completion of forms, as provided in Rule 12A-1.107, F.A.C.; (10) remove the duplication of the provisions of Rule 12-26.008, F.A.C., on how to obtain forms from the Department; and (11) provide technical changes.

The purpose of the proposed amendments to Rule 12-26.008, F.A.C. (Public Use Forms), is to: (1) incorporate, by reference, changes to forms and new forms used by the Department in the administration of tax refunds; and (2) provide technical changes.

**SUBJECT AREA TO BE ADDRESSED:** The subject of this workshop is: (1) the proposed changes to guidelines on how to obtain a refund of taxes administered by the Department of Revenue; and (2) the proposed adoption, by reference, of changes to forms and new forms used by the Department in the administration of tax refunds.

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

**LAW IMPLEMENTED:** 72.011, 95.091, 198.29(1), 199.183, 199.185, 199.218(5), 199.232(5), 201.11, 202.125, 202.23, 206.41, 206.64, 206.8745, 206.97, 206.9815, 206.9875, 206.9941, 206.9942, 212.02(15)(a),(19), 212.05(1)(a)1.b., 212.06(5)(a)1.,(7), 212.07(1), 212.08(2)(j),(5)(f),(g),(h),(q), (7), 212.09, 212.11(4),(5), 212.12(6)(a),(c), 212.13(1),(2), 212.14(4), 212.17(1),(2),(3), 212.183, 213.235, 213.255, 213.34, 213.345, 215.26, 220.725, 220.727, 624.5092, 624.511, 624.518, 681.104 FS.

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

**TIME AND DATE:** 10:00 a.m., June 24, 2003

**PLACE:** Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, Florida

**NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT:** Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Nancy Purvis, (850)488-0712. If you are hearing or speech impaired, please contact the Department by using the Florida Relay Service, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS:** Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, (850)922-9407

**THE DEPARTMENT'S PROPOSED RULE DEVELOPMENTS ARE AVAILABLE ON THE DEPARTMENT'S WEB SITE:** [www.myflorida.com/dor/rules](http://www.myflorida.com/dor/rules).

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

12-26.003 Application for Refund.

(1) No change.

(2)(a) Applications for tax refund under those revenue laws enumerated in Section 72.011(1), F.S., shall be deemed complete upon the Department's receipt of a properly executed application for refund form which contains the information required by Sections 213.255(2) and ~~(3) and 215.26(2), F.S., and this rule, except as provided in paragraph (b) of this subsection. Applications for refund shall be filed with the Florida Department of Revenue by submitting the completed application to the Department, using the address or instructions contained on the DR-26 or DR-26S application, or other form described in subsection (4) of this rule.~~

(b) Applications for refund must be filed with the Department by submitting the completed application to the Department using the address or instructions contained on the application. Refund applications filed under the provisions of Section 212.08(5)(g), (h), (n), and (o), Florida Statutes, also require, in addition to the DR-26 or DR-26S required by paragraph (a) of this subsection, the forms specified in Rule 12A-1.107, F.A.C., in order to be deemed completed applications.

(3) ~~For purposes of this rule, Form DR-26, Application for Refund from the State of Florida Department of Revenue, (incorporated by reference in Rule 12-26.008, F.A.C.), is the approved refund application for all taxes collected by the Department, except as follows: otherwise specified in subsection (4) of this rule. However, taxpayers applying for a refund of any taxes paid pursuant to Chapter 212, F.S., can also use Form DR-26S, Application for Refund Sales and Use Tax,~~

incorporated by reference in Rule 12-26.008, F.A.C. Beginning January 1, 2002, Form DR-26S must be used to apply for a refund of taxes paid pursuant to Chapter 212, F.S.

(a) COMMUNICATIONS SERVICES TAX. A refund claim for communications services tax must be made directly to the dealer that collected that tax, as provided in Section 202.23, F.S. A refund claim may be made to the Department using form DR-26, Application for Refund, only under the following circumstances:

1. The tax for which a refund is requested was self-accrued and remitted directly to the Department; or
2. The tax for which a refund is requested was paid by a dealer who subsequently resold the communications services for which the tax was paid and who collected and remitted the tax due on the services resold.

~~(4) Tax refunds requiring a refund application other than Form DR-26 are listed below:~~

~~(b)(a) CORPORATE INCOME TAX~~ Corporate Income Tax. Refunds Except as provided in subsection (5), all refunds claimed under Chapters 220 or 221, F.S., must be filed with the Department on the following forms shall be made by the filing of:

1. Form F-1120, Florida Corporate Income/Franchise and Emergency Excise Tax Return or form F-1120A, Florida Corporate Short Form Income Tax (incorporated by reference in Rule 12C-1.051, F.A.C.). ~~or~~
2. Form F-1120X, Amended Florida Income Tax Return (incorporated by reference in Rule 12C-1.051, F.A.C.).
3. Form DR-26, Application for Refund, only for refunds claimed for amounts deposited by the Department in error or for a duplicate payment of the final corporate return filed with the Department.

(c) ESTATE TAX. Application for all refunds claimed under Chapter 198, F.S., must be made with the Department on a Florida Estate Tax Return for Residents, Nonresidents and Nonresident Aliens (form F-706, incorporated by reference in Rule 12C-3.008, F.A.C.).

(d) INSURANCE PREMIUM TAXES, FEES, AND SURCHARGES. Refunds claimed under Chapter 624, F.S., must be filed with the Department on the following forms:

1. Form DR-908, Insurance Premium Taxes and Fees Tax Return (incorporated by reference in Rule 12B-8.003, F.A.C.).
2. Form DR-26, Application for Refund, only for refunds claimed for amounts deposited by the Department in error or for a duplicate payment of the final insurance premium tax return filed with the Department.

(e) INTANGIBLE PERSONAL PROPERTY TAX. All refunds claimed under Chapter 199, F.A.C., must be filed with the Department on Form DR-26I, Application for Refund-Intangible Personal Property Tax (incorporated by reference in Rule 12-26.008, F.A.C.).

~~(b) Sales and Use Tax Form DR-29, Refund of Cash Bond (incorporated by reference in Rule 12A-1.097, F.A.C.), is required where a bonded contractor or dealer applies for a refund of a cash bond held by the Department.~~

~~(f)(e) MOTOR AND OTHER FUEL TAXES~~ Motor Fuel and Diesel Fuel. For forms required for refunds of taxes imposed under Chapter 206, F.S., see Rule Chapter 12B-5, F.A.C. Motor Fuels Tax. (Forms incorporated by reference in Rule 12B-5.150, F.A.C.)

~~1. Form DR-138, Application for Fuel Tax Refund-Agriculture, Aquacultural, and Commercial Fishing Purposes, is required where motor fuel is used for agricultural, aquacultural, or commercial fishing purposes, and the taxpayer is entitled to a refund of the taxes specified in Section 206.41(4)(e), F.S.~~

~~2. Form DR-160, Application for Mass Transit System Users Tax Refund, is required where motor fuel or diesel fuel is used in the operation of a mass public transportation system, and the taxes specified in Section 206.41(4)(b), F.S., previously paid pursuant to Sections 206.41 and 206.87, F.S., is refundable.~~

~~3. Form DR-189, Application for Fuel Tax Refund Municipalities, Counties and School Districts, is required where a county or municipality operating motor vehicles using motor fuel or diesel fuel is entitled to a refund of the taxes specified in Section 206.41(4)(d), F.S., previously paid pursuant to Sections 206.41 and 206.87, F.S. This form is also required in those instances where a school district, or a private contractor operating school buses for the school district, purchases motor fuel or diesel fuel for use in motor vehicles operated by these entities, which is subject to a refund of taxes specified in Section 206.41(4)(e), F.S., and paid pursuant to Sections 206.41 and 206.87, F.S.~~

~~4. Form DR-190, Application for Fuel Tax Refund, Non-Public Schools, is required where a nonpublic school operating school buses or other motor vehicles using motor fuel or diesel fuel is entitled to a refund of taxes specified in Section 206.41(4)(e), F.S., paid pursuant to Sections 206.41 and 206.87, F.S.~~

~~5. Form DR-309639, Application for Refund of Tax Paid on Undyed Diesel Used for Off-road or Other Exempt Purposes, is required where undyed diesel fuel is used to propel off-road equipment, or used in stationary equipment. The taxes previously paid pursuant to Section 206.87, F.S., are refundable.~~

~~(d) Aviation Fuel. Form DR-191, Application for Aviation Fuel Tax Refund Air Carriers (incorporated by reference in rule 12B-5.150, F.A.C.), is required for those air carriers entitled to receive a refund of taxes imposed on aviation fuel purchased by such carriers.~~

(e) An amended Insurance Premium Tax Form DR-908, Insurance Premium Taxes and Fees Tax Return (incorporated by reference in subsection 12B-8.003(1), F.A.C., is required in all instances where insurance companies wish to file for a refund, except as provided in subsection (5).

(f) Estate Tax. Application for all refunds claimed under Chapter 198, F.S., must be made by filing Form F-706 (incorporated by reference in Rule 12C-3.008, F.A.C.).

(g) SALES AND USE TAX, DISCRETIONARY SALES SURTAX, AND FEES. A refund claimed for sales and use taxes, discretionary sales surtaxes, and fees imposed or administered under Chapter 212, F.S., must be filed with the Department on Form DR-26S, Application for Refund-Sales and Use Tax (incorporated by reference in Rule 12-26.008, F.A.C.). An Application for Refund-Sales and Use Tax that is filed under the provisions of Section 212.08(5)(g), (h), (n), (o), and (q), F.S., must contain the forms and other documentation specified in Rule 12A-1.107, F.A.C., to be deemed complete.

(5) Notwithstanding the provisions of subsection (3), Form DR-26 may be used to apply for those refunds of corporate income tax or insurance premium tax which constitute:

- (a) Amounts deposited by the Department in error; or
- (b) A duplicate payment of the final return.

(6) Refund applications may be obtained, without cost, by one or more of the following methods:

(a) Writing the Florida Department of Revenue, Distribution Center, 168A Blountstown Highway, Tallahassee, Florida 32304; or

(b) Faxing the Distribution Center at (850)922-2208; or

(c) Using a fax machine telephone handset to call the Department's automated Fax on Demand system at (850)922-3676; or

(d) Visiting any local Department of Revenue Service Center to personally obtain a copy; or

(e) Calling the Forms Request Line during regular office hours at (800)352-3671 (in Florida only) or (850)488-6800; or

(f) Downloading the selected forms from the Department's Internet site at the address shown inside the parentheses (www.myflorida.com/dor).

Persons with hearing or speech impairments may call the Department's TDD at (800)367-8331.

(7) through (8) renumbered (4) through (5) No change.

Specific Authority 213.06(1) FS. Law Implemented 95.091(3), 198.29(1), 199.232(5), 202.23, 213.235, 213.255, 213.34, 213.345, 215.26, 220.725, 624.5092, 624.511, 624.518 FS. History—New 11-14-91, Amended 4-18-93, 4-18-95, 4-2-00, 10-4-01, \_\_\_\_\_.

12-26.008 Public Use Forms.

(1)(a) The following public use forms are used by the Department in the processing of refunds and refund denials and are hereby incorporated by reference.

(b) These forms are available, without cost, by one or more of the following methods: 1) writing the Florida Department of Revenue, Distribution Center, 168A Blountstown Highway, Tallahassee, Florida 32304; or, 2) faxing the Distribution Center at (850)922-2208; or, 3) using a fax machine telephone handset to call the Department's automated Fax on Demand system, at (850)922-3676; or, 4) visiting any local Department of Revenue Service Center to personally obtain a copy; or, 5) calling the Forms Request Line during regular office hours at 1(800)352-3671 (in Florida only) or (850)488-6800; or, 6) downloading selected forms from the Department's Internet site stated in the parentheses (www.myflorida.com/dor). Persons with hearing or speech impairments may call the Department's TDD, 1(800)367-8331.

Form Number	Title	Effective Date
<del>(2)</del> (4) DR-26	Application for Refund from the State of Florida Department of Revenue (R. 06/03 r. 09/99)	10/01
(3) DR-26I	Application for Refund-Intangible Personal Property Tax (N. 06/03)	_____
(4) DR-26S	Application for Refund-Sales and Use Tax (R. 06/03)	_____
<del>(5)</del> (2) DR-370026	Mutual Agreement to Audit or Verify Refund Claim (R. 07/02 n. 02/00)	_____
(3) DR-26S	Application for Refund Sales and Use Tax (n. 11/00)	10/01

Specific Authority 213.06(1) FS. Law Implemented 72.011, 199.183, 199.185, 199.218(5), 201.11, 202.125, 202.23, 206.41, 206.64, 206.8745, 206.97, 206.9815, 206.9875, 206.9941, 206.9942, 212.02(15)(a),(19), 212.05(1)(a)1.b., 212.06(5)(a)1., (7), 212.07(1), 212.08(2)(j), (5)(f),(g),(h),(q), (7), 212.09, 212.11(4),(5), 212.12(6)(a),(c), 212.13(1)(2), 212.14(4), 212.17(1),(2),(3), 212.183, 213.255(2),(3),(4),(12), 213.34, 215.26, 220.725, 220.727, 624.5092, 681.104 FS., ss. 2, 3, 4, 5, 6, 7, 40, Ch. 91-112, L.O.F. History—New 11-14-91, Amended 4-18-93, 10-4-01, \_\_\_\_\_.

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

RULE CHAPTER TITLE: Fee on the Sale or Lease of Motor Vehicles

RULE CHAPTER NO.: 12A-13

RULE TITLE: Collection and Remittance of Fee

RULE NO.: 12A-13.002

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-13.002, F.A.C. (Collection and Remittance of Fee), is to adopt, by reference, revisions to form DR-35, Motor Vehicle Warranty Remittance Fees.

SUBJECT AREA TO BE ADDRESSED: The subject of this workshop is the revisions to form DR-35, Motor Vehicle Warranty Remittance Fee.

SPECIFIC AUTHORITY: 213.06(1) FS.  
 LAW IMPLEMENTED: 219.07, 681.102(15), 681.117 FS.  
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:  
 TIME AND DATE: 10:00 a.m., June 24, 2003  
 PLACE: Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, Florida 32399-0100  
 NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Nancy Purvis, (850)488-0712. If you are hearing-impaired or speech-impaired, please contact the Department by using the Florida Relay Service, which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS: Gary Gray, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, (850)922-4729  
 The Department's Proposed Rules are available on the Department's web site: [www.myflorida.com/dor/rules](http://www.myflorida.com/dor/rules).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 12A-13.002 Collection and Remittance of Fee.
  - (1) through (3) No change.
  - (4) Form DR-35, Motor Vehicle Warranty Remittance Fee Report (R. ~~03/03~~), is hereby incorporated, by reference, in this rule. The Motor Vehicle Warranty Remittance Fee Report (form DR-35) is available, without cost, by one or more of the following methods: 1) writing the Florida Department of Revenue, Distribution Center, 168A Blountstown Highway, Tallahassee, Florida 32304; or, 2) faxing the Distribution Center at (850)922-2208; or, 3) using a fax machine telephone handset to call the Department's automated Fax on Demand system at (850)922-3676; or, 4) visiting any local Department of Revenue Service Center to personally obtain a copy; or, 5) calling the Forms Request Line during regular office hours at (800)352-3671 (in Florida only) or (850)488-6800; or, 6) downloading selected forms from the Department's Internet site at the address shown inside the parentheses ([www.myflorida.com/dor](http://www.myflorida.com/dor)). Persons with hearing or speech impairments may call the Department's TDD, at (800)367-8331.

Specific Authority 213.06(1) FS. Law Implement 219.07, 681.102(15), 681.117 FS. History--New 4-5-89, Amended 5-4-03,\_\_\_\_\_.

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Motor Fuels, Diesel Fuels, Alternative Fuels, Aviation Fuels, and Pollutants	12B-5
RULE TITLES:	RULE NOS.:
Definitions; Specific Exemptions	12B-5.020
Importers	12B-5.030
Carriers	12B-5.040
Terminal Suppliers	12B-5.050
Wholesalers	12B-5.060
Terminal Operators	12B-5.070
Exporters	12B-5.080
Local Government Users	12B-5.090
Mass Transit Systems	12B-5.100
Blenders	12B-5.110
Resellers and Retail Dealers	12B-5.120
Refunds	12B-5.130
Dyeing and Marking; Mixing	12B-5.140
Public Use Forms	12B-5.150
Retailer of Alternative Fuel	12B-5.200
Aviation Fuel Licensees	12B-5.300
Producers and Importers of Pollutants	12B-5.400

PURPOSE AND EFFECT: PART I TAX ON MOTOR AND DIESEL FUEL – The purpose of the proposed amendments to Rule 12B-5.020, F.A.C. (Definitions; Specific Exemptions), is to: (1) provide definitions for the terms “enterer” and “gasoline”; and (2) provide that terminal suppliers or wholesales may obtain a credit for taxes paid on fuel sold to the United States government, its departments, or its agencies in quantities of 500 gallons or more.

The purpose of the proposed amendments to Rule 12B-5.030, F.A.C. (Importers), is to: (1) clarify guidelines on how to obtain, or how to renew, an annual license as an importer of fuel; (2) provide that when payments or returns are required to be submitted electronically, the provisions of Rule Chapter 12-24, F.A.C., apply to such payments or returns; and (3) provide a technical reference to Rule 12B-5.060, F.A.C., for obtaining an ultimate vendor credit.

The purpose of the proposed amendments to Rule 12B-5.040, F.A.C. (Carriers), is to: (1) clarify guidelines on how to obtain, or to renew, an annual license as a carrier of fuel; (2) provide when carriers are required to file information returns with the Department; (3) provide the definition of the term “legal holiday,” as defined in s. 7503 of the Internal Revenue Code of 1986, as amended; and (4) provide that electronic filing of information reports must be submitted to the Department, as provided in Rule Chapter 12-24, F.A.C.

The purpose of the proposed amendments to Rule 12B-5.050, F.A.C. (Terminal Suppliers), is to: (1) clarify guidelines on how to obtain, or to renew, an annual license as a terminal supplier of fuel; (2) provide when returns and payments for taxes imposed on gasoline, gasohol, diesel, or aviation fuel are due to the Department; (3) provide the definition of the term "legal holiday," as defined in s. 7503 of the Internal Revenue Code of 1986, as amended; (4) provide that when payments or returns are required to be submitted electronically, the provisions of Rule Chapter 12-24, F.A.C., apply to such payments or returns; (5) provide that terminal suppliers who sell tax-exempt fuel to the United States government, its departments, or its agencies must accrue such taxes and obtain an ultimate vendor credit from the Department; (6) provide that terminal suppliers must accrue tax on sales of diesel fuel that is exempt from the specified taxes when used for agricultural purposes; (7) provide that terminal suppliers must complete Schedule 12, Ultimate Vendor Credits, and file it with their Terminal Supplier Fuel Tax Return to obtain an ultimate vendor credit; and (8) provide technical changes.

The purpose of the proposed amendments to Rule 12B-5.060, F.A.C. (Wholesalers), is to: (1) clarify guidelines on how to obtain, or to renew, an annual license as a wholesaler of fuel; (2) provide that fuel sold to the United States government, its departments, or its agencies in quantities of 500 gallons or more for exclusive use in equipment, devices, or motors operated by the United States is exempt; (3) provide when returns and payments for taxes imposed on gasoline, gasohol, diesel, or aviation fuel are due to the Department; (4) provide the definition of the term "legal holiday," as defined in s. 7503 of the Internal Revenue Code of 1986, as amended; (5) provide that when payments or returns are required to be submitted electronically, the provisions of Rule Chapter 12-24, F.A.C., apply to such payments or returns; (6) provide that wholesalers may obtain an ultimate vendor credit for taxes paid on sales of tax-exempt undyed diesel fuel to farmers for agricultural purposes and on sales of tax-exempt fuel to the United States government, its departments, or its agencies; (7) provide that wholesalers must complete Schedule 12, Ultimate Vendor Credits, and file it with their Wholesaler/Importer Fuel Tax Return to obtain an ultimate vendor credit; and (8) provide technical changes.

The purpose of the proposed amendments to Rule 12B-5.070, F.A.C. (Terminal Operators), is to: (1) provide when terminal operators must obtain a license as a terminal operator of fuel; (2) provide guidelines on how to obtain, or to renew, an annual license as a terminal operator; (3) provide that all terminal operators are required to file an information return with the Department and when such information return is due to the Department; (4) provide the definition of the term "legal holiday," as defined in s. 7503 of the Internal Revenue Code of 1986, as amended; and (5) provide that when payments or

returns are required to be submitted electronically, the provisions of Rule Chapter 12-24, F.A.C., apply to such payments or returns.

The purpose of the proposed amendments to Rule 12B-5.080, F.A.C. (Exporters), is to: (1) clarify guidelines for obtaining, or renewing, an annual license as an exporter of motor fuel or diesel fuel; (2) provide when exporters are required to report their export sales to the Department and when such returns are due; (3) provide the definition of the term "legal holiday," as defined in s. 7503 of the Internal Revenue Code of 1986, as amended; (4) provide that when returns and other information reports are required to be submitted electronically, the provisions of Rule Chapter 12-24, F.A.C., apply to such returns and information reports; (5) provide that exporters who export fuel to other states must file an Application for Refund with the Department to receive a refund of Florida taxes paid on exported fuel; (6) provide when an Application for Refund must be filed with the Department; and (7) provide technical changes.

The purpose of the proposed amendments to Rule 12B-5.090, F.A.C. (Local Government Users), is to: (1) clarify guidelines for counties, municipalities, and school districts on how to obtain a license as a local government user of diesel fuel; (2) provide when returns and payments required to be filed by local government users are due to the Department; (3) provide the definition of the term "legal holiday," as defined in s. 7503 of the Internal Revenue Code of 1986, as amended; (4) provide that when payments or returns are required to be submitted electronically, the provisions of Rule Chapter 12-24, F.A.C., apply to such payments or returns; (5) provide that local government users may take a credit, or obtain a refund, of specified taxes paid on motor fuel and the specified fuel sales tax; (6) provide that local government users must hold a Fuel Tax Refund Permit to seek a refund each calendar quarter for the specified fuel sales tax; (7) provide guidelines on how to apply for a Fuel Tax Refund Permit; (8) provide guidelines to local government users on how to apply for a quarterly refund; (9) provide how an application for a quarterly refund must be submitted to the Department; and (10) provide technical changes.

The proposed amendments to Rule 12B-5.100, F.A.C. (Mass Transit Systems), is to: (1) clarify guidelines for mass transit systems on how to obtain a license to seek a refund of tax paid or to seek a partial exemption; (2) provide when returns and payments required to be filed by mass transit systems are due to the Department; (3) provide the definition of the term "legal holiday," as defined in s. 7503 of the Internal Revenue Code of 1986, as amended; (4) provide that when payments or returns are required to be submitted electronically, the provisions of Rule Chapter 12-24, F.A.C., apply to such payments or returns; (5) provide that mass transit systems may obtain a refund of specified taxes paid on dyed diesel fuel; (6) provide that mass transit systems must hold a Fuel Tax Refund Permit to seek a

refund each calendar quarter for the specified diesel fuel taxes; (7) provide guidelines on how to apply for a Fuel Tax Refund Permit; (8) provide guidelines on how to apply for a quarterly refund; (9) provide when an application for a quarterly refund must be submitted to the Department; and (10) provide technical changes.

The purpose of the proposed amendments to Rule 12B-5.110, F.A.C. (Blenders), is to: (1) clarify guidelines on how to obtain a license as a blender; (2) provide when returns and payments required to be filed by blenders are due to the Department; (3) provide the definition of the term "legal holiday," as defined in s. 7503 of the Internal Revenue Code of 1986, as amended; (4) provide that when payments or returns are required to be submitted electronically, the provisions of Rule Chapter 12-24, F.A.C., apply to such payments or returns; and (5) provide technical changes.

The purpose of the proposed amendments to Rule 12B-5.120, F.A.C. (Resellers and Retail Dealers), is to: (1) clarify guidelines on when retail dealers and resellers are required to register as a sales and use tax dealer; and (2) provide guidelines on how to register each place of business for sales and use tax purposes.

The purpose of the proposed amendments to Rule 12B-5.130, F.A.C. (Refunds), is to: (1) provide that any person who uses motor fuel for agricultural, aquacultural, or commercial fishing purposes may obtain a refund of specified fuel taxes; (2) provide that such persons must hold a Fuel Tax Refund Permit to seek a refund each calendar quarter for the specified motor fuel taxes; (3) provide guidelines on how to apply for a Fuel Tax Refund Permit; (4) provide guidelines on how to apply for a quarterly refund of taxes paid on motor fuel used for agricultural, aquacultural, or commercial fishing purposes; (5) provide when an application for a quarterly refund must be submitted to the Department; (6) provide guidelines on when the Department will grant a refund of tax paid on undyed diesel fuel consumed by vehicles that use fuel to turn a concrete mixer drum or for compacting solid waste, or for undyed diesel fuel consumed by a power take-off engine exhaust for unloading bulk cargo by pumping; (7) define the term "full load pump-off"; (8) provide a schedule of refund gallons to be used for refund claims of less than 8,000 liquid gallons or 80,000 dry pounds; (9) provide guidelines on when a refund of fuel tax paid on undyed diesel fuel used in off-road stationary equipment or in self-propelled off-road equipment will be granted by the Department; (10) provide guidelines on when a refund of fuel tax paid on undyed diesel fuel used to operate a refrigeration unit or other equipment located on a commercial motor vehicle will be granted by the Department; (11) provide guidelines on when an application for such refund must be filed with the Department and the recordkeeping requirements for making such application to the Department; (12) provide guidelines for when dealers who sell dyed diesel fuel for use in vessels are required to collect sales tax, plus any applicable

discretionary sales surtax, or are required to obtain an exemption certificate from a qualified purchaser; (13) provide guidelines to purchasers of undyed diesel fuel used in noncommercial vessels on how to obtain an annual refund of taxes paid on fuel used for such purposes from the Department; (14) provide guidelines to purchasers of undyed diesel fuel used in qualified motor coaches on how to obtain an annual refund of taxes paid on fuel used for such purposes from the Department; (15) remove provisions regarding the partial exemption from sales tax and discretionary sales surtax that are provided in ss. 212.08(4)(a)2. and 212.054(2)(b)4., F.S., and Rule 12A-1.0641, F.A.C.; and (16) provide technical changes.

The purpose of the proposed amendments to Rule 12B-5.140, F.A.C. (Dyeing and Marking; Mixing), is to: (1) provide that a licensed terminal supplier, importer, or wholesaler of fuel must obtain a refund authorization number from the Department to receive a refund of taxes paid on fuel that has been mixed with dyed diesel fuel in storage; (2) provide guidelines on how to obtain a refund of such taxes; (3) provide when an application for refund must be filed with the Department; (4) provide that dye in any fuel storage facility that is not properly marked is in violation of s. 206.8741, F.S., and subject to the penalty imposed under s. 206.872(11), F.S.; and (5) provide technical changes.

The purpose of the proposed amendments to Rule 12B-5.150, F.A.C., is to: (1) change the title to "Public Use Forms"; (2) to adopt, by reference, forms used by the Department in the administration of Florida fuel taxes; and (3) to remove the adoption, by reference, of forms that are no longer used by the Department or that do not meet the definition of a "rule," as defined in s. 120.52(15), F.S.

**PART II TAX ON ALTERNATIVE FUEL** – The purpose of the proposed amendments to Rule 12B-5.200, F.A.C., is to: (1) change the title of the rule to "Retailer of Alternative Fuel"; (2) clarify guidelines on how to obtain a license as a retailer of alternative fuel; (3) provide that sales of alternative fuel are subject to sales tax; (4) provide when returns and payments required to be filed by retailers of alternative fuel are due to the Department; (5) provide the definition of the term "legal holiday," as defined in s. 7503 of the Internal Revenue Code of 1986, as amended; (6) provide that when payments or returns are required to be submitted electronically, the provisions of Rule Chapter 12-24, F.A.C., apply to such payments or returns; and (7) provide technical changes.

**PART III TAX ON AVIATION FUEL AND KEROSENE** – The purpose of the proposed amendments to Rule 12B-5.300, F.A.C. (Aviation Fuel Licenses), is to: (1) provide that the sale of aviation fuel to the United States government, its departments, or its agencies is exempt; (2) provide that terminal suppliers must report tax due on undyed kerosene delivered to a residence for home heating or cooking and may obtain an ultimate vendor credit from the Department for tax paid on such kerosene; (3) provide that terminal suppliers and



wholesalers who deliver undyed kerosene to retail dealers for resale to consumers to be used for home heating and cooking may obtain an ultimate vendor credit from the Department for tax paid on such kerosene; (3) provide that terminal suppliers must complete Schedule 12, Ultimate Vendor Credits, and file it with their Terminal Supplier Fuel Tax Return to obtain an ultimate vendor credit; (4) provide that wholesalers must complete Schedule 12 and file it with their Wholesaler/Importer Fuel Tax Return to obtain an ultimate vendor credit; (5) provide that resellers who make sales of undyed kerosene without payment of the aviation fuel tax are subject to the specified penalties; (6) clarify when returns reporting aviation fuel taxes are required to be filed; (7) provide that when payments or returns are required to be submitted electronically, the provisions of Rule Chapter 12-24, F.A.C., apply to such payments or returns; (8) provide guidelines to air carriers on how to apply for a quarterly refund of aviation fuel tax paid for wages paid to certain employees and when an application for refund must be submitted to the Department; (9) remove provisions regarding the proration of aviation fuel by air carriers rendered obsolete on July 1, 2000, by the repeal of proration provisions from s. 212.0598, F.S.; (10) provide guidelines to fixed base operators on how to obtain a refund of aviation fuel taxes paid on aviation fuel sold to the United States government, its departments, or its agencies and when an application for refund must be filed with the Department; (11) clarify guidelines on how to obtain, or to renew, an annual license to operate as a commercial air carrier in Florida; (12) provide when commercial air carriers are required to report and pay aviation fuel taxes; (13) provide when returns and payments are due to the Department; (14) provide the definition of the term "legal holiday," as defined in s. 7503 of the Internal Revenue Code of 1986, as amended; (15) provide that when payments or returns are required to be submitted electronically, the provisions of Rule Chapter 12-24, F.A.C., apply to such payments or returns; and (16) provide technical changes.

**PART IV TAX ON POLLUTANTS** – The purpose of the proposed amendments to Rule 12B-5.400, F.A.C. (Producers and Importers of Pollutants), is to: (1) clarify guidelines on how to obtain, or to renew, an annual license as an importer or producer of taxable pollutants; (2) clarify that the United States government, its departments, or its agencies are exempt from the tax due on pollutants; (3) remove obsolete effective tax rates for the Coastal Protection Tax, the Inland Protection Tax, and the Water Quality Assurance Tax; (4) provide when an importer or producer of pollutants is required to file a return and to pay the taxes due on pollutants; (5) provide when payments and returns are due to the Department; (6) provide the definition of the term "legal holiday," as defined in s. 7503 of the Internal Revenue Code of 1986, as amended; (7) provide that when payments or returns are required to be submitted electronically, the provisions of Rule Chapter 12-24, F.A.C., apply to such payments or returns; (8) remove provisions for

taking a credit of pollutant tax that are not consistent with the provisions of s. 206.9942(6), F.S.; (9) provide that an application for pollutant tax refund must be filed with the Department for each calendar quarter; (10) provide guidelines on how to file an application for a refund of pollutant tax with the Department; and (11) provide technical changes.

**SUBJECT AREA TO BE ADDRESSED:** The subject of this workshop is the proposed amendments to the provisions of Rule Chapter 12B-5, F.A.C., Motor Fuels Taxes.

**SPECIFIC AUTHORITY:** 206.14(1), 206.59(1), 206.62(10), 206.87(1)(e)2., 206.8745(6), 206.97, 206.9915, 213.06(1) FS.

**LAW IMPLEMENTED:** 206.01, 206.02, 206.021, 206.022, 206.025, 206.026, 206.027, 206.028, 206.03, 206.04, 206.041, 206.05, 206.051, 206.052, 206.054, 206.055, 206.09, 206.095, 206.11(1)(d), 206.199, 206.20, 206.204, 206.205, 206.404, 206.41, 206.413, 206.414, 206.416, 206.43, 206.44, 206.48, 206.485, 206.62, 206.64, 206.645, 206.62, 206.86, 206.87, 206.872, 206.873, 206.874, 206.8741, 206.8745, 206.877, 206.89, 206.90, 206.91, 206.92, 206.97, 206.9815, 206.9825, 206.9835, 206.9865, 206.9875, 206.9915, 206.9925, 206.9931, 206.9935, 206.9941, 206.9942, 206.9943, 212.18(3) FS.

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

**TIME AND DATE:** 10:00 a.m., June 24, 2003

**PLACE:** Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, Florida

**NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT:** Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Nancy Purvis, (850)488-0712. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Department's proposed rules are available on the Department's web site: [www.myflorida.com/dor/rules](http://www.myflorida.com/dor/rules).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS:** Lynwood Taylor, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, (850)922-4725

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

#### PART I TAX ON MOTOR AND DIESEL FUEL

12B-5.020 Definitions; Specific Exemptions.

##### (1) DEFINITIONS.

(a) through (b) No change.

(c) "Enterer" means the importer of record with respect to fuel. However, if the importer of record is acting as an agent (e.g., the importer of record is a customs broker engaged by the

owner of the fuel), the person for whom the agent is acting is the enterer. If there is no importer of record for fuel entered into Florida, the enterer is the owner of the fuel at the time the fuel is brought into Florida.

~~(d)~~(e) No change.

(e) "Gasoline" means any mixture used as a fuel in spark-ignition, internal combustion engines, which has an octane number not less than 75 and a lead content not greater than 0.05 grams per gallon.

(d) through (g) renumbered (f) through (i) No change.

(2) EXEMPTIONS.

(a) Sales of Fuel to the United States Government.

1. Fuel sold to the United States Government, its departments, or its agencies, in quantities of 500 gallons or more in each delivery, for exclusive use in equipment, devices, or motors operated by the United States is exempt from tax. This exemption does not apply to sales of fuel delivered to service stations or other outlets for resale.

2. The exemption provided in paragraph (a) will not apply to sales of fuel to the United States where the fuel is delivered to service stations or other outlets for resale.

~~2.3.~~ No change.

~~3.4.~~ Terminal suppliers or wholesalers may obtain apply for a refund or take a credit for of taxes paid on fuel sold to the United States federal government, its departments, or its agencies in quantities of 500 gallons or more, as provided in subsection (6) of Rule 12B-5.050, F.A.C., and subsection (6) of Rule 12B-5.060, F.A.C.

(b) through (c) No change.

Specific Authority 206.14(1), 206.59(1), 206.62(10), 206.87(1)(e)2., 213.06(1) FS. Law Implemented 206.41(4)(b), 206.62, 206.874, 206.97 FS. History—New 7-1-96, Amended 11-21-96, 10-27-98, \_\_\_\_\_.

12B-5.030 Importers.

(1) No change.

(2) LICENSING AND BONDING REQUIREMENTS.

(a) Licensing.

1. To obtain an annual a license as an importer, or to renew an annual license, every a person must file ~~with the Department~~ form DR-156, (Florida Fuel Tax Application (incorporated by reference in Rule 12B-5.150, F.A.C.), and the required attachments with the Department, as provided in the application under oath, which meets all requirements specified in s. 206.02(2), F.S.

2. Each initial or renewal The application must be accompanied by ~~will require~~ payment of a \$30 license fee.

3. ~~Each License will be renewed annually by renewal application, and each renewal requires the payment of an annual \$30 renewal fee.~~

(b) No change.

(3) RETURNS AND REGULATIONS.

(a) Licensed importers of gasoline, gasohol, diesel, or aviation fuel are required to ~~will~~ report all taxes imposed by Chapter 206, F.S., on a ~~form DR-309632~~, Wholesaler/Importer Fuel Tax Return (form DR-309632, incorporated by reference in Rule 12B-5.150, F.A.C.), as provided in subsection (5) of Rule 12B-5.060, F.A.C. ~~See filing requirements for wholesalers in Rule 12B-5.060, F.A.C.~~

(b) Electronic filing of payments, returns, and information reports must be submitted to the Department, as provided in Rule Chapter 12-24, F.A.C., when: ~~Media Filing.~~

1. Payment of the tax is required to be made by electronic means: ~~Importers are required to file data elements and schedules contained in the Wholesaler/Importer Fuel Tax Return by magnetic tape, computer disk, or a telephone modem.~~

2. Any return for reporting taxes is required to be submitted by electronic means: ~~Importers who are unable to meet the requirements for electronic filing may request a deferral of the date on which electronic data is required to be filed with the Department.~~

3. ~~No tax is due with a return for reporting tax; or Deferral requests will be granted by the Department when an importer can demonstrate the inability to complete the necessary computer program change by the date the information is due.~~

4. Any information report is required to be submitted by electronic means.

(4) REFUNDS AND CREDITS. Refunds and credits Credits and refunds to importers are authorized only under the provisions for refunds and credits authorized to wholesalers. Importers may obtain an ultimate vendor credit for tax paid in the same manner as wholesalers, as provided in subsection (6) of Rule 12B-5.060, F.A.C. See 12B-5.130.

(5) No change.

Specific Authority 206.14(1), 206.59(1), 206.87(1)(e)2., 213.06(1) FS. Law Implemented 206.01(3), 206.02, 206.026, 206.027, 206.028, 206.03, 206.05, 206.051, 206.054, 206.43, 206.48(2), 206.485, 206.9835 FS. History—New 7-1-96, Amended 11-21-96, 10-27-98, \_\_\_\_\_.

12B-5.040 Carriers.

(1) LICENSING.

~~(a)(1)~~ Any person transporting fuel for sale or for others in vehicles capable of hauling quantities of 500 gallons or more in this State, must hold a valid ~~have an unrevoked~~ license as a carrier of motor fuel or diesel fuel issued by the Department to engage in such business.

(b) To obtain an annual license, or to renew an annual license, every person must file a Florida Fuel Tax Application (form DR-156, incorporated by reference in Rule 12B-5.150, F.A.C.) and the required attachments with the Department, as provided in the application.

(c) Each initial or renewal application must be accompanied by a \$30 license fee.

(2) INFORMATION RETURNS.

~~(a)(2)~~ Carriers are required to will file on a report form DR-309637, Petroleum Carrier Information Return (incorporated by reference in Rule 12B-5.150, F.A.C.). Carriers must remit reports to the Department of Revenue on or before by the 20th twentieth day of each month for the previous months activity during the previous month. If the 20th day falls on a Saturday, Sunday, or a legal holiday, returns will be accepted as timely if postmarked or delivered to the Department on the next succeeding day which is not a Saturday, Sunday, or legal holiday. For the purpose of this rule ~~section~~, a legal holiday means will mean a holiday that which is observed by federal or state agencies as a legal holiday as this term is defined in Chapter 683, F.S., and s. 7503 of the Internal Revenue Code, of 1986, as amended and in effect on January 1, 1996, which is incorporated by reference in this rule. A "legal holiday" pursuant to s. 7503 of the Internal Revenue Code of 1986, as amended, means a legal holiday in the District of Columbia or a statewide legal holiday at a location outside the District of Columbia but within an internal revenue district.

~~(b)(3)~~ Electronic filing of information reports must be submitted to the Department, as provided in Rule Chapter 12-24, F.A.C. Media Filing.

~~(a)~~ Carriers are required to file data elements and schedules contained in the Petroleum Carrier Information Return by magnetic tape, computer disk, or a telephone modem.

~~(b)1.~~ Carriers who are unable to meet the requirements for electronic filing may request a deferral of the date on which electronic data is required to be filed with the Department.

2. Deferral requests will be granted by the Department when a carrier can demonstrate the inability to complete the necessary computer program change by the date the information is due.

~~(3)(4)~~ No change.

Specific Authority 206.14(1), 206.59(1), 206.97, 206.9915, 213.06(1) FS. Law Implemented 206.021, 206.09, 206.199, 206.20, 206.204, 206.205, 206.485 FS. History—New 7-1-96, Amended 11-21-96, \_\_\_\_\_.

12B-5.050 Terminal Suppliers.

(1) No change.

(2) LICENSING AND BONDING REQUIREMENTS.

(a) Licensing.

1. Before any person may engage in business as a terminal supplier within this state, such person must first obtain, and be the holder of a valid an unrevoked terminal supplier license issued by the Department ~~of Revenue~~.

2. To obtain an annual a license, or to renew an annual license, as a terminal supplier, every a person must file a Florida Fuel Tax Application (form DR-156, incorporated by reference in Rule 12B-5.150, F.A.C.) and the required attachments with the Department, as provided in the

application department an application under oath and in such form as prescribed by the department, which meets all requirements specified in s. 206.02(2), F.S.

3. Each initial or renewal The application must be accompanied by will require payment of a \$30 license fee.

~~4. Each license will be renewed annually by renewal application, and each renewal requires the payment of an annual \$30 renewal fee.~~

~~4.5.~~ Terminal suppliers that who import or export tax-paid fuel are not required to obtain an importer or exporter license.

~~5.6.~~ Any terminal operator that who owns fuel at a terminal is required to be licensed as a terminal supplier.

(b) Bonding.

1. Prior to becoming licensed, each new terminal supplier applicant must submit, to the Department department, a bond which equals 3 times the estimated average monthly fuel tax levied under Chapter 206, F.S., for each type of fuel that which will be sold, but such bond will not exceed a maximum of \$100,000 for each product type (motor fuel, diesel, and aviation fuel).

2. A All terminal supplier that has suppliers who have filed bonds of less than \$100,000 for each product type (motor fuel, diesel, and aviation fuel) will be notified by the Department department when its their liability increases to an amount that which requires an increase in its bond their initial bonds filed.

(3) EXEMPT SALES.

(a) Sales of Fuel to the United States Government. The exemption provided in subparagraph 1. is not allowed on sales by terminal suppliers when fuel is delivered to retail dealers located on governmental installations.

~~1.~~ Terminal suppliers that who sell fuel in quantities of 500 gallons or more per delivery to the United States Government, its departments, or its agencies are not required to collect tax on such sales. This exemption does not apply when fuel is delivered to retail dealers located on governmental installations.

(b) through (c) No change.

(4) TAXABLE SALES.

(a) through (f)1. No change.

2. Dyed Diesel Fuel. Terminal suppliers who sell dyed diesel fuel that which will be used for business purposes as defined in s. 12B-5.020(1)(b), F.A.C., are not required to collect sales tax on such sales.

(5) RETURNS AND REGULATIONS.

(a) All terminal suppliers that who sell gasoline, gasohol, diesel, or aviation fuel are required to will report and remit all taxes imposed by Chapter 206, F.S., on a Terminal Supplier Fuel Tax Return (form DR-309631, incorporated by reference in Rule 12B-5.150, F.A.C.) on or before the 20th day of each month for transactions occurring during the previous month to the Department of Revenue monthly. If the 20th day falls on a

Saturday, Sunday, or legal holiday, payments accompanied by returns will be accepted as timely if postmarked or delivered to the Department on the next succeeding day which is not a Saturday, Sunday, or legal holiday. For the purpose of this rule, a legal holiday means a holiday which is observed by federal or state agencies as this term is defined in Chapter 683, F.S., and s. 7503 of the Internal Revenue Code of 1986, as amended. A "legal holiday" pursuant to s. 7503 of the Internal Revenue Code of 1986, as amended, means a legal holiday in the District of Columbia or a statewide legal holiday at a location outside the District of Columbia but within an internal revenue district.

(b) Form DR-309631, Terminal Supplier Fuel Tax Return must be filed by terminal suppliers by the 20th day of the month following a month in which transactions occur.

(e) Where payment is required by electronic funds transfer, the tax will be remitted as provided by Rule 12-24, F.A.C., and the return must also be filed by the 20th day of the month.

(b)(d) No change.

(e)1. If the 20th day falls on a Saturday, Sunday, or a legal holiday, payments accompanied by returns will be accepted as timely if postmarked or delivered to the Department on the next succeeding day which is not a Saturday, Sunday, or legal holiday.

2. For purpose of this rule section, a legal holiday will mean a holiday which is observed by federal or state agencies as this term is defined in Chapter 683, F.S., and s. 7503, Internal revenue Code, of 1986, as amended and in effect on 1/1/96, which is incorporated by reference in this rule.

(c)(f) Electronic filing of payments, returns, and information reports must be submitted to the Department, as provided in Rule Chapter 12-24, F.A.C., when: Media Filing.

1. Payment of the tax is required to be made by electronic means; Terminal suppliers are required to file data elements and schedules contained in the Terminal Supplier Fuel Tax Return by magnetic tape, computer disk, or a telephone modem.

2. Any return for reporting taxes is required to be submitted by electronic means; Terminal suppliers who are unable to meet the requirements for electronic filing may request a deferral of the date on which electronic data is required to be filed with the Department.

3. No tax is due with a return for reporting tax; or Deferral requests will be granted by the Department when a terminal supplier can demonstrate the inability to complete the necessary computer program change by the date the information is due.

4. Any information report is required to be submitted by electronic means.

(6) REFUNDS AND CREDITS.

(a) Sales of Fuel to the United States Government.

1. Terminal suppliers that who sell fuel to the United States Government, its departments, or its agencies exempt from taxes imposed under Sections ss. 206.41 and 206.87, F.S., must accrue all such taxes and may obtain, but may take an ultimate vendor credit for the taxes accrued when their Terminal Supplier Tax Returns are filed.

2. To obtain an ultimate vendor credit, terminal Terminal suppliers claiming ultimate vendor credits that exceed their liability must complete Schedule apply for a refund of the excess credits by completing schedule 12, (DR-309642, Ultimate Vendor Credits (incorporated by reference in Rule 12B-5.150, F.A.C.) of form DR-309631 (Terminal Supplier Fuel Tax Return) with the amount of credit listed on the face of the return. Schedule 12 is required to be filed with the Terminal Supplier Fuel Tax Return, as indicated on the return.

(b) Motor and Diesel Fuel Used for Agricultural Purposes.

1. Sales by terminal Terminal suppliers of who sell taxable diesel fuel to persons for agricultural uses as provided in pursuant to Rule 12B-5.020(2)(e)1, F.A.C., are will sell such fuel exempt from the local option fuel tax, the state comprehensive transportation system tax, and the fuel sales tax imposed by Section 206.41(1)(e), (f), and (g), F.S. Local Option Fuel Tax, State Comprehensive Transportation System Tax, and Fuel Sales Tax.

2. A terminal supplier must accrue tax on all sales of taxable diesel fuel. A terminal supplier may sell taxable diesel fuel exempt for agricultural purposes, but they must accrue all taxes imposed under Section s. 206.87, F.S. To obtain The terminal supplier may take an ultimate vendor credit for the tax accrued, terminal suppliers must complete Schedule 12, Ultimate Vendor Credits (form DR-309642). Schedule 12 is required to be filed with when the Terminal Supplier Tax Return, as indicated on the form is filed.

Specific Authority 206.14(1), 206.59(1), 206.87(1)(e)2., 213.06(1) FS. Law Implemented 206.01, 206.02, 206.05, 206.09, 206.41, 206.413, 206.414, 206.43, 206.48, 206.485, 206.62, 206.86, 206.87, 206.872, 206.873, 206.874, 206.8745, 206.90, 206.91, 206.97, 206.9815, 206.9941, 206.9942, 212.0501, 212.08(9) FS. History—New 7-1-96, Amended 11-21-96, 10-27-98, \_\_\_\_\_.

12B-5.060 Wholesalers.

(1) No change.

(2) LICENSING AND BONDING.

(a) To obtain an annual a license as a wholesaler, or to renew an annual license, a person must will file a with the Department form DR-156 (Florida Fuel Tax Application (form DR-156, incorporated by reference in Rule 12B-5.150, F.A.C.) and the required attachments with the Department, as provided in the application under oath, which is incorporated in Rule 12B-5.150, F.A.C., by reference, meeting all requirements specified in s. 206.02, F.S. A wholesaler is not required to have a business location in this State.

(b) through (e) No change.

(3) EXEMPT SALES.

(a) Fuel sold to the United States government, its departments, or its agencies in quantities of 500 gallons or more in each delivery, for exclusive use in equipment, devices, or motors operated by the United States is exempt.

(b) through (d) No change.

(4) TAXABLE SALES.

(a) through (b) No change.

(c) Sale of Dyed Diesel Fuel for Business Purposes. Wholesalers who sell dyed diesel fuel ~~that which~~ will be used for business purposes as defined in s. 12B-5.020(1)(b), F.A.C., of this rule are not required to collect sales tax on such sales.

(5) RETURNS AND REGULATIONS.

(a) All wholesalers who sell gasoline, gasohol, diesel, or aviation fuel are required to ~~will~~ report and ~~remit~~ all taxes imposed by Chapter 206, F.S., on a Wholesaler/Importer Fuel Tax Return (form DR-309632, incorporated by reference in Rule 12B-5.150, F.A.C.) on or before the 20th day of each month for transactions occurring during the previous month ~~to the Department of Revenue monthly~~. If the 20th day falls on a Saturday, Sunday, or legal holiday, payments accompanied by returns will be accepted as timely if postmarked or delivered to the Department on the next succeeding day which is not a Saturday, Sunday, or legal holiday. For the purpose of this rule, a legal holiday means a holiday which is observed by federal or state agencies as this term is defined in Chapter 683, F.S., and s. 7503 of the Internal Revenue Code of 1986, as amended. A "legal holiday" pursuant to s. 7503 of the Internal Revenue Code of 1986, as amended, means a legal holiday in the District of Columbia or a statewide legal holiday at a location outside the District of Columbia but within an internal revenue district.

~~(b) Wholesalers must file form DR 309632, Wholesaler/Importer Fuel Tax Return, and supporting schedules by the 20th day of the month following a month in which transactions occur.~~

~~(c) Where payment is required by electronic funds transfer, the tax will be remitted as provided by Rule 12-24, F.A.C., and the return must also be filed by the 20th day of the month.~~

~~(b)(d) No change.~~

~~(e)1. If the 20th day falls on a Saturday, Sunday, or a legal holiday, payments accompanied by returns will be accepted as timely if postmarked or delivered to the Department on the next succeeding day which is not a Saturday, Sunday, or legal holiday.~~

2. For the purpose of this rule section, a legal holiday will mean a holiday which is observed by federal or state agencies as this term is defined in Chapter 683, F.S., and s. 7503 Internal Revenue Code, of 1986, as amended and in effect on 1/1/96, which is incorporated by reference in this rule.

~~(c)(f) Electronic filing of payments, returns, and information reports must be submitted to the Department, as provided in Rule Chapter 12-24, F.A.C., when: Media Filing.~~

~~1. Payment of the tax is required to be made by electronic means: Wholesalers are required to file data elements and schedules contained in the Wholesaler/Importer Fuel Tax Return by magnetic tape, computer disk, or a telephone modem.~~

~~2. Any return for reporting tax is required to be submitted by electronic means: Wholesalers who are unable to meet the requirements for electronic filing may request a deferral of the date on which electronic data is required to be filed with the Department.~~

~~3. No tax is due with a return for reporting tax; or Deferral requests will be granted by the Department when a wholesaler can demonstrate the inability to complete the necessary computer program change by the date the information is due.~~

~~4. Any information report is required to be submitted by electronic means.~~

(6) REFUNDS AND CREDITS.

(a) Wholesalers that sell undyed diesel fuel to farmers for agricultural purposes tax exempt, as provided in Rule 12B-5.020, F.A.C., may obtain an ultimate vendor credit for the taxes paid when their Wholesaler/Importer Fuel Tax Returns (form DR-309632) are filed ~~will be authorized an ultimate vendor credit for taxes paid on taxable diesel fuel sold for agricultural uses pursuant to 12B-5.020.~~

~~(b) Wholesalers that sell fuel will be authorized an ultimate vendor credit for taxes paid on taxable diesel fuel sold to the United States government, or its departments, or its agencies in bulk lots of not less than 500 gallons in each delivery exempt from the taxes imposed under Sections 206.41 and 206.87, F.S., may obtain an ultimate vendor credit for the taxes paid when their Wholesaler/Importer Fuel Tax Returns (form DR-309632) are filed.~~

~~(c) To obtain an ultimate vendor credit, wholesalers claiming ultimate vendor credit, wholesalers must complete Schedule credits that exceed their liability must apply for a refund of the excess credits by completing schedule-12, (DR 309642, Ultimate Vendor Credits (form DR-309642, incorporated by reference in Rule 12B-5.150, F.A.C.) of form DR309632 (Wholesaler/Importer Fuel Tax Return), with the amount of credit listed on the face of the return. Schedule 12 is required to be filed with the Wholesaler/Importer Fuel Tax Return, as indicated on the return.~~

Specific Authority 206.14(1), 206.59(1), 206.97, 213.06(1) FS. Law Implemented 206.01(6), 206.02, 206.05, 206.404, 206.43, 206.48, 206.485, 206.86, 206.89, 206.90, 206.91, 206.9825 FS. History—New 7-1-96, Amended 11-21-96, 10-27-98, \_\_\_\_\_.

12B-5.070 Terminal Operators.

(1) LICENSING. Licensed terminal operators will report all fuel transactions to the Department on form DR-309636, Terminal Operator Information Return.

(a) Before any person may engage in business as a terminal operator within this state, such person must hold a valid terminal operator license. Terminal operators who own fuel sold or transferred through a terminal must also be licensed as a terminal supplier. See Rule 12B-5.050, F.A.C.

(b) To obtain an annual license, or to renew an annual license, as a terminal operator, a person must file a Florida Fuel Tax Application (form DR-156, incorporated by reference in Rule 12B-5.150, F.A.C.) and the required attachments with the Department, as provided in the application.

(c) Each initial or renewal application must be accompanied by a \$30 license fee for each terminal location operated.

(2) INFORMATION RETURNS. Terminal operators who own fuel sold or transferred through a terminal must be licensed as a terminal supplier.

(a) All terminal operators who operate terminals in this state are required file a Terminal Operator Information Return (form DR-309636, incorporated by reference in Rule 12B-5.150, F.A.C.) on or before the 20th day of each month for transactions occurring during the previous month. A separate return is required for each terminal location. If the 20th day falls on a Saturday, Sunday, or legal holiday, returns will be accepted as timely if postmarked or delivered to the Department on the next succeeding day which is not a Saturday, Sunday, or legal holiday. For the purpose of this rule, a legal holiday will mean a holiday which is observed by federal or state agencies as this term is defined in Chapter 683, F.S., and s. 7503 of the Internal Revenue Code of 1986, as amended. A "legal holiday" pursuant to s. 7503 of the Internal Revenue Code of 1986, as amended, means a legal holiday in the District of Columbia or a statewide legal holiday at a location outside the District of Columbia but within an internal revenue district.

(b)(3) Electronic filing of information returns must be submitted to the Department, as provided in Rule Chapter 12-24, F.A.C. Media Filing.

(a) Terminal operators are required to file data elements and schedules contained in the Terminal Operator Fuel Tax Return by magnetic tape, computer disk, or a telephone modem.

(b)1. Terminal operators who are unable to meet the requirements for electronic filing may request a deferral of the date on which electronic data is required to be filed with the Department.

2. Deferral requests will be granted by the Department when a terminal operator can demonstrate the inability to complete the necessary computer program change by the date the information is due.

Specific Authority 206.14(1), 206.59(1), 206.97, 213.06(1) FS. Law Implemented 206.01(19), 206.022, 206.095, 206.485, 206.872 FS. History—New 7-1-96, Amended 11-21-96, \_\_\_\_\_.

12B-5.080 Exporters.

(1) No change.

(2) LICENSING AND BONDING REQUIREMENTS.

(a) Licensing.

1. Before any person may engage in business as an exporter, such person must hold a valid first obtain, and be the holder of an unrevoked exporter license as an exporter of motor fuel or diesel fuel issued by the Department of Revenue.

2. Persons who buy fuel within Florida either in or outside Florida, and who sell the such fuel to Florida customers must be licensed as wholesalers. See Rule 12B-5.060, F.A.C.

(b)1. To obtain an annual a license, or to renew an annual license, as an exporter, a person must file an with the Department form DR-156 (Application for Florida Fuel License (form DR-156, incorporated by reference in Rule 12B-5.150, F.A.C.) and the required attachments with the Department, as provided in the application which is incorporated by reference in rule section 12B-5.150, F.A.C., and which meets all requirements specified in s. 206.02(2), F.S.

2. Each initial or renewal The application must be accompanied by will require payment of a \$30 license fee.

3. Each license will be renewed annually by renewal application, and each renewal requires the payment of an annual \$30 renewal fee.

(c) No change.

(3) RETURNS AND REGULATIONS.

(a)4- Licensed exporters of gasoline, gasohol, diesel, or aviation fuel are required to will report all gallons of fuel exported from Florida taxes imposed by Chapter 206, F.S., on an form DR-309638, Exporter Fuel Tax Return (form DR-309638, incorporated by reference in Rule 12B-5.150, F.A.C.). Licensed exporters that who are also licensed as wholesalers are not required to report file form DR-309638; instead, they show their export sales on a exports on their Wholesaler/Importer Fuel Tax Return (form DR-309632, incorporated by reference in Rule 12B-5.150, F.A.C.).

2. All exporters who sell gasoline, gasohol, diesel, or aviation fuel will report and remit all taxes imposed by Chapter 206, F.S., to the Department of Revenue monthly.

(b) Form DR-309638, Exporter Tax Return, and form DR-309632, Wholesaler/Importer Fuel Tax Return, as applicable, must be filed on or before filed by exporters by the 20th day of the month following a month in which export transactions occur. If the 20th day falls on a Saturday, Sunday, or a legal holiday, payments accompanied by returns will be accepted as timely if postmarked or delivered to the Department on the next succeeding day which is not a Saturday, Sunday, or legal holiday. For the purpose of this rule section, a legal holiday means will mean a holiday which is

observed by federal or state agencies as this term is defined in Chapter 683, F.S., and s. 7503 of the Internal Revenue Code, of 1986, as amended and in effect on 1/1/96, which is incorporated by reference in this rule. A "legal holiday" pursuant to s. 7503 of the Internal Revenue Code of 1986, as amended, means a legal holiday in the District of Columbia or a statewide legal holiday at a location outside the District of Columbia but within an internal revenue district.

~~(e) Where payment is required by electronic funds transfer, the tax will be remitted as provided by Rule 12-24, F.A.C., and the return must also be filed by the 20th day of the month.~~

~~(c)(4) Electronic filing of returns and other required information reports must be submitted to the Department, as provided in Rule Chapter 12-24, F.A.C., when: Media Filing.~~

~~1. Any return for reporting the export is required to be submitted by electronic means; or Exporters are required to file data elements and schedules contained in the Exporter Fuel Tax Return by magnetic tape, computer disk, or a telephone modem.~~

~~2. Any information report is required to be submitted by electronic means. Exporters who are unable to meet the requirements for electronic filing may request a deferral of the date on which electronic data is required to be filed with the Department.~~

~~3. Deferral requests will be granted by the Department when an exporter can demonstrate the inability to complete the necessary computer program change by the date the information is due.~~

~~(4) No change.~~

~~(5) REFUNDS AND CREDITS.~~

~~(a) Exporters who export fuel to other states on which Florida tax has been paid may obtain apply for a refund of Florida taxes paid. To receive a refund of Florida tax paid, an exporter must file an by submitting form DR-26, Application for Refund (form DR-26, incorporated by reference in Rule 12-26.008, F.A.C.) with the Department from the State of Florida Department of Revenue, and providing invoices of such purchases and sales, and copies of the tax return filed in the state of destination. Form DR-26 must be filed in accordance with the timing provisions of Section 215.26(2), F.S., and must meet the requirements of Section 213.255(2) and (3), F.S.~~

~~1. Form DR-26, Application for Refund, must be filed with the Department for tax paid on or after October 1, 1994, and prior to July 1, 1999, within 5 years after the date the tax was paid.~~

~~2. Form DR-26, Application for Refund, must be filed with the Department for tax paid on or after July 1, 1999, within 3 years after the date the tax was paid.~~

(b) Copies of invoices for purchases and sales of fuel exported outside Florida and copies of the tax returns filed in the state of destination are required to be submitted with the application for refund.

~~(c)(b) No change.~~

~~(6) No change.~~

Specific Authority 206.14(1), 206.59(1), 206.87(1)(e)2., 213.06(1) FS. Law Implemented 206.01(21), 206.02, 206.03, 206.04, 206.05, 206.051, 206.052, 206.41, 206.416, 206.43, 206.48, 206.485, 206.62, 206.87, 206.90, 206.91, 209.97, 206.9915 FS. History--New 7-1-96, Amended 11-21-96, 10-27-98,

12B-5.090 Local Government Users.

(1) No change.

(2) LICENSING AND BONDING REQUIREMENTS.

(a) Licensing.

1. All counties, municipalities, and school districts, and nonpublic schools seeking refunds or partial exemptions from the state must be licensed as Local Government Users.

2. To obtain a license as a Local Government User of diesel fuel, a county, municipality, school district, or nonpublic school counties, municipalities, and school districts must file a with the Department an application under oath, form DR-156 (Florida Fuel Tax Application (form DR-156, as a Wholesaler of Alternative Fuel, Local Government User of Diesel Fuel, Mass Transit Systems), which is incorporated by reference in Rule 12B-5.150, F.A.C.) and the required attachments with, and in such form as prescribed by the Department, as provided in the application.

3. There is no application fee or license fee.

(b) No change.

(3) RETURNS AND REGULATIONS.

~~(a) Local Government Users are required to file a Local Government User of Diesel Fuel Tax Return (form DR-309634, incorporated by reference in Rule 12B-5.150, F.A.C.) with the Department on or before the 20th day of each month following the month in which the use of fuel occurs will report, and remit tax to the Department of Revenue monthly. If the 20th day of the month falls on a Saturday, Sunday, or legal holiday, payments accompanied by returns will be accepted as timely if postmarked or delivered to the Department on the next succeeding day which is not a Saturday, Sunday, or legal holiday. For the purpose of this rule, a legal holiday means a holiday which is observed by federal or state agencies as this term is defined in Chapter 683, F.S., and s. 7503 of the Internal Revenue Code of 1986, as amended. A "legal holiday" pursuant to s. 7503 of the Internal Revenue Code of 1986, as amended, means a legal holiday in the District of Columbia or a statewide legal holiday at a location outside the District of Columbia but within an internal revenue district.~~

2. The return filed is form DR-309634, Local Government User of Fuel Tax Return, and is due by the 20th day of a month following the month in which the use of fuel occurs.

3. If the 20th day of the month falls on a Saturday, Sunday, or a legal holiday, payments accompanied by returns will be accepted as timely if postmarked or delivered to the Department on the next succeeding day which is not a Saturday, Sunday, or legal holiday.

4. For the purpose of this rule section, a legal holiday will mean a holiday which is observed by federal or state agencies as this term is defined in Chapter 683, F.S., and s. 7503, Internal Revenue Code, of 1986, as amended and in effect on 1/1/96, which is incorporated by reference in this rule.

(b) Electronic filing of payments, returns, and other required information reports must be submitted to the Department, as provided in Rule Chapter 12-24, F.A.C., when: Media Filing-

1. Payment of the tax is required to be made by electronic means; Local Government Users are required to file data elements and schedules contained in the Local Government User of Diesel Fuel Tax Return by magnetic tape, computer disk, or a telephone modem-

2. Any return for reporting tax is required to be submitted by electronic means; Local Government Users who are unable to meet the requirements for electronic filing may request a deferral of the date on which electronic data is required to be filed with the Department-

3. No tax is due with a return for reporting tax; or Deferral requests will be granted by the Department when a Local Government User can demonstrate the inability to complete the necessary computer program change by the date the information is due-

4. Any information report is required to be submitted by electronic means-

(4) REFUNDS AND CREDITS.

(a) When filing a Local Government User of Diesel Fuel Tax Return (form DR-309634, incorporated by reference in Rule 12B-5.150, F.A.C.), a county, municipality, or school district will be required to pay 3 cents of the 4 cent excise tax Excise Tax under Section s. 206.87(1)(a), F.S., the ninth-cent fuel tax Ninth-cent Fuel Tax under Section s. 206.87(1)(b), F.S., the local option fuel tax Local Option Fuel Tax under Section s. 206.87(1)(c), F.S., and the state comprehensive enhanced transportation system tax State Comprehensive Enhanced Transportation System Tax under Section s. 206.87(1)(d), F.S., on dyed diesel fuel used in vehicles owned or operated by the county, municipality, or school district. Local government users may take a credit, or obtain a refund, of taxes paid on motor fuel under Section 206.41(1)(b), F.S., and the fuel sales tax imposed under Section 206.41(1)(g)1., F.S., when filing the return-

(b)1. Any county, municipality, or school district, which is not licensed as a local government user, that uses tax-paid diesel fuel, gasoline, or gasohol in vehicles operated on the highways, may seek a refund each calendar quarter for the fuel sales tax imposed under Section 206.41(1)(b) and (g), F.S., for

gasoline and gasohol and 1 cent of the tax imposed under Section 206.87(1)(a) and all of the tax imposed under Section 206.87(1)(b), F.S., on diesel fuel. Counties, municipalities, and school districts who file the Local Government User Fuel Tax Return, and who elect to take a credit of taxes paid on motor fuel may deduct the 1 cent County Fuel Tax under s. 206.41(1)(b), and the Fuel Sales Tax under s. 206.41(1)(g)1., F.S., from their tax liability when the return is filed-

2. Prior to qualifying for a refund of taxes paid, counties, municipalities, or school districts and nonpublic schools are required to file an Application for Refund Permit (form DR-185, incorporated by reference in Rule 12B-5.150, F.A.C.) and obtain a Fuel Tax Refund Permit (form DR-192, incorporated by reference in Rule 12B-5.150, F.A.C.) issued by the Department. Counties seeking a refund of taxes paid on motor fuel, must file a quarterly tax refund return, form DR-189, Application for Fuel Tax Refund, Municipalities, Counties and School Districts, to obtain such refund-

3. To apply for the refund, a county, municipality, or school district that holds a valid refund permit is required to file an Application for Fuel Tax Refund, Municipalities, Counties and School Districts (form DR-189, incorporated by reference in Rule 12B-5.150, F.A.C.) with the Department. Form DR-189 must be filed for each calendar quarter no later than the last day of the month immediately following the calendar quarter for which the refund is claimed. The filing date may be extended one additional month from the date the DR-189 is due when a written explanation that sets forth reasonable cause for delay in filing the refund application is submitted with the application and the prior quarter's refund application was timely submitted to the Department. Prior to qualifying for a refund of taxes paid on motor fuel, counties, municipalities, and school districts who use gasoline or gasohol in vehicles, are required to obtain a refund permit, by filing form DR-185, Application for Refund Permit with the Department of Revenue-

4. Any nonpublic school operating schools buses that holds a valid refund permit is required to file an Application for Fuel Tax Refund Non-Public Schools (form DR-190, incorporated by reference in Rule 12B-5.150, F.A.C.) with the Department. Form DR-190 must be filed for each calendar quarter no later than the last day of the month immediately following the calendar quarter for which the refund is claimed. The filing date may be extended one additional month from the date the DR-190 is due when a written explanation that sets forth reasonable cause for delay in filing the refund application is submitted with the application and the prior quarter's refund application was timely submitted to the Department-

Specific Authority 206.14(1), 206.59(1), 206.87(1)(e)2., 213.06(1) FS. Law Implemented 206.41(4), 206.86(11), 206.874(4) FS. History—New 7-1-96, Amended 11-21-96, 10-27-98, \_\_\_\_\_.



12B-5.100 Mass Transit Systems.

(1) No change.

(2) LICENSING AND BONDING REQUIREMENTS.

(a) Licensing.

1. Mass transit systems seeking refunds from the state or partial exemption must hold a valid ~~be licensed as~~ Mass Transit Systems License.

2. To obtain a Mass Transit Systems License System license, a person ~~persons~~ must file a ~~with the Department an~~ application under oath, form DR-156 (Florida Fuel Tax Application (form DR-156, incorporated by reference in Rule 12B-5.150, F.A.C.) and the required attachments with the Department, as provided in the application as a: Wholesaler of Alternative Fuel, Local Government User of Diesel Fuel, Mass Transit System), which is incorporated in Rule 12B-5.150, F.A.C., and in such forms prescribed by the Department.

3. There is no application fee or license fee.

(3) RETURNS AND REGULATIONS.

~~(a)1-~~ Mass Transit Systems are required to file a Mass Transit System Provider Fuel Tax Return (form DR-309633, incorporated by reference in Rule 12B-5.150, F.A.C.) and remit the tax due on or before the 20th day of the month following the month in which the use of fuel occurs will report, and remit tax to the Department of Revenue monthly. If the 20th day of the month falls on a Saturday, Sunday, or legal holiday, payments accompanied by returns will be accepted as timely if postmarked or delivered to the Department on the next succeeding day which is not a Saturday, Sunday, or legal holiday. For the purpose of this rule, a legal holiday means a holiday which is observed by federal or state agencies as this term is defined in Chapter 683, F.S., and s. 7503 of the Internal Revenue Code of 1986, as amended. A "legal holiday" pursuant to s. 7503 of the Internal Revenue Code of 1986, as amended, means a legal holiday in the District of Columbia or a statewide legal holiday at a location outside the District of Columbia but within an internal revenue district.

2. ~~The return filed is form DR-309633, Mass Transit System Provider Fuel Tax Return, and is due by the 20th day of a month following the month in which taxable uses of fuel occur.~~

3. ~~If the 20th day of the month falls on a Saturday, Sunday, or a legal holiday, payments accompanied by returns will be accepted as timely if postmarked or delivered to the Department on the next succeeding day which is not a Saturday, Sunday, or legal holiday.~~

4. ~~For the purpose of this rule section, a legal holiday will mean a holiday which is observed by federal or state agencies as this term is defined in Chapter 683, F.S., and s. 7503, Internal Revenue Code, of 1986, as amended and in effect on 1/1/96, which is incorporated by reference in this rule.~~

(b) Electronic filing of payments, returns, and information reports must be submitted to the Department, as provided in Rule Chapter 12-24, F.A.C., when: Media Filing.

1. Payment of the tax is required to be made by electronic means; Mass Transit Systems are required to file data elements and schedules contained in the Local Government User of Diesel Fuel Tax Return by magnetic tape, computer disk, or a telephone modem.

2. Any return for reporting tax is required to be submitted by electronic means; Mass Transit Systems who are unable to meet the requirements for electronic filing may request a deferral of the date on which electronic data is required to be filed with the Department.

3. No tax is due with a return for reporting tax; or Deferral requests will be granted by the Department when a Mass Transit System can demonstrate the inability to complete the necessary computer program change by the date the information is due.

4. Any information report is required to be submitted by electronic means.

(4) REFUNDS AND CREDITS.

(a)1. When filing a return, a Mass Transit System will be required to pay the excise tax Excise Tax under Section s. 206.87(1)(a), F.S., and the ninth-cent fuel tax Ninth-cent Fuel Tax under Section s. 206.87(1)(b), F.S., on dyed diesel fuel used in vehicles owned or operated by the system.

~~2.(b)1-~~ Any mass transit system provider, which is not licensed as a Mass Transit System, that uses undyed diesel fuel, gasoline, or gasohol in vehicles operated on the highways, may seek a refund each calendar quarter for the fuel taxes imposed under Section 206.41(1)(e), (f), and (g), F.S., or Section 206.87(1)(c)(d) and (e), F.S. Mass Transit Systems filing returns, who elect to take a credit of taxes paid on motor fuel may deduct the Local Option Fuel Tax under s. 206.41(1)(e), F.S., the SCETS Tax under s. 206.41(1)(f), F.S., and the fuel sales tax under s. 206.41(1)(g), F.S., from their tax liability when the return is filed.

~~(b)2-~~ Prior to qualifying for a refund of taxes paid, a Mass Transit System is required to file an Application for Refund Permit (form DR-185, incorporated by reference in Rule 12B-5.150, F.A.C.) and obtain a Fuel Tax Refund Permit (form DR-192, incorporated by reference in Rule 12B-5.150, F.A.C.) issued by the Department to obtain such refunds. Mass Transit Systems seeking a refund of taxes paid on motor fuel, must file the quarterly tax refund return, form DR-160, Application for City transit Fuel Tax Refund, to obtain such refund.

3. A Mass Transit System that holds a valid refund permit is required to file an Application for Fuel Tax Refund-Mass Transit System Users (form DR-160, incorporated by reference in Rule 12B-5.150, F.A.C.) with the Department to obtain such refunds. Form DR-160 must be filed for each calendar quarter no later than the last day of the month immediately following the calendar quarter for which the refund is claimed. The filing date may be extended one additional month from the date the DR-160 is due when a written explanation that sets forth reasonable cause for delay in filing the refund application is

~~submitted with the application and the prior quarter's refund application was timely submitted to the Department. Prior to qualifying for a refund of taxes paid on motor fuel, Mass Transit Systems who use gasoline or gasohol in vehicles, are required to obtain a refund permit, by filing form DR-185, Application for Refund Permit with the Department of Revenue.~~

~~Specific Authority 206.14(1), 206.59(1), 206.87(1)(e)2., 213.06(1) FS. Law Implemented 206.041(4), 206.86(12), 206.874(5)(a) FS. History--New 7-1-96, Amended 11-21-96, 10-27-98, \_\_\_\_\_.~~

12B-5.110 Blenders.

(1) GENERAL INFORMATION.

(a) through (b) No change.

~~(c)1. To obtain a license as blender, every person must file a Florida Fuel Tax Application (form DR-156, incorporated by reference in Rule 12B-5.150, F.A.C.) and the required attachments with the Department, as provided in the application.~~

~~2. Each initial or renewal application must be accompanied by a \$30 license fee.~~

~~(d)(e) No change.~~

(2) RETURNS AND REGULATIONS.

(a) through (b) No change.

~~(c) Any person who is licensed as a blender is required to file a only will report and remit all taxes imposed by Chapter 206, F.S., to the Department of Revenue monthly. Form DR-309635, Blender/Wholesaler of Alternative Fuel Tax Return (form DR-309635, incorporated by reference in Rule 12B-5.150, F.A.C.); on or before must be filed by blenders by the 20th day of the month following a month in which transactions occur. If the 20th day falls on a Saturday, Sunday, or a legal holiday, payments accompanied by returns will be accepted as timely if postmarked or delivered to the Department on the next succeeding day which is not a Saturday, Sunday, or legal holiday. For the purpose of this rule section, a legal holiday means will mean a holiday which is observed by federal or state agencies as this term is defined in Chapter 683, F.S., and s. 7503 of the; Internal Revenue Code; of 1986, as amended and in effect on January 1, 1996, which is incorporated by reference in this rule. A "legal holiday" pursuant to s. 7503 of the Internal Revenue Code of 1986, as amended, means a legal holiday in the District of Columbia or a statewide legal holiday at a location outside the District of Columbia but within an internal revenue district.~~

~~(d) Electronic filing of payments, returns, and other required information reports must be submitted to the Department, as provided in Rule Chapter 12-24, F.A.C., when: Media Filing-~~

~~1. Payment of the tax is required to be made by electronic means: Blenders are required to file data elements and schedules contained in the diesel Fuel Tax Return by magnetic tape, computer disk, or a telephone modem-~~

~~2. Any return for reporting tax is required to be submitted by electronic means: Blenders who are unable to meet the requirements for electronic filing may request a deferral of the date on which electronic data is required to be filed with the Department-~~

~~3. No tax is due with a return for reporting tax; or Deferral requests will be granted by the Department when a Blender can demonstrate the inability to complete the necessary computer program change by the date the information is due-~~

~~4. Any information report is required to be submitted by electronic means-~~

~~Specific Authority 206.14(1), 206.59(1), 206.87(1)(e)2., 213.06(1) FS. Law Implemented 206.02(3), 206.48(1), 206.485, 206.86(7), 206.87(2)(e) FS. History--New 7-1-96, Amended 11-21-96, 10-27-98, \_\_\_\_\_.~~

12B-5.120 Resellers and Retail Dealers.

~~(1) Any Before any person desiring to may engage in the business of selling motor fuel or diesel fuel at retail or reselling tax-paid fuel to retailers or end users, such person must register with the Department and obtain a separate sales and use tax certificate of registration for each place of be the holder of an unrevoked Sales and use Tax Certificate of Registration, issued by the Department to engage in such business.~~

~~(2)(a) Registration with the Department for purposes of sales and use tax is available by using one of the following methods: To obtain a license as a reseller or retail dealer of motor fuel or diesel fuel, a person must complete an Application for Sales and use Tax Registration (Form DR-1), which is incorporated by reference in Rule 12A-1.097(2), F.A.C-~~

~~1. Registering through the Department's Internet site at the address shown in the parentheses (<http://www.myflorida.com/dor>) using the Department's "e-Services" without payment of a registration fee; or~~

~~2. Filing an Application to Collect and/or Report Tax in Florida (form DR-1, incorporated by reference in Rule 12A-1.097, F.A.C.) with the Department, as indicated on the form, and the required \$5 registration fee.~~

~~(b) A separate application is required for each place of business. Resellers and Retail dealers must pay a separate registration fee of \$5 and file a separate application (Form DR-1) for each place of business in this state-~~

~~Specific Authority 206.14(1), 206.59(1), 213.06(1) FS. Law Implemented 206.404, 206.41(5), 206.414, 206.43, 206.44, 206.86, 212.18(3) FS. History--New 7-1-96, Amended 11-21-96, 10-27-98, \_\_\_\_\_.~~

12B-5.130 Refunds.

~~(1) FUEL USED FOR AGRICULTURAL, AQUACULTURAL, AND COMMERCIAL FISHING PURPOSES.~~

~~(a)1. Any person Persons who purchases purchase motor fuel used in any tractor, vehicle, or other equipment that which is used exclusively on a farm for planting, cultivating, harvesting, or processing farm products for sale, may obtain~~

~~are entitled to a refund of local option, state comprehensive enhanced transportation system, and fuel sales taxes paid under Section 206.41(1)(e), (f), and (g), F.S.~~

2. Persons using motor fuel or diesel fuel in the operation of boats, vessels, or equipment used exclusively for the taking of fish, crayfish, oysters, shrimp, and sponges from the salt or fresh waters of Florida for sale are entitled to a refund of local option, state comprehensive enhanced transportation system, municipal fuel tax, and fuel sales taxes paid under Section 206.41(1)(c),(e), (f), and (g), F.S., and Section 206.87(1)(c), (d), and (e), F.S.

~~(b)2- Prior to qualifying for obtaining a refund of taxes paid on motor fuel used for agricultural, aquacultural, and commercial fishing purposes, every person is required to file an Application for Refund Permit (form DR-185, incorporated by reference in Rule 12B-5.150, F.A.C.) with the Department and obtain a Fuel Tax Refund Permit (form DR-192, incorporated by reference in Rule 12B-5.150, F.A.C.) persons must obtain a refund permit from this department.~~

~~(c)(b) Persons seeking a refund of taxes paid on motor fuel for agricultural, aquacultural, and commercial fishing purposes must file an Refunds authorized by this subsection will be issued quarterly, and persons requesting refunds of taxes paid on fuel used for agricultural purposes must file quarterly refund returns (Form DR-138, Application for Fuel Tax Refund- Agriculture and Commercial Fishing Purposes (form DR-138, incorporated by reference in Rule 12B-5.150, F.A.C.) with the Department and submit the original invoices with the returns. Form DR-138 must be filed for each calendar quarter no later than the last day of the month immediately following the calendar quarter for which the refund is claimed. The filing date may be extended one additional month when a written explanation that sets forth reasonable cause for delay in filing the refund application is submitted with the application and the prior quarter's refund application was timely submitted to the Department.~~

**(2) UNDYED DIESEL FUEL USED FOR OFF-ROAD PURPOSES OR OTHER EXEMPT PURPOSES USED IN POWER TAKE OFF UNITS.**

(a) When undyed diesel fuel is consumed by a power take-off unit or engine exhaust for the purpose of turning a concrete mixer drum, for compacting solid waste, or for unloading bulk cargo by pumping, and such power take-off unit or engine exhaust which is mounted on a motor vehicle that, and such vehicle has no separate fuel tank, tax paid on the diesel fuel will be refunded is subject to a refund as follows:

1. A The refund of tax paid on undyed diesel fuel consumed by vehicles which use fuel to turn a concrete mixer drum or for compacting solid waste, will be granted on thirty-five percent of the gallons consumed by vehicles that use fuel to turn a concrete mixer drum or for compacting solid waste such vehicle. Sales tax imposed under Section 212.0501, F.S., plus any applicable discretionary sales surtax, is due on

the average cost per gallon that is eligible for a refund of fuel tax paid. The Department will reduce the amount of refund due on fuel tax paid by the amount of sales tax, plus any applicable discretionary sales surtax, due. The net amount of the refund will be granted to the qualified applicant. The gallons which are subject to refund shall be taxable under Part I of Chapter 212, F.S.

2.a. A The refund of tax paid on undyed diesel fuel that is consumed by a power take-off unit or engine exhaust for unloading bulk cargo, will be granted on 10 gallons per full load pump-off of diesel fuel consumed by a power take-off or engine exhaust for the purpose of unloading bulk cargo by pumping of fuel tax paid. Sales tax imposed under Section 212.0501, F.S., plus any applicable discretionary sales surtax, is due on the average cost per gallon that is eligible for a refund. The Department will reduce the amount of refund due on fuel tax paid by the amount of sales tax, plus any applicable discretionary sales surtax, due. The net amount of the refund will be granted to the qualified applicant.

b. A full load pump-off means the unloading of at least 8,000 gallons of liquid bulk cargo, or 80,000 pounds of dry bulk cargo using a power take-off unit or engine exhaust.

c. Vehicles using gasoline do not qualify for this refund.

d. The following schedule shall be used for refund claims of less than 8,000 liquid gallons or 80,000 dry pounds.

<u>Liquid Gallons Pumped</u>	<u>Refund Gallons</u>	<u>Dry Pounds Pumped</u>	<u>Refund Gallons</u>
<u>7,201 – 8,000</u>	<u>10</u>	<u>72,001 – 80,000</u>	<u>10</u>
<u>6,401 – 7,200</u>	<u>9</u>	<u>64,001 – 72,000</u>	<u>9</u>
<u>5,601 – 6,400</u>	<u>8</u>	<u>56,001 – 64,000</u>	<u>8</u>
<u>4,801 – 5,600</u>	<u>7</u>	<u>48,001 – 56,000</u>	<u>7</u>
<u>4,001 – 4,800</u>	<u>6</u>	<u>40,001 – 56,000</u>	<u>6</u>
<u>3,201 – 4,000</u>	<u>5</u>	<u>32,001 – 40,000</u>	<u>5</u>
<u>2,401 – 3,200</u>	<u>4</u>	<u>24,001 – 32,000</u>	<u>4</u>
<u>1,601 – 2,400</u>	<u>3</u>	<u>16,001 – 24,000</u>	<u>3</u>
<u>801 – 1,600</u>	<u>2</u>	<u>8,001 – 16,000</u>	<u>2</u>
<u>250 – 800</u>	<u>1</u>	<u>2,500 – 8,000</u>	<u>1</u>

(b) A refund of fuel tax on undyed diesel fuel will be granted when the fuel is used in off-road stationary equipment or in self-propelled off-road equipment. A refund will not be granted when the fuel is used to operate equipment on the highways. Sales tax imposed under Section 212.0501, F.S., plus any applicable discretionary sales surtax, is due on the average cost per gallon of fuel that is eligible for a refund of fuel taxes paid. The Department will reduce the amount of refund due on fuel tax paid by the amount of sales tax, plus any applicable discretionary sales surtax, due. The net amount of the refund will be granted to the qualified applicant.

(c) A refund of fuel tax paid on undyed diesel fuel will be granted when the fuel is used to operate a refrigeration unit or other equipment located on a commercial motor vehicle and

the fuel is placed into a separate tank that is not connected to the fuel supply system of the commercial motor vehicle. Undyed diesel fuel used to operate a refrigeration unit or other equipment on a commercial motor vehicle operated by a licensed common carrier for use in interstate or foreign commerce is subject to sales tax based on the partial exemption provided in Section 212.08(9)(b), F.S., and discretionary sales surtax as provided in Section 212.054(2)(b)4., F.S. Sales tax and surtax due is calculated based on the carrier's mileage apportionment factor. The Department will reduce the amount of refund due on fuel tax paid by the amount of sales tax, plus any applicable discretionary sales surtax, due. The net amount of the refund will be granted to the qualified applicant. See Rules 12A-1.064 and 12A-15.013, F.A.C.

~~(b)1.~~ In order to apply for a refund, a purchaser must have obtained a sales tax registration from the Department of Revenue.

~~(e)1.2.~~ Persons seeking a refund of tax paid on undyed diesel for off-road or other exempt purposes must file an refunds under this subsection are required to submit form DR-309639, Application for Refund of Tax Paid on Undyed Diesel Used for Off-Road or Other other Exempt Purposes (form DR-309639, incorporated by reference in Rule 12B-5.150, F.A.C.).

~~2.3.~~ The Department will reduce the amount of fuel tax refund due by the amount of sales tax, plus any applicable discretionary sales surtax, due. The net amount of the refund will be granted to the qualified applicant. Original invoices or certified copies of invoices obtained from suppliers must be retained by persons electing to file form DR-309639 and must be made available when requested by the Department for audit purposes, but are not required to be submitted with the return when filed.

~~(e)(e)~~ An invoice or delivery ticket issued will be made by the seller at the time each motor vehicle is refueled must and will provide accurate information as to the date, the number of gallons placed in the fuel tanks of the motor vehicle, the motor vehicle number or tag number in the event the motor vehicle is not numbered, and the seller's license or registration number. Documentation to All internal records which provide information regarding as to fuel consumption is required to shall be maintained by the purchaser until tax imposed under Chapter 206, F.S., may no longer be determined and assessed under Section 95.091, F.S. purchasers for audit review.

(3) No change.

~~(4) FUEL USED FOR COMMERCIAL FISHING PURPOSES IN FLORIDA WATERS.~~

~~(a)1.~~ Persons using motor fuel exclusively for the purpose of operating boats, vessels, or equipment for the taking of aquatic life from salt or fresh waters of Florida for resale, are entitled to a refund of local option, state comprehensive

enhanced transportation system, and fuel sales taxes paid under ss. 206.41(1)(e), (f), (g), and 206.87(1)(e), (d), and (e), F.S., and the municipal gas tax imposed under s. 206.41(1)(e).

2. Prior to obtaining a refund of taxes paid, persons must obtain a refund permit from this department.

~~(b)~~ Refunds authorized by this subsection will be issued quarterly, and persons requesting refunds of taxes paid on fuel used for commercial fishing purposes must file quarterly refund returns (Form DR-138, Application for Fuel Tax Refund Agriculture and Commercial Fishing Purposes) and submit the original invoices with the returns.

~~(5) SALE OF DIESEL FUEL FOR BUSINESS PURPOSES.~~

~~(a) Undyed Diesel Fuel.~~

~~1.a.~~ Any person using undyed diesel fuel for business purposes, other than for use on a farm for farming purposes, as defined in Rule 12B-5.020(1)(b), F.A.C., may obtain a refund of fuel taxes paid under s. 206.87, F.S.

~~b.~~ To obtain a refund under this paragraph, a person must provide proof to the Department that sales tax was paid on undyed diesel fuel used for business purposes.

~~(b)1.~~ Persons eligible for refunds under this subsection may elect to file either form DR-309639, Application for Refund of Tax Paid on Undyed Diesel Used for off Road or Other Exempt Purposes, monthly, or form DR-26, Application for Refund from the State of Florida Department of Revenue.

~~2.~~ Taxpayers electing to file form DR-309639 will use the form to deduct the sales tax owed from the fuel tax paid to suppliers on undyed diesel fuel consumed by a trade or business.

~~3.~~ Any fuel tax paid in excess of the sales tax due will be refunded to the taxpayer.

~~4.~~ Original invoices or certified copies of invoices obtained from suppliers must be retained by persons electing to file form DR-309639 and must be made available when requested by the Department for audit purposes, but are not required to be submitted with the return when filed.

~~5.~~ Persons making the election under this paragraph must continue to provide original invoices or certified copies of invoices with form DR-26, when filed.

~~(4)(6) DIESEL FUEL SOLD FOR USE IN VESSELS.~~

~~(a) Dyed Diesel Fuel.~~

~~1.~~ The sale of dyed Dyed diesel fuel sold for use in any vessel not engaged in interstate or foreign commerce is subject to sales tax and discretionary sales surtax imposed by Chapter 212, F.S., and which must be collected by the selling dealer is required to collect the applicable sales tax and surtax. See Rule 12A-1.059, F.A.C.

~~2.a.~~ The sale of dyed Dyed diesel fuel sold for use in a vessel used to transport persons or property for hire in interstate or foreign commerce or for use in commercial fishing vessels is subject to the sales tax partial exemption provided in

Section 212.08(4)(a)2., F.S., and subject to discretionary sales surtax, as provided in Section 212.054(2)(b)4., F.S., proration of the tax imposed by Chapter 212, F.S., only to the extent provided herein. Dealers who sell dyed diesel fuel for use in such vessels are required to collect the applicable sales tax and surtax due or to obtain a certificate, as provided in Rule 12A-1.064, F.A.C., from a qualifying purchaser stating that the fuel will be used in a vessel operated by a licensed carrier in interstate or foreign commerce or used in a vessel for commercial fishing purposes. The basis of the tax shall be the ratio of intrastate mileage to interstate or foreign mileage traveled by the vessels which were used in interstate or foreign commerce and which had at least some Florida mileage during the previous fiscal year. The ratio shall be applied each month to the total Florida purchases of dyed diesel fuel which are used in Florida to establish that portion of the total used and consumed within this state and subject to the tax under Chapter 212, F.S. Dyed diesel fuel used exclusively in intrastate commerce does not qualify for proration of tax.

b. Prior to claiming the partial exemption, persons operating vessels which transport persons or property in intrastate commerce and interstate or foreign commerce who make any purchase of dyed diesel fuel must register as dealers with the Department and extend in writing at the time of purchase a resale certified in lieu of tax, stating the specific reasons for exemption. Vessels which operate on the canals or inland waterways of Florida are deemed to be engaged in intrastate commerce. However, mileage of such vessels from the territorial limit to port dockside and return into international waters, foreign or coastwise, in the continuous movement of persons or property in interstate or foreign commerce, is not considered to be mileage in Florida.

e. In addition, the partial exemption of dyed diesel fuel used to transport persons or property in interstate or foreign commerce shall not be allowed unless the purchaser signs an affidavit stating that the item or items to be partially exempted are for the exclusive use designated herein, not used for pleasure purposes, and setting forth the extent of such partial exemption.

3. Persons operating vessels which transport persons or property exclusively in interstate or foreign commerce may, in lieu of registering as a dealer, furnish vendors with a signed statement that they do not operate on or in the canals or inland waterways of Florida. Mileage of vessels from the territorial limit to port dockside and return into international waters is not considered to be mileage in Florida.

4. A suggested affidavit is presented in subsection (7), below for fuel used in interstate and foreign commerce.

(b) Undyed diesel fuel sold to a purchaser Undyed diesel fuel sold for use on a noncommercial vessel in vessels is subject to the fuel taxes imposed under Section s. 206.87(1), F.S. The purchaser may obtain a refund of diesel fuel tax paid as follows: The purchaser may apply for a refund, which shall

be the purchaser may apply for a refund, which shall be the difference between the fuel taxes imposed under s. 206.87(1), F.S., and the sales tax and discretionary sales surtax imposed under Chapter 212, F.S. To obtain the refund, owners are required to file form DR-309639, Application for Refund of Tax Paid on Undyed Diesel Used for Off-Road or Other Exempt Purposes, and subject to restrictions provided in s. 206.8745(7), F.S.

1. The purchaser must purchase 2,500 gallons or more of diesel fuel for use in a noncommercial vessel per calendar year. No refund will be allowed on purchases of less than 2,500 gallons per calendar year.

2. The purchaser must file an Application for Refund (form DR-26, incorporated by reference in Rule 12-26.008, F.A.C.), prior to April 1 of the year subsequent to each calendar year in which the diesel fuel tax was paid. The purchaser is entitled to file only one application per calendar year.

3. The purchaser is required to submit original invoices showing the amount of taxes paid with the application. Form DR-26 must meet the requirements of Section 213.255(2) and (3), F.S., and Rule 12-26.003, F.A.C.

4. The purchaser is required to pay the sales tax, plus any applicable discretionary sales surtax. The Department will reduce the amount of refund due on tax-paid diesel fuel used for exempt purposes by the amount of sales tax and discretionary sales surtax due.

(5) UNDYED DIESEL FUEL CONSUMED BY CERTAIN MOTOR COACHES.

(a) Undyed diesel fuel sold in this state that is consumed by the engine of a qualified motor coach, as defined in Section 206.8745(8), F.S., during idle time for the purpose of running climate control systems and maintaining electrical systems is subject to a refund of fuel tax paid.

(b) The purchaser of fuel used for such purpose may obtain a refund of diesel fuel tax paid as follows:

1. The purchaser must file an Application for Refund of Tax Paid on Undyed Diesel Consumed by Motor Coaches During Idle Time in Florida (form DR-309640, incorporated by reference in Rule 12B-5.150, F.A.C.), prior to April 1 of the year subsequent to each calendar year in which the diesel fuel tax was paid. The purchaser is entitled to file only one application per calendar year.

2. The purchaser is required to submit with the application originals or copies of invoices showing the amount of taxes paid. In lieu of invoices or copies of invoices, the purchaser may submit the Schedule of Fuel Consumed During Idle Time in Florida (Part III of form DR-309640) and the Schedule of Undyed Diesel Fuel Purchased in Florida for Use in a Motor Coach (Part IV of form DR-309640).

3. The purchaser is required to pay sales tax, plus any applicable discretionary sales surtax. The Department will reduce the amount of fuel tax refund by the amount of sales tax, plus any applicable discretionary sales surtax, due.

(7) The following is a suggested affidavit form to be used when purchasing items appropriate to carry out the purpose for which a commercial vessel used to transport persons or property in interstate or foreign commerce is designed, equipped, and used.

AFFIDAVIT FOR PURCHASING FUEL APPROPRIATE TO CARRY OUT THE PURPOSE FOR WHICH A VESSEL IS DESIGNED, EQUIPPED, AND USED

I, \_\_\_\_\_, as owner, owner's agent, or operator of the commercial vessel, Home Port of \_\_\_\_\_ CERTIFY THAT:

1. The fuel purchased from the vendor listed below (copy of purchase invoice attached) is to be used only on the named vessel to transport persons or property in interstate or foreign commerce and is appropriate to carry out the purpose for which the vessel is designed, equipped, and used.

2. The fuel is purchased for use only on board this vessel (Check appropriate item)

(-) This vessel has not operated and will not operate on the canals or inland waterways or otherwise within the territorial waters of Florida.

(-) This vessel will operate in both non Florida and Florida waters and will report Florida Sales Tax in accordance with Rule 12A-1.064, F.A.C.

Dealer's Certificate of Registration Number: \_\_\_\_\_

This statement is issued in compliance with Rule 12A-1.064, Florida Administrative Code, in order to exempt or partially exempt this purchase from Florida Sales and use Taxes. This certification will continue in force until revoked by written notice to the vendor and the Department of Revenue.

Vendor's Name \_\_\_\_\_ Signed \_\_\_\_\_ Date \_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 19\_\_

\_\_\_\_\_  
Notary Public

(Seal)  
My Commission Expires \_\_\_\_\_  
Cross Reference-Rules 12A-1.059 and 12A-1.0641, F.A.C.

Specific Authority 206.14(1), 206.59(1), 206.8745(6), 213.06(1) FS. Law Implemented 206.41(4),(5), 206.43(5),(6), 206.64, 206.8745, 206.97 FS. History--New 7-1-96, Amended 11-21-96, 10-27-98, \_\_\_\_\_.

12B-5.140 Dyeing and Marking; Mixing.

(1) Marking and Dyeing.

(a)1. The Beginning July 1, 1996, and thereafter, the dyeing and marking of diesel fuel will follow the requirements of 48.4082-1, Treasury Regulations; (hereby incorporated by reference in this rule), and shall conform to the requirements

pursuant to the Environmental Protection Agency's high sulfur diesel fuel requirements as found in 40 CFR 80.29 in effect on July 1, 1996 (hereby which is also incorporated by reference in this rule).

2. On or after July 1, 1996, when expressly authorized by law, any amendments to either 48.4082-1 of the Treasury Regulations, or the Environmental Protection Agency's Code Section 40 CFR 80.29 shall be given effect under this rule in such manner and for such periods as are prescribed in such regulation or code, to the same extent as if such amendment had been adopted by the Legislature of this State.

3. The Department will notify all fuel tax licensees of changes in 48.4082-1, Treasury Regulations, and in Section 40 CFR 80.29, of Environmental Protection Agency's Code on or before December 31 of each year.

(2) Mixing.

(a)1. A licensed terminal supplier, importer, or wholesaler that which holds title to taxable diesel fuel that which has been mixed with dyed diesel fuel in storage may qualify for claim a refund of or credit for any state and local option tax paid on the taxable diesel fuel as follows:-

1.2. The To qualify for a refund or credit, the terminal supplier, importer, or wholesaler must contact the Department of Revenue at (850)488-7268 within 24 hours of the misfueling incident that caused the mixing of dyed diesel fuel with taxable diesel fuel to, and must obtain a refund authorization number. The terminal supplier, importer, or wholesaler must report the following information:

3. To obtain a refund authorization number, the terminal supplier, importer, or wholesaler must report the following:

a. through h. No change.

2.(b) Prior to granting a refund authorization number, the The Department of Revenue will may investigate the circumstances of the misfueling incident and the handling of the mixed dyed diesel fuel with taxable diesel fuel, prior to granting the refund authorization number.

(b) To obtain a refund of tax paid on diesel fuel, the terminal supplier, importer, or wholesaler holding a refund authorization number must file an Application for Refund (form DR-26, incorporated by reference in Rule 12-26.008, F.A.C.) with the Department. Form DR-26 must be filed in accordance with the timing provisions of Section 215.26(2), F.S., and must meet the requirements of Section 213.255(2) and (3), F.S., and Rule 12-26.003, F.A.C.

1. Form DR-26, Application for Refund, must be filed with the Department for tax paid on or after October 1, 1994, and prior to July 1, 1999, within 5 years after the date the tax was paid.

2. Form DR-26, Application for Refund, must be filed with the Department for tax paid on or after July 1, 1999, within 3 years after the date the tax was paid.

(c) 1. The discovery by the Department of Revenue of dye in any fuel storage facility that is not properly marked for off highway or other exempt use as dyed fuel; will be prima facie evidence of a violation of Section 206.8741, F.S., and subject to the penalty imposed under Section 206.872(11), F.S. this rule, and not subject to refund or credit, unless the misfueling incident has been previously reported as provided under this section.

2. Unless the misfueling incident has been previously reported, persons found in violation of the marking provisions will be subject to a penalty of the greater of \$10 for each gallon of diesel fuel involved or \$1,000, and no refund of tax paid on the diesel fuel will be granted.

Specific Authority 206.14(1), 206.59(1), 206.8741(1), 213.06(1) FS. Law Implemented 206.8741, 206.8745(3) FS. History—New 7-1-96, Amended 11-21-96, \_\_\_\_\_.

12B-5.150 Public Use Forms Used by Public.

(1)(a) The following public use forms and instructions are utilized by the Department of Revenue, dated below, and are hereby incorporated and made part of this rule by reference in this rule. The instructions on the forms listed below have the same authority as the rules.

(b) Copies may be obtained, without cost, by one or more of the following methods: 1) writing the Florida Department of Revenue, Forms Distribution Center, 168A Blountstown Highway, Tallahassee, Florida 32304; or, 2) faxing the Forms Distribution Center at (850)922-2208; or, 3) using a fax machine telephone handset to call the Department’s automated Fax On Demand system at (850)922-3676; or, 4) visiting any local Department of Revenue Service Center to personally obtain a copy; or, 5) calling the Forms Request Line during regular office hours at (800)352-3671 (in Florida only) or (850)488-6800; or, 6) downloading selected forms from the Department’s Internet site at the address shown inside the parentheses (<http://www.myflorida.com/dor/>). Persons with hearing or speech impairments may call the Department’s TDD, at (800)367-8331. ~~For those with other disabilities, please inform the Department as to how your inquiry may be reasonably accommodated.~~

Form Number	Title	Effective Date
<del>(1)</del> DR-110	<del>Pollutants License</del>	<del>R. 8/96 11/96</del>
<del>(2)</del> DR-114	<del>Fuel License</del>	<del>R. 4/96 11/96</del>
<del>(2)(3)</del> DR-138	Application for Fuel Tax Refund—Agriculture, Aquacultural, and Commercial Fishing Purposes <u>(R. 01/03)</u>	<u>R. 8/96 11/96</u>
<del>(3)(4)</del> DR-156	Florida Fuel Tax Application <u>(R. 04/03)</u>	<u>R. 1/98 1/98</u>

<del>(4)(5)</del> DR-157	Fuel Tax Surety Bond <u>(R. 04/03)</u>	<u>R. 2/96 11/96</u>
<del>(5)(6)</del> DR-157A	Assignment of Time Deposit <u>(R. 04/03)</u>	<u>R. 8/96 11/96</u>
<del>(6)(7)</del> DR-157B	Fuel Tax Cash Bond <u>(R. 04/03)</u>	<u>R. 8/96 11/96</u>
<del>(7)</del> DR-157W	<u>Bond Instructions (R. 04/99)</u>	_____
<del>(8)</del> DR-160	Application for Fuel Tax Refund Mass Transit System Users <u>(R. 01/03)</u>	<u>Tax Refund R. 8/96 11/96</u>
<del>(9)</del> DR-161	Refund Application Schedule of Purchases for Tax Paid Purchases Only <u>(R. 02/99)</u>	<u>R. 8/96 11/96</u>
<del>(10)</del> DR-166	Florida Pollutant Tax Application <u>(R. 04/03)</u>	<u>R. 1/98 1/98</u>
<del>(11)</del> DR-166R	Renewal Application for Pollutant or Air Carrier License <u>(N. 04/03)</u>	_____
<del>(12)</del> DR-176	Application for Air Carrier Fuel Tax License <u>(N. 04/03)</u>	_____
<del>(13)(14)</del> DR-179	Corporate Surety Bond Form Applicant for Motor or Diesel Fuel Tax Refund for Refund Permit Applicant <u>(R. 09/97)</u>	<u>R. 8/96 11/96</u>
<del>(12)</del> DR-181	License Card for Vehicle or Vessel	<u>R. 8/96 11/96</u>
<del>(14)(13)</del> DR-182	Florida Air Carrier Fuel Tax Return <u>(R. 04/03)</u>	<u>R. 1/96 11/96</u>
<del>(14)</del> DR-182AC	Florida Air Carrier Fuel Tax Return	<u>R. 1/96 11/96</u>
<del>(15)</del> DR-185	Application for Refund Permit <u>(R. 04/03)</u>	<u>R. 8/96 11/96</u>
<del>(16)</del> DR-189	Application for Fuel Tax Refund Municipalities, Counties and School Districts <u>(R. 01/03)</u>	<u>R. 8/96 11/96</u>

(17) DR-190	Application for Fuel Tax Refund Non-Public Schools <u>(R. 01/03) R- 8/96</u>	_____ 11/96	<del>(29)(32)</del> DR-309634N	Instructions for Filing Local Government User of Diesel Fuel Tax Return <u>(R. 01/03) N- 7/96</u>	_____ 11/96
(18) DR-191	Application for Aviation Fuel Tax Refund-Air Carriers <u>(R. 01/00) R- 8/96</u>	_____ 11/6	<del>(30)(33)</del> DR-309635	Blender/Wholesaler of Alternative Fuel Tax Return <u>(R. 01/03) N- 7/96</u>	_____ 11/96
(19) DR-192	<u>Fuel Tax Refund Permit (R. 01/98) R- 8/96</u>	_____ 11/96	<del>(31)(34)</del> DR-309635N	Instructions for Filing Blender/Wholesaler of Alternative Fuel Tax Return <u>(R. 01/03) N- 7/96</u>	_____ 11/96
(20) DR-248	Alternative Fuel Use Permit Application and Order Form <u>(R. 01/02) R- 8/96</u>	_____ 11/96	<del>(32)(35)</del> DR-309636	Terminal Operator Information Return <u>(R. 01/03) N- 7/96</u>	_____ 11/96
<del>(21) DR- 249</del>	<del>Alternative Fuel Use Permit R- 8/96</del>	<del>11/96</del>	<del>(33)(36)</del> DR-309636N	Instructions for Filing Terminal Operator Information Return <u>(R. 01/03) N- 7/96</u>	_____ 11/96
<del>(22) DR-249A</del>	<del>Alternative Fuel Use Permit 8/96</del>	<del>11/96</del>	<del>(34)(37)</del> DR-309637	Petroleum Carrier Information Return <u>(R. 01/03) N- 7/96</u>	_____ 11/96
<del>(23) DR-249B</del>	<del>Alternative Fuel Use Permit R- 8/96</del>	<del>11/96</del>	<del>(35)(38)</del> DR-309637N	Instructions for Filing Petroleum Carrier Information Return <u>(R. 01/03) N- 7/96</u>	_____ 11/96
<del>(21)(24) DR-904</del>	<del>Pollutants Tax Return (R. 02/00) R- 8/96</del>	<del>_____ 11/96</del>	<del>(36)(39)</del> DR-309638	Exporter Fuel Tax Return <u>(R. 01/03) N- 7/96</u>	_____ 11/96
<del>(22)(25) DR-309631</del>	<del>Terminal Supplier Fuel Tax Return (R. 01/03) N- 7/96</del>	<del>_____ 11/96</del>	<del>(37)(40)</del> DR-309638N	Instructions for Filing Exporter Fuel Tax Return <u>(R. 01/03) N- 7/96</u>	_____ 11/96
<del>(23)(26) DR-309631N</del>	<del>Instructions for Filing Terminal Supplier Fuel Tax Return (R. 01/03) N- 7/96</del>	<del>_____ 11/96</del>	<del>(38)(41)</del> DR-309639	Application for Return of Tax Paid on Undyed Diesel Used for Off-Road or Other Exempt Purposes <u>(with Instructions)</u> <u>(R. 01/03) N- 7/96</u>	_____ 11/96
<del>(24)(27) DR-309632</del>	<del>Wholesaler/Importer Fuel Tax Return (R. 01/03) N- 7/96</del>	<del>_____ 11/96</del>	(39) DR-309640	Application for Refund of Tax Paid on Undyed Diesel Consumed by Motor Coaches During Idle Time in Florida (R. 01/03)	_____
<del>(25)(28) DR-309632N</del>	<del>Instructions for Filing Wholesaler/Importer Fuel Tax Return (R. 01/03) N- 7/96</del>	<del>_____ 11/96</del>			
<del>(26)(29) DR-309633</del>	<del>Mass Transit System Provider Fuel Tax Return (R. 01/03) N- 7/96</del>	<del>_____ 11/96</del>			
<del>(27)(30) DR-309633N</del>	<del>Instructions for Filing Mass Transit System Provider Fuel Tax Return (R. 01/03) N- 7/96</del>	<del>_____ 11/96</del>			
<del>(28)(31) DR-309634</del>	<del>Local Government User of Diesel Fuel Tax Return (R. 01/03) N- 7/96</del>	<del>_____ 11/96</del>			



(40)(42) DR-309641	Gasoline/Gasohol Local Option Schedule by County <u>(R. 01/03) R. 9/96</u> _____ <u>11/96</u>
(41)(43) DR-309642	Ultimate Vendor Credits <u>(R. 01/03)</u> <u>R. 7/96</u> _____ <u>11/96</u>
(42)(44) DR-309643	Mass Transit and Local Government User-Schedule of Receipts <u>(R. 01/03)</u> <u>N. 7/96</u> _____ <u>11/96</u>
(43)(45) DR-309644	Local Government User-Schedule of Disbursements <u>(R. 01/03) N. 7/96</u> _____ <u>11/96</u>
(44) DR-309660	<u>Application for Pollutant Tax Refund (N. _____)</u> _____

Specific Authority 206.14(1), 206.59(1), 213.06(1) FS. Law Implemented 206.02, 206.021, 206.022, 206.025, 206.026, 206.027, 206.028, 206.05, 206.055, 206.095, 206.404, 206.43, 206.86, 206.877, 206.90, 206.91, 206.92, 206.9931, 206.9943 FS. History—New 11-21-96, Amended 10-27-98,

PART II TAX ON ALTERNATIVE FUEL

12B-5.200 ~~Retailers~~ Wholesalers of Alternative Fuel.

(1) GENERAL INFORMATION.

(a) Persons who purchase for resale, import or store alternative fuel in a storage facility other than at a terminal, and who place any portion of alternative fuel purchased, imported, or stored into the fuel supply system of a motor vehicle must obtain a license as a ~~Retailer~~ Wholesaler of Alternative Fuel.

(b) ~~Retailers~~ Wholesalers of Alternative Fuel may:

1. through 5. No change.

(2) LICENSING AND BONDING.

(a) To obtain an annual a license as a ~~Retailer~~ Wholesaler of Alternative Fuel, every a person must ~~will~~ file a ~~form DR-156~~, Florida Fuel Tax Application (form DR-156, which is incorporated by reference in Rule 12B-5.150, F.A.C.), and the required attachments with the Department, as provided in the application under oath, meeting all requirements specified in s. 206.89, F.S.

2. Each initial or renewal application must be accompanied by a \$5 registration fee.

(b) Persons that hold valid licenses as wholesalers ~~already licensed as Wholesalers~~ pursuant to Section s. 206.02, F.S., are not required to obtain a separate license ~~be licensed~~ as a ~~Retailer~~ Wholesaler of Alternative Fuel.

(c) Bonds of ~~Retailers~~ Wholesalers of Alternative Fuel will be computed at three times the average monthly liability of fuel that ~~which~~ is placed into the supply system of vehicles registered in a state other than Florida.

(3) FUELING OF A VEHICLE WITH FLORIDA DECAL.

(a) In lieu of paying fuel taxes on the purchase of alternative fuel that ~~which~~ is placed into the supply tank of a vehicle registered in Florida, all owners or operators of vehicles powered by alternative fuels are required to obtain an annual will acquire a valid Alternative Fuels Decal for each qualified vehicle from the Department of Revenue. The owners or operators of qualified such vehicles are required to ~~will~~ pay an annual decal fee on each such motor vehicle, as provided Section in accordance with the rate schedule under s. 206.877, F.S., which is based on specifications pursuant to s. 320.08, F.S.

(b) In addition to the annual alternative decal fee, the sale of alternative fuel is subject to sales tax imposed under Chapter 212, F.S. See Rule 12A-1.059, F.A.C.

(4) FUELING OF A VEHICLE WITH NO FLORIDA DECAL.

(a) No change.

(b) ~~Retailers~~ Wholesalers of Alternative Fuel who place alternative fuel in vehicles that are registered in a State other than Florida, are required to collect and remit all taxes imposed under s. 206.87, F.S.

(c) No change.

(5) RETURNS AND REGULATIONS.

(a) ~~Licensed Retailers~~ Wholesalers of Alternative Fuel are required to file a will report taxes collected on alternative fuel that which is placed into vehicles powered by alternative fuel on form DR-309635; Blender/Retailer Wholesaler of Alternative Fuel Tax Return (form DR-309630, incorporated by reference in Rule 12B-5.150, F.A.C.), by the 20th day of the month following a month in which transactions of placing fuel into vehicles powered by alternative fuel occur.

2. If the 20th day falls on a Saturday, Sunday, or a legal holiday, payments accompanied by returns will be accepted as timely if postmarked or delivered to the Department on the next succeeding day which is not a Saturday, Sunday, or legal holiday.

(b) ~~For the purpose of this rule section, a legal holiday means will mean~~ a holiday that ~~which~~ is observed by federal or state agencies as a legal holiday as this term is defined in Chapter 683, F.S., and s. 7503 of the, Internal Revenue Code, of 1986, as amended and in effect on 1/1/96, which is incorporated by reference in this rule. A "legal holiday" pursuant to s. 7503 of the Internal Revenue Code of 1986, as amended, means a legal holiday in the District of Columbia or a statewide legal holiday at a location outside the District of Columbia but within an internal revenue district.

(b)(e) Electronic filing of payments, returns, and other required information reports must be submitted to the Department, as provided in Rule Chapter 12-24, F.A.C., when: Media Filing.

1. Payment of the tax is required to be made by electronic means: Wholesalers of Alternative Fuel are required to file data elements and schedules contained in the diesel Fuel Tax Return by magnetic tape, computer disk, or a telephone modem.

2. Any return for reporting tax is required to be submitted by electronic means: Wholesalers of Alternative Fuel who are unable to meet the requirements for electronic filing may request a deferral of the date on which electronic data is required to be filed with the Department.

3. No tax is due with a return for reporting tax; or Deferral requests will be granted by the Department when a Wholesaler of Alternative Fuel can demonstrate the inability to complete the necessary computer program change by the date the information is due.

4. Any information report is required to be submitted by electronic means.

Specific Authority 206.14(1), 206.59(1), 206.877, 213.06(1) FS. Law Implemented 206.485, 206.877, 206.89 FS. History--New 11-21-96, Amended 10-27-98, \_\_\_\_\_.

PART III TAX ON AVIATION FUEL AND KEROSENE

12B-5.300 Aviation Fuel Licensees.

(1) No change.

(2) GENERAL INFORMATION.

(a) 1. through 3. No change.

4. Bonding. Prior to becoming licensed, each new terminal supplier applicant must submit, to the Department, a bond, as provided in paragraph (2)(b) of Rule under the provisions of section 12B-5.050(2)(b), F.A.C., of this rule.

(b) Wholesalers of Aviation Fuel or Undyed Kerosene.

1. Any person ~~Persons~~ who stores ~~store~~ aviation fuel or undyed kerosene for sale in Florida in a facility other than at a terminal registered with the Internal Revenue Service must hold a valid license as ~~obtain~~ a wholesaler license. See Rule 12B-5.060, F.A.C.

2. through 3. No change.

4. Bonding. Prior to becoming licensed, each new wholesaler applicant must submit, to the Department, a bond, as provided in paragraph (2)(c) of Rule an amount which is determined by the provisions of rule section 12B-5.060(2)(e), F.A.C., of this rule.

(c) Importers of Aviation Fuel or Undyed Kerosene.

1. Every person ~~Persons~~ who imports ~~import~~ aviation fuel or undyed kerosene into Florida, by common or private carrier, upon which Florida tax has not been charged or collected must hold a valid ~~obtain~~ a license as a wholesaler and as an importer. See Rules 12B-5.030 and 12B-5.060, F.A.C.

2. ~~Importers must first be licensed as wholesalers in this State.~~

2.3. Bonding. Prior to becoming licensed, each new ~~exporter~~ importer applicant must submit, to the Department, a bond, as provided in paragraph (2)(b) of Rule 12B-5.030, F.A.C. an amount which is determined by the provisions of rule section 12B-5.030(2)(b) of this rule.

(d) Exporters of Aviation Fuel or Undyed Kerosene.

1. through 2. No change.

3. Bonding. Prior to becoming licensed, each new importer applicant must submit, to the Department, a bond, as provided in paragraph (2)(c) of Rule 12B-5.080, F.A.C. an amount which is determined by the provisions of rule section 12B-5.080(2)(c), F.A.C of this rule.

(e) Carriers of Aviation Fuel or Undyed Kerosene.

1. Any person who transports ~~All persons transporting~~ aviation fuel or undyed kerosene within this State must hold a valid license as a ~~have an unrevoked~~ carrier licensed ~~issued~~ by the Department. See Rule 12B-5.040, F.A.C.

2. through 3. No change.

(3) EXEMPT SALES.

(a) Sales of Aviation Fuel to the United States Government. The sale by terminal suppliers and wholesalers of aviation fuel or undyed kerosene in quantities of 500 gallons or more per delivery to the United States Government, its departments, or its agencies is exempt from tax.

(b) through (c) No change.

(d) Sales of Undyed Kerosene for Home Heating or Cooking.

1. Terminal suppliers who deliver undyed kerosene to a residence for home heating or cooking must accrue ~~assess themselves~~ the 6.9 cents excise tax due on the number of gallons delivered on its, ~~but may take an ultimate vendor credit for the amount of tax assessed when form DR-309631, Terminal Supplier Fuel Tax Return (form DR-309631, incorporated by reference in Rule 12B-5.150, F.A.C.) is filed. To obtain a credit for tax accrued, terminal suppliers must complete Schedule 12, Ultimate Vendor Credit (form DR-309642, incorporated by reference in Rule 12B-5.150, F.A.C.) and submit it to the Department with form DR-309631.~~

2. Wholesalers that ~~who~~ deliver tax-paid undyed kerosene to a residence for home heating and cooking may obtain a ~~take~~ an ultimate vendor credit for the 6.9 cents excise tax paid to suppliers when filing their ~~on~~ form DR-309632, Wholesaler/Importer Fuel Tax Returns ~~Return~~ (form DR-309632, incorporated by reference in Rule 12B-5.150, F.A.C.) when filed. To obtain a credit for tax paid, wholesalers must complete Schedule 12, Ultimate Vendor Credit (form DR-309642), and submit it with form DR-309632.

3. No change.

4. Terminal suppliers and wholesalers who deliver undyed kerosene to retail dealers for resale of such fuel exclusively for home heating and cooking may obtain a ~~take an ultimate vendor~~ credit for tax paid on the number of gallons delivered. To obtain a credit for tax paid, terminal suppliers and

wholesalers must complete Schedule 12, Ultimate Vendor Credit (form DR-309642). Terminal suppliers must submit the completed Schedule 12 with form DR-309631. Wholesalers must submit the completed Schedule 12 with form DR-309632.

5. No change.

6. Sales of Undyed Kerosene to a Reseller for Use as a Home Heating or Cooking Fuel.

a. A licensed wholesaler or terminal supplier may sell undyed kerosene to a reseller that qualifies as a retail dealer for sale of home heating or cooking fuel and may obtain receive a credit or a refund as the ultimate vendor. To obtain a credit or a refund for tax paid, wholesalers and terminal suppliers must complete Schedule 12, Ultimate Vendor Credit (form DR-309642). Terminal suppliers must submit the completed Schedule 12 with form DR-309631. Wholesalers must submit the completed Schedule 12 with form DR-309632. To obtain a refund of tax paid, wholesalers must file an Application for Refund (form DR-26, incorporated by reference in Rule 12-26.008, F.A.C.) with the Department. Form DR-26 must be filed in accordance with the timing provisions of Section 215.26(2), F.S., and must meet the requirements of Section 213.255(2), F.S., and Rule 12-26.003, F.A.C.

b. through c. No change.

d. Resellers that make sales of undyed kerosene for use other than for home heating or cooking without paying the aviation fuel tax are in violation of Chapter 206, F.S., and subject to the penalties provided in Section 206.872(11)(a), F.S. Department action to revoke the sales and use license and the carrier license.

e. A wholesaler or terminal supplier that knows or should have known that the reseller is not making deliveries of undyed and untaxed kerosene for home heating or cooking can lose the ultimate vendor privilege for reseller sales and will be subject to tax, penalty, and interest.

(4) No change.

(5) RETURNS AND REGULATIONS.

(a) Any person who holds an aviation ~~Aviation~~ fuel license is required to ~~licensees will~~ file the following tax returns ~~monthly~~ with the Department of Revenue:

1. Terminal suppliers of aviation fuel are required to ~~will~~ report tax due on aviation fuel on form DR-309631, Terminal Supplier ~~Suppliers~~ Fuel Tax Return.

2. Wholesalers and importers of aviation fuel are required to ~~will~~ report tax due on aviation fuel on form DR-309632, Wholesaler/Importer Fuel Tax Return.

3. Exporters of aviation fuel are required to ~~will~~ report all purchases of aviation fuel from terminal suppliers or wholesalers in Florida of fuel that is exported to another state on form DR-309638, Exporter Fuel Tax Return.

4. Terminal Operators of aviation fuel are required to report the number of gallons of aviation fuel removed from storage through the terminal rack and aviation fuel imported by means other than bulk transfer into Florida on ~~will~~ file form DR-309636, Terminal Operator Information Fuel Tax Return.

5. Carriers of aviation fuel are required to report all aviation fuel moving by truck, rail, pipeline, barge, ship, or other conveyance on ~~will~~ report the transport of aviation fuel using form DR-309637, Petroleum Carrier Information Return.

~~6. Air carriers that have elected to apportion aviation fuel tax under the provisions of s. 212.0598, F.S., will report the use of aviation fuel using form DR-182AC, Florida Air Carrier Fuel Tax Return, beginning January 1997, which is incorporated by reference in Rule 12B-5.150, F.A.C.~~

(b) The forms in paragraph (a) are incorporated by reference in Rule 12B-5.150, F.A.C.

(c) Electronic filing of payments, returns, and other required information reports must be submitted to the Department as provided in Rule Chapter 12-24, F.A.C., when: Media Filing-

1. Payment of the tax is required to be made by electronic means; Fuel licensees which sell aviation fuel are required to file data elements and schedules contained in the appropriate fuel tax return by magnetic tape, computer disk, or a telephone modem.

2. Any return for reporting tax is required to be submitted by electronic means; Those licensees who sell alternative fuel who are unable to meet the requirements for electronic filing may request a deferral of the date on which electronic data is required to be filed with the Department.

~~3. No tax is due with any return for reporting tax; or Deferral requests will be granted by the Department when a licensee who sells alternative fuel can demonstrate the inability to complete the necessary computer program change by the date the information is due.~~

4. Any information report is required to be submitted by electronic means.

(6) No change.

(7) REFUNDS AND CREDITS.

(a) Refunds to Air Carriers for Wages Paid to Employees.

1. Any carrier that is in the business of transporting persons or property for compensation or hire by air will be entitled to a refund of the tax paid on aviation fuel pursuant to Part III of Ch. 206, F.S. The amount of refund shall not exceed the amount of aviation fuel tax paid.

2. No change.

~~3. The refund shall not exceed either .006 times total gross wages paid in Florida for that quarter, or the amount of aviation fuel tax paid.~~

3.4. To obtain a refund of aviation fuel tax paid, an ~~An~~ air carrier is required to file an ~~will~~ make an application for refund of wages paid on Form DR-191, Application for Aviation Fuel

Tax Return-Air Carriers (form DR-191, which is incorporated by reference in Rule 12B-5.150, F.A.C.), with by attaching information as may be required by the Department regarding wages or payroll records, and provide necessary documents or information as proof of payment of tax pursuant to Chapter 206, F.S. Form DR-191 must be filed for each calendar quarter no later than the last day of the month immediately following the calendar quarter for which the refund is claimed. The filing day may be extended one additional month when a written explanation that sets forth reasonable cause for delay in filing the refund application is submitted with the application and the prior quarter's refund application was timely submitted to the Department.

4. Amended applications for the prior calendar quarter must be received by the Department by the current calendar quarter's deadline.

5. No refund will be authorized for a tax refund of less than \$5 for a refund period.

5. Refunds will be issued on a calendar quarter basis ending March 31, June 30, September 30 and December 31. Application for refunds will be filed within thirty days after the last day of each quarter for which refund is being requested.

6. Application for refunds will be considered as filed timely if postmarked on or before the thirty day period, except on a Saturday, a Sunday or a state or federal legal holiday, in which case, the date of the next following work day will be accepted.

(b) Refunds to Air Carriers That Apportion Tax.

1. Air carriers that elect to prorate aviation fuel tax under the provisions of s. 212.0598, F.S., are required to file form DR-182AC, Florida Air Carrier Fuel Tax Return.

2. Such carriers will compute aviation fuel tax by multiplying 8 percent times the cost of each gallon of fuel purchased during a month times the carrier's apportionment factor determined in the prior calendar year.

3. When apportioned aviation fuel tax, computed by an air carrier, is less than the amount of Florida aviation fuel tax paid during a month, the difference will be granted as either a refund or as a credit deduction from the carrier's sales tax liability.

(b)(c) Any fixed base operator that who sells aviation fuel to the United States federal government, its departments, or its agencies for use in governmental aircraft is entitled to apply for a refund of tax paid on such fuel. To receive a refund of tax paid, the fixed base operator must file an by making application for refund on Form DR-26, Application for Refund (form DR-26, incorporated by reference in Rule 12-26.008, F.A.C.) with the Department from the State of Florida Department of Revenue, pursuant to s. 215.26, F.S., and by furnishing such information as the Department may require for issuance of such refund. Form DR-26 must be filed in

accordance with the timing provisions of Section 215.26(2), F.S., and must meet the requirements of Section 213.255(2) and (3), F.S., and Rule 12-26.003, F.A.C.

1. Form DR-26, Application for Refund, must be filed with the Department for tax paid on or after October 1, 1994, and prior to July 1, 1999, within 5 years after the date the tax was paid.

2. Form DR-26, Application for Refund, must be filed with the Department for tax paid on or after July 1, 1999, within 3 years after the date the tax was paid.

(8) No change.

(9) COMMERCIAL AIR CARRIERS; REGISTRATION; REPORTING.

(a) Registration.

1. All airlines that operate ~~operating~~ as commercial air carriers in Florida are required to hold a valid aviation fuel tax license must apply on an annual basis for an Air Carrier Fuel Tax License.

2. To obtain an annual license, a commercial air carrier must file an Application for Air Carrier Fuel Tax License (form DR-176, incorporated by reference in Rule 12B-5.150, F.A.C.) and the required attachments with the Department, as provided in the application.

3. To renew an annual license, a commercial air carrier must file a Renewal Application for Pollutant or Air Carrier License (form DR-166R, incorporated by reference in Rule 12B-5.150, F.A.C.)

3.2. Each initial or The license and renewal application must be accompanied by a fee is \$30 license fee, will be paid into the State Treasury to be credited to the General Revenue Fund.

(b) Reporting. All Whenever a licensed commercial air carriers are required to file a Florida Air Carrier Fuel Tax Return (form DR-182, incorporated by reference in Rule 12B-5.150, F.A.C.), to report carrier withdraws aviation fuel withdrawn from bonded inventories and use in domestic flights, or imports of non-tax paid aviation fuel for use in domestic flights, and to the air carrier will remit tax due at the rate of 6.9 cents per gallon on form DR-182, Florida Air Carrier Fuel Tax Return, which is incorporated in Rule 12B-5.150, by reference. Form DR-182 must be filed on or before the 20th day of each month for transactions during the previous month to avoid penalty for late filing. If the 20th day falls on a Saturday, Sunday, or legal holiday, payments accompanied by returns will be accepted as timely if postmarked or delivered to the Department on the next succeeding day which is not a Saturday, Sunday, or legal holiday. For the purpose of this rule, a legal holiday means a holiday which is observed by federal or state agencies as this term is defined in Chapter 683, F.S., and s. 7503 of the Internal Revenue Code of 1986, as amended. A "legal holiday" pursuant to s. 7503 of the Internal Revenue Code of 1986, as

amended, means a legal holiday in the District of Columbia or a statewide legal holiday at a location outside the District of Columbia but within an internal revenue district.

(c) Electronic filing of payments, returns, and other information reports must be submitted to the Department as provided in Rule Chapter 12-24, F.A.C., when: Rate of Tax.

1.a. Payment of the tax is required to be made by electronic means: Air carriers that make the election to pay tax under the special apportionment formula pursuant to s. 212.0598, F.S., are subject to a tax rate of 8 percent of the retail sales price on the purchase of each gallon of aviation fuel.

b. Tax remitted under the election will not be lower than 4.4 cents per gallon.

e. This proration of tax will expire on July 1, 2000.

2.a. Any return for reporting tax is required to be submitted by electronic means: Air carriers that make this election will apportion the tax pursuant to Rule 12A-1.064, F.A.C.

b. Each carrier's ratio will be determined at the close of the carrier's preceding fiscal year, and the ratio will not change by more than 10 percent over the carrier's previous fiscal year.

3.a. No tax is due with any return for report tax; or Each air carrier, after applying for the above election, will file with, and remit to the Department, the proper tax found to be due by computing the tax pursuant to the apportionment formulas arrived at under s. 212.0598, F.S.

b. Such tax will be filed on form DR-182AC, Florida Air Carrier Fuel Tax Return, which is incorporated in Rule 12B-5.150, F.A.C., by reference.

4. Any information report is required to be submitted by electronic means. Air carriers making this election will not be authorized the refund provided in s. 206.9855, F.S.

Specific Authority 206.14(1), 206.59(1), 206.97, 213.06(1) FS. Law Implemented 206.02, 206.03, 206.05, 206.43, 206.48, 206.485, 206.90, 206.91, 206.9825, 206.9835, 206.9865, 206.9875, 212.0598 FS. History—New 11-21-96, Amended 10-27-98, \_\_\_\_\_.

PART IV TAX ON POLLUTANTS

12B-5.400 Producers and Importers of Pollutants.

(1) through (2) No change.

(3) LICENSING AND BONDING.

(a) Any person who does not hold a valid motor fuel, diesel fuel, or aviation fuel tax license issued pursuant to Persons not registered pursuant to Parts I, II, or III of Ch. 206, F.S., and who produces, imports, or causes pollutants produce, import, or cause to be imported into this state State taxable pollutants, is required to obtain shall apply for and be issued a pollutants tax license identification number as an importer or producer.

(b) To obtain an annual procure a license as an importer or producer of taxable pollutants, a person must file a with the Department an application, form DR-166 (Florida Pollutant Tax Application (form DR-166, incorporated by reference in

Rule 12B-5.150, F.A.C.); and the required attachments with under oath and in such form as prescribed by the Department, as provided in the application which meets all requirements specified in s. 206.9931, F.S. The Department will require an applicant for a license as an importer or producer of pollutants to provide photograph, fingerprints, or other data required under the provisions of s. 206.02, F.S., prior to obtaining a license.

2. To renew an annual license, an applicant must file a Renewal Application for Pollutant or Air Carrier License (form DR-166R, incorporated by reference in Rule 12B-5.150, F.A.C.).

3. Each initial or renewal application submitted by a person who is not currently licensed under Parts I, II, or III of Chapter 206, F.S., must be accompanied by a \$30 registration fee.

(e) The registration fee shall be \$30.00 for all persons not registered or licensed pursuant to Parts I, II, or III of Ch. 206, F.S. Persons registered or licensed pursuant to Parts I, II, or III of Ch. 206, F.S., are not required to pay a separate registration fee for pollutants tax.

(d) through (f) renumbered (c) through (e) No change.

(4) EXEMPTIONS.

(a) through (d) No change.

(e) The United States federal government, its departments, or and its agencies which import pollutants into this State are exempt from tax and are not required to file a return with the Department, the "Pollutant Tax Return." Pollutants tax licensees who sell pollutants to the United States federal government, its departments, or and its agencies are not exempt from paying the tax due on pollutants to the Department.

(5) TAXABLE PRODUCTS.

(a) through (c) No change.

(d) Rate of Tax.

1. The excise tax is levied by Sections ss. 206.9935(1)(a), 206.9935(2)(a), and 206.9935(3)(a), F.S., for the tax for coastal protection, tax for water quality, and tax for inland protection Tax for Coastal Protection, Tax for Water Quality; and Tax for Inland Protection, respectively.

2. The tax rate on all pollutants first produced in, or imported into Florida is subject to change. The Department shall provide written notice to all licensees of these changes as they occur.

2.3. The effective tax rates for each trust fund on or after the indicated dates are:

a. Coastal Protection Tax: 2 cents per barrel of pollutant.

7-1-89 2 cents per barrel of pollutant

b. Inland Protection Tax: 80 cents per barrel of pollutant.

7-1-86 10 cents per barrel of pollutant

5-1-88 20 cents per barrel of pollutant

8-1-91 30 cents per barrel of pollutant

5-1-92 80 cents per barrel of pollutant

c. Water Quality Assurance Tax:

Motor Oil and Lubricants – 2.5 cents per gallon

Solvents – 5.9 cents per gallon

Other Petroleum Products, Pesticides, and Chlorine – 5 cents per barrel

Ammonia – 2 cents per barrel

1-1-87 All Pollutants-2 cents per barrel

10-1-88 Motor Oil and Other Lubricants—5 cents per gallon

10-1-88 Solvents containing compounds specifically listed in s. 206.9925(5), F.S.—10 cents per gallon

7-1-89 Motor Oil and Lubricants—1 cents per gallon

Thru

2-28-90 Solvents and solvent mixtures—2.36 cents per gallon

3-1-90 Motor Oil and Lubricants—2.5 cents per gallon  
Solvents and solvent mixtures—5.9 cents per gallon  
(Solvent mixtures tax is repealed July 1, 1996)

Other Petroleum Products, Pesticides, and Chlorine—5 cents per barrel

Ammonia—2 cents per barrel

3.4. No change.

(6) RETURNS AND REGULATIONS.

(a) Any person licensed as a terminal supplier, importer, wholesaler, or blender pursuant to Chapter 206, F.S., and any person licensed as an importer or producer of pollutants is required to file a Pollutants Tax Return (form DR-904, incorporated by reference in Rule 12B-5.150, F.A.C.) on or before the 20th day of the month following the month of sale or first removal of pollutants from storage. If the 20th day falls on a Saturday, Sunday, or legal holiday, payments accompanied by returns will be accepted as timely if postmarked or delivered to the Department on the next succeeding day which is not a Saturday, Sunday, or legal holiday. For the purpose of this rule, a legal holiday means a holiday which is observed by federal or state agencies as this term is defined in Chapter 683, F.S., and s. 7503 of the Internal Revenue Code of 1986, as amended. A “legal holiday” pursuant to s. 7503 of the Internal Revenue Code of 1986, as amended, means a legal holiday in the District of Columbia or a statewide legal holiday at a location outside the District of Columbia but within an internal revenue district. Reports and payment of tax to the Department of Revenue by registrants shall be due monthly as provided by 206.9931(2), F.S.

(b) All statements or reports required by Part IV of Ch. 206, F.S., shall be filed whether or not tax is due.

(e) All taxable petroleum products, pesticides, ammonia, chlorine, solvents shall be reported on the “Pollutants Tax Return” (DR-904):

(b)(4) When quarterly, semi-annual, or annual reporting is authorized by the Department, pursuant to Section 206.9931(5), F.S., the tax is due on or before the 20th day of the month following the authorized reporting period and becomes delinquent on the 21st day of that month. Instead of reporting for 12 monthly reporting periods, the Executive Director, or the Executive Director’s designee, will authorize, if requested, a quarterly return and payment when the tax remitted by the licensee for the preceding quarter did not exceed \$100; or a semiannual return and payment when the tax remitted by the licensee for the preceding six months did not exceed \$200; or an annual return and payment when the tax remitted by the licensee for the preceding twelve months did not exceed \$400. When quarterly, semiannual, or annual reporting is authorized, taxes become due the first day of the month following the authorized reporting period and shall be delinquent on the twenty first day thereof. A licensee requesting permission to request in writing to the Department, setting out the requested reporting period, the trade name, mailing address, and the licensee’s pollutants license number.

(d)(e) Electronic filing of payments, returns, and other information reports must be submitted to the Department. Where payment by electronic funds transfer is required the tax shall be remitted as provided by Chapter 12-24, F.A.C., when:

1. Payment of the tax is required to be made by electronic means;

2. Any return for reporting tax is required to be submitted by electronic means;

3. No tax is due with any return for reporting tax; or

4. Any information report is required to be submitted by electronic means.

(7) REFUNDS AND CREDITS.

(a) 1. Any licensee that registrant who is entitled to a refund of pollutant tax pursuant to Section 206.9942, F.S., is required to file with the Department an ~~may apply for such refund on form DR-26; Application for Pollutant Tax Refund (form DR-309660, incorporated by reference in Rule 12B-5.150, F.A.C.) and the required original sales invoices that contain the following information: Refund from the State of Florida Department of Revenue. Any refund request or credit shall be supported by original sales invoices showing the tax was paid to the Department and a copy of the supporting export schedules required with returns, shipping and delivery documents.~~

a. The name, mailing address, and location address of the purchaser;

b. The type of pollutant and the number of gallons or barrels purchased;

c. The date on which the purchase was made;

d. The price paid for the pollutants;

- e. The name and place of business of the seller;
- f. The pollutant tax paid per gallon or per barrel; and
- g. The Department of Environmental Protection storage tank facility identification number for the seller, if applicable;

2. In lieu of original sales invoices, the applicant may submit a detailed schedule of individual transactions that includes the information required under subparagraph 1. Original invoices or certified copies of invoices obtained from suppliers must be maintained by the applicant in its records until tax imposed under Chapter 206, F.S., may no longer be determined and assessed under Section 95.091, F.S.

3. Form DR-309660 must be filed for each calendar quarter no later than the last day of the first month following the quarter for which the refund is claimed. The filing date may be extended one additional month from the due date of form DR-309660 when a written explanation that sets forth reasonable cause for delay in filing the refund application is submitted with the application and the prior quarter's application for refund was timely submitted to the Department.

4. Amended applications for the prior calendar quarter must be received by the Department by the current calendar quarter's deadline.

5. No refund will be authorized for a tax refund of less than \$5 for a refund period.

(b) Any licensee that licensees who produces, imports, or purchases solvents on which the tax has been paid to the State or supplier under the Water Quality Assurance Trust Fund and who consume these solvents in the manufacture or production of a product which is not a pollutant, may take credit or request a refund of the tax paid on the solvent under the Water Quality Assurance Trust Fund, as provided in paragraph (a).

(c) Any licensee who has purchased petroleum products on which the tax has been paid to the State or supplier under the Water Quality Assurance Trust Fund and the Tax for Inland Protection Trust Fund, and who subsequently exports said products from the state or bunkers petroleum products into marine vessels engaged in interstate or foreign commerce, may take a credit or apply for a refund of the tax paid on the petroleum product under the Water Quality Assurance Trust Fund and the Inland Protection Trust Fund, as provided in paragraph (a). Any licensees who produce, import, or purchase solvents on which the tax has been paid to the State or supplier under the Water Quality Assurance Trust Fund and who consume, blend, or mix these solvents to produce a pollutant, which is subject to the tax under the Water Quality Assurance Trust Fund may take credit or apply for a refund of the tax paid on the solvent or under the Water Quality Assurance Trust Fund. The credit or refund shall not exceed the amount of the tax owed for the pollutant.

(d) Any licensee who has produced, imported, or purchased pollutants on which the tax has been paid to the State or supplier and who subsequently exports from the state

said pollutants or products containing said pollutants may take a credit or apply for a refund of the tax paid on the pollutant under the Water Quality Assurance Trust Fund, as provided in paragraph (a).

Specific Authority 206.14(1), 206.59(1), 213.06(1) FS. Law Implemented 206.9915, 206.9925, 206.9931, 206.9935, 206.9941, 206.9942, 206.9943 FS. History—New 11-21-96, Amended 10-27-98, \_\_\_\_\_.

**DEPARTMENT OF REVENUE**

**Corporate, Estate and Intangible Tax**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Corporate Income Tax	12C-1
RULE TITLES:	RULE NOS.:
Credits for Contributions to Nonprofit	
Scholarship Funding Organizations	12C-1.0187
Returns; Time and Place for Filing	12C-1.0222
Forms	12C-1.051

**PURPOSE AND EFFECT:** The purpose of the proposed creation of Rule 12C-1.0187, F.A.C. (Credits for Contributions to Nonprofit Scholarship Funding Organizations), is to: (1) provide guidelines for applying for credits for contributions to nonprofit scholarship-funding organizations; and (2) provide information as to when such credits will be approved by the Department.

The purpose of the proposed amendments to Rule 12C-1.0222, F.A.C. (Returns; Time and Place for Filing), is to provide a definition of “just cause” and “reasonable cause” for purposes of granting of extensions of time to file Florida corporate income tax returns.

The purpose of the proposed amendments to Rule 12C-1.051, F.A.C. (Forms), is to adopt, by reference, changes to Form F-1160 (Application for Corporate Income Tax Credit for contributions to Nonprofit Scholarship Funding Organizations), used by the Department in the administration of the tax credit authorized under section 220.187, F.S.

**SUBJECT AREA TO BE ADDRESSED:** The subject of this workshop is: (1) the proposed guidelines for applying for credits for contributions to nonprofit scholarship-funding organizations authorized pursuant to s. 220.187, F.S.; (2) the proposed definition of the terms “just cause” and “reasonable cause”; and (3) the adoption, by reference, of changes to Form F-1160 (Application for Corporate Income Tax Credit for contributions to Nonprofit Scholarship Funding Organizations).

**SPECIFIC AUTHORITY:** 213.06(1), 220.187, 220.51 FS.

**LAW IMPLEMENTED:** 213.05, 213.35, 213.755, 220.03(1), 220.11, 220.12, 220.13(1),(2), 220.131, 220.14, 220.15, 220.16, 220.181, 220.182, 220.183, 220.184, 220.1845, 220.185, 220.186, 220.187, 220.1895, 220.19, 220.191, 220.21, 220.211, 220.22, 220.221, 220.222, 220.23, 220.24, 220.241, 220.31, 220.32, 220.33, 220.34, 220.41, 220.42, 220.43, 220.44, 220.51, 220.721, 220.723, 220.725, 220.737, 220.801, 220.803, 220.805, 220.807, 220.809, 221.04 FS.

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

TIME AND DATE: 10:00 a.m., June 24, 2003

PLACE: Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Nancy Purvis, (850)488-0712. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS: Suzanne Paul, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, (850)922-4733.

The Department's proposed rules are available on the Department's web site: [www.myflorida.com/dor/rules](http://www.myflorida.com/dor/rules).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12C-1.0187 Credits for Contributions to Nonprofit Scholarship Funding Organizations.

(1) An Application for Corporate Income Tax Credit for Contributions to Nonprofit Scholarship Funding Organizations (Form F-1160, incorporated by reference in Rule 12C-1.051, F.A.C.) must be filed with the Department to receive such credit. Form F-1160 must be submitted to the Department electronically and is available from the Department's Internet site at [www.myflorida.com/dor](http://www.myflorida.com/dor). When the application for credit has been completed and submitted electronically, a confirmation screen will provide a confirmation number and will confirm receipt of the electronic application for credit. The Department will send written correspondence to the applicant within ten working days regarding the amount of the tax credit approved or the reason the credit could not be approved.

(2) If the nonprofit scholarship funding organization named in the approval letter is unable to accept a contribution, in whole or in part, as a result of its obligations under s. 220.187, F.S., and it provides a written statement declining the contribution, the taxpayer may make the contribution, in whole or in part, to another eligible nonprofit scholarship funding organization. Contributions must be made during the tax year specified in the approval letter.

(3) If a taxpayer receives an approval letter from the Department of Revenue, but fails to make the contribution, no credit is allowed. If a taxpayer receives an approval letter from the Department of Revenue, but makes the contribution to an ineligible organization, or a nonprofit scholarship funding

organization does not accept the contribution, no credit is allowed. If the contribution is made outside the tax year for which the credit was approved, no credit is allowed.

(4) A taxpayer is required to make a separate application for each scholarship funding organization it intends to support. Any credit allocated to a taxpayer cannot be rescinded by the taxpayer or returned to the Department for reallocation to another taxpayer.

(5) If the credit granted pursuant to this section is not fully used in any one year, the unused amount may not be carried forward. A taxpayer may not convey, assign, or transfer the credit authorized by this section to another entity unless all of the assets of the taxpayer are conveyed, assigned, or transferred in the same transaction.

(6) The Department and the Department of Education shall develop a cooperative agreement to assist in the administration of this section. The Department of Education shall be responsible for submitting to the Department, by March 15 of each year, a list of eligible nonprofit scholarship-funding organizations that meet the eligibility requirements and for monitoring eligibility of nonprofit scholarship-funding organizations that meet the eligibility requirements, eligibility of nonpublic schools that meet the requirements, and eligibility of expenditures under this credit provision.

Specific Authority 213.06(1), 220.187, 220.51 FS. Law Implemented 213.05, 213.35, 213.755, 220.03(1), 220.131, 220.187, 220.44 FS. History—New \_\_\_\_\_.

12C-1.0222 Returns; Time and Place for Filing.

(1) No change.

(2)(a)1. The Process Manager for Taxpayer Services is authorized to grant a reasonable extension or extensions of time, not to exceed 6 months in the aggregate, for filing any required return. If an automatic extension is not permitted because a federal extension has not been requested or is not allowed, the application must contain sufficient facts to establish reasonable cause why the return cannot be filed on or before the original due date. The Department will apply the definition that has been developed through federal case law and Internal Revenue Service Announcements in determining "good cause" and "reasonable cause" for granting extensions of time for filing Florida corporate income tax returns. See, e.g., Internal Revenue Service Announcements 60-90 and 63-113, and United States v. Boyle, 469 U.S. 241, 246 (1985). An extension of time for filing a return does not operate as an extension of time for payment of the tax or any part thereof.

2. through (b) No change.

Specific Authority 213.06(1), 220.51 FS. Law Implemented 220.222, 220.32, 220.801 FS. History—New 10-20-73, Amended 10-8-74, 4-21-75, 3-5-80, 12-18-83, Formerly 12C-1.222, Amended 12-21-88, 12-19-89, 4-8-92, 3-18-96, 3-13-00, \_\_\_\_\_.



12C-1.051 Forms.

(1)(a) The following forms and instructions are used by the Department in its administration of the corporate income tax and franchise tax. These forms are hereby incorporated by reference in this rule.

(b) No change.

Form Number	Title	Effective Date
(2) through (14)	No change.	
(15) F-1160	Application for Corporate Income Tax Credit for Contributions to Nonprofit Scholarship Funding Organizations (R. <del>01/03</del> )	<del>06/03</del>

(16) through (17) No change.

Specific Authority 213.06(1), 220.51 FS. Law Implemented 220.11, 220.12, 220.13(1),(2), 220.14, 220.15, 220.16, 220.181, 220.182, 220.183, 220.184, 220.1845, 220.185, 220.186, 220.187, 220.1895, 220.19, 220.191, 220.21, 220.211, 220.22, 220.221, 220.222, 220.23, 220.24, 220.241, 220.31, 220.32, 220.33, 220.34, 220.41, 220.42, 220.43, 220.44, 220.51, 220.721, 220.723, 220.725, 220.737, 220.801, 220.803, 220.805, 220.807, 220.809, 221.04 FS. History—New 9-26-77, Amended 12-18-83, Formerly 12C-1.51, Amended 12-21-88, 12-31-89, 1-31-91, 4-8-92, 12-7-92, 1-3-96, 3-18-96, 3-13-00, 6-19-01, 8-1-02, 6-19-03,\_\_\_\_\_.

**DEPARTMENT OF REVENUE**

**Corporate, Estate and Intangible Tax**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Intangible Personal Property Tax	12C-2
RULE TITLES:	RULE NOS.:
Public Use Forms	12C-2.0115
Refunds	12C-2.012

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12C-2.0115, F.A.C. (Public Use Forms), is to adopt, by reference, changes to forms used by the Department in the administration of the intangible personal property tax.

The purpose of proposed amendments to Rule 12C-2.012, F.A.C. (Refunds), is to provide when the Department, pursuant to s. 199.232(7), F.S., will refund an overpayment of intangible personal property tax.

SUBJECT AREA TO BE ADDRESSED: The subject of this workshop is: (1) the proposed guidelines on when the Department will grant a refund of an overpayment of intangible personal property tax pursuant to s. 199.232(7), F.S.; and (2) the proposed adoption, by reference, of changes to forms used by the Department in the administration of the intangible personal property tax.

SPECIFIC AUTHORITY: 199.202, 213.06(1) FS.

LAW IMPLEMENTED: 199.023, 199.032, 199.042, 199.052, 199.062, 199.103, 199.1055, 199.135, 199.185(2), 199.232, 199.252, 199.292, 213.255(2),(3), 215.26(2) FS.

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

TIME AND DATE: 10:00 a.m., June 24, 2003

PLACE: Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Nancy Purvis, (850)488-0712. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS: Joe Parramore, Revenue Program Administrator I, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, (850)922-4709.

The Department’s proposed rules are available on the Department’s web site: [www.myflorida.com/dor/rules](http://www.myflorida.com/dor/rules).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12C-2.0115 Public Use Forms.

(1)(a) The following public use forms and instructions are employed by the Department in its dealings with the public related to administration of the intangible tax. These forms are hereby incorporated and made a part of this rule by reference.

(b) No change.

Form Number	Title	Effective Date
(2) DR-601-C	2003 Florida Intangible Personal Property Tax Return for Corporation, Partnership, and Fiduciary Filers as of January 1, 2003 (R. <del>01/03</del> )	<del>05/03</del>
(3) DR-601CN	Instructions for Filing Form DR-601C Intangible Personal Property Tax Return for Corporation, Partnership and Fiduciary Filers (R. <del>01/03</del> )	<del>05/03</del>
(4) DR-601CS	2003 Schedules B, C, D, and E for use with DR-601C (R. <del>01/03</del> )	<del>05/03</del>
(5)	No change.	
(6) DR-601-I	2003 Florida Intangible Personal Property Tax Return for Individual and Joint Filers as of January 1, 2003 (R. <del>01/03</del> )	<del>05/03</del>

- (7) DR-601IN Instructions for Filing  
Form DR-601I Intangible  
Personal Property Tax Return  
for Individual and Joint  
Filers (R. ~~01/03~~) 05/03
- (8) DR-601IS 2003 Schedules B, C, D,  
and E for use with  
DR-601I (R. ~~01/03~~) 05/03
- (9) through (16) No change.

Specific Authority 199.202(2), 213.06(1) FS. Law Implemented 199.023, 199.032, 199.042, 199.052, 199.062, 199.103, 199.1055, 199.135, 199.232, 199.292 FS. History--New 11-21-91, Amended 1-5-94, 10-9-01, 5-4-03,

12C-2.012 Refunds.

(1)(a) Any person entitled to a refund of intangible personal property taxes may seek a refund by filing an Application for Refund-Intangible Personal Property Tax (form DR-26I, incorporated by reference in Rule 12-26.008, F.A.C.) with the Department. Form DR-26I must be in accordance with the timing provisions of Section 215.26(2), F.S., and must meet the requirements of Section 213.255(2) and (3), F.S., and Rule 12-26.003, F.A.C.

(b) ~~1.(2)(a)~~ Form DR-26I, Application for Refund-Intangible Personal Property Tax, must be filed with the Department for tax paid on or after October 1, 1994, and prior to July 1, 1999, within 5 years after the date the tax was paid.

~~2.(b)~~ Form DR-26I, Application for Refund-Intangible Personal Property Tax, must be filed with the Department for tax paid on or after July 1, 1999, within 3 years after the date the tax was paid.

(2)(a) An automatic refund of the amount of overpayment of tax will be granted by the Department when the Department determines upon examination that an overpayment of the tax with the return has occurred, that no additional information is required to determine the correct amount of tax due, and that the overpayment of tax is in accordance with the timing provisions of Section 215.26(2), F.S.

(b) For example, an automatic refund will granted by the Department when an examination of the return reveals that:

1. The discount pursuant to Section 199.042(2), F.S., has been understated.
2. The exemption provided in Section 199.185(2), F.S., has been understated.
3. The payment made with an Application for Extension of Time to File (form DR-602, incorporated by reference in Rule 12C-2.0115, F.A.C.) exceeds the amount of tax due when the return is filed; or
4. A mathematical error on the return, such as the use of an incorrect tax rate or other calculation error, results in an overpayment.

Specific Authority 199.202, 213.06(1) FS. Law Implemented 199.042(2), 199.185(2), 199.232, 199.252, 213.255(2)(3), 215.26(2) FS. History--New 4-17-72, Formerly 12C-2.12, Amended 11-21-91, 5-4-03, \_\_\_\_\_.

**DEPARTMENT OF REVENUE**

**Division of Ad Valorem Tax**

RULE TITLE: Florida Market Area Guidelines  
RULE NO.: 12D-8.0082

PURPOSE AND EFFECT: The purpose of the creation of proposed Rule 12D-8.0082, F.A.C., is to create the Florida Market Area Guidelines. Rule development will begin to develop uniform regulations and guidelines that establish criteria for the identification of market areas by county property appraisers for preparation of the real property assessment roll under section 193.114, F.S., and to receive public comments on the first draft of the guidelines. These guidelines are being developed for adoption under the procedures set forth in section 120.54, F.S., and will be adopted as rules.

SUBJECT AREA TO BE ADDRESSED: Florida Market Area Guidelines.

SPECIFIC AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 193.114, 193.1142, 213.05 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 9:30 a.m., Tuesday, June 24, 2003

PLACE: Capital Complex Center, Building C-1, Room D/E, 5050 W. Tennessee St. (U.S. Hwy. 90 West), Tallahassee, Florida

TIME AND DATE: 9:30 a.m., Thursday, June 26, 2003

PLACE: Orlando Public Library, Albertson Room, Third Floor, 101 E. Central Blvd., Orlando, Florida

Copies of the agendas for the workshops may be obtained from: Sharon Gallops, Tax Law Specialist, Department of Revenue, Property Tax Technical Unit, P. O. Box 7443, Tallahassee, Florida 32314-7443, (850)414-6108.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Property Tax Administration office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Sharon Gallops, (850)414-6108. If you are hearing or speech impaired, please contact the Department using the Florida Relay Service, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sharon Gallops, Tax Law Specialist, Department of Revenue, Property Tax Technical Unit, P. O. Box 7443, Tallahassee, Florida 32314-7443, (850)414-6108

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS EXPECTED TO BE AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED

ABOVE 10 DAYS BEFORE THE RULE DEVELOPMENT WORKSHOPS OR BY ACCESSING THE WEBSITE AT <http://www.myflorida.com/dor/property/RP/pcomment.html>.

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER TITLE: Incorporation by Reference  
 RULE CHAPTER NO.: 14-15  
 RULE TITLE: Toll Facilities Description and Toll Rate Schedule  
 RULE NO.: 14-15.0081

**PURPOSE AND EFFECT:** The purpose of this notice of rule development is to allow the public an opportunity to provide input to changes in the Toll Facilities Description and Toll Rate Schedule required by the construction of the interchange at Jog Road and Florida’s Turnpike. Section 338.155(1), Florida Statutes, does not permit the use of the State’s toll facilities without paying a toll.

**SUBJECT AREA TO BE ADDRESSED:** The proposed workshop is being held in conjunction with a public information meeting to allow the public an opportunity to comment on the proposed toll rate schedule for the Florida Department of Transportation’s construction of a SunPass-only partial interchange at Jog Road and Florida’s Turnpike. The project is located in Palm Beach County. Tolls are proposed to be collected from vehicles entering and exiting the Turnpike southbound. This new interchange is on the Ticket System, approximately one mile north of the SR 80 interchange and approximately two miles south of the existing West Palm Beach interchange.

**SPECIFIC AUTHORITY:** 334.044(2), 338.155(1) FS.  
**LAW IMPLEMENTED:** 338.222, 338.231, 338.155 FS.  
**A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**  
**TIME AND DATE:** 6:00 p.m. – 8:00 p.m., June 24, 2003  
**PLACE:** Wynnebrook Elementary School, 1167 Drexel Road, West Palm Beach, Florida

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

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

14-15.0081 Toll Facilities Description and Toll Rate Schedule.  
 The Toll Facilities Description and Toll Rate Schedule, adopted November 15, 1987, and amended on February 8, 1988, August 1, 1988, February 2, 1989, May 10, 1989, July 1, 1991, August 1, 1991, November 6, 1991, July 11, 1993, November 28, 1993, September 18, 1994, June 6, 1995, July 9, 1995, January 1, 1996, March 31, 1996, April 28, 1996, June 2, 1996, July 28, 1996, September 23, 1997, November 24, 1997,

February 12, 1998, June 30, 1998, July 29, 1998, January 6, 1999, February 9, 1999, April 29, 1999, June 21, 1999, September 4, 2001, March 26, 2002, and April 10, 2003, \_\_\_\_\_ is hereby incorporated by this rule and made a part of the rules of the Department. Copies of this Department of Transportation Toll Facilities Description and Toll Rate Schedule and any amendments thereto are available at no more than cost.

Specific Authority 334.044(2), 338.155(1) FS. Law Implemented 338.222, 338.231, 338.155 FS. History—New 11-15-87, Amended 2-8-88, 8-1-88, 2-2-89, 5-10-89, 7-1-91, 8-1-91, 11-6-91, 7-11-93, 11-28-93, 9-18-94, 6-6-95, 7-9-95, 1-1-96, 3-31-96, 4-28-96, 6-2-96, 7-28-96, 9-23-97, 11-24-97, 2-12-98, 6-30-98, 7-29-98, 1-6-99, 2-9-99, 4-29-99, 6-21-99, 9-4-01, 3-26-02, 4-10-03, \_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Inmate Death Notification Process  
 RULE NO.: 33-602.112

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule is to clarify notification responsibilities of staff in the event of an inmate death.

**SUBJECT AREA TO BE ADDRESSED:** Notification of inmate death.

**SPECIFIC AUTHORITY:** 944.09 FS.  
**LAW IMPLEMENTED:** 406.50-.54 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:** Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

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

33-602.112 Inmate Death Notification Process.

(1) Notice of Death. Upon the death of an inmate while in the custody of the department:

(a) The institution shall immediately notify:

~~1. The district medical examiner of the district in which the death occurred;~~

~~2. The State Attorney of the judicial circuit in which the death occurred;~~

~~3. The person designated by the inmate to receive notice of his death; the chaplain will normally be responsible for giving or arranging such notice;~~

~~4. The Office of the Inspector General duty officer via emergency action center, as well as the local institution inspector;~~

~~5. The Office of Health Services;~~

4.6. Any authorized organ donor organization which has received prior approval from the deceased for removal and donation of organs; and

5.7. In the case of the death of a foreign national, the nearest consulate of that national's country.

(b) The Office of the Inspector General shall immediately notify:

1. The district medical examiner of the district in which the death occurred.

2. The State Attorney of the judicial circuit in which the death occurred.

3. The Florida Department of Law Enforcement.

(c)(b) Notice of the death shall be given to the Anatomical Board at the University of Florida Health Science Center if the inmate was indigent or if the body is unclaimed or is required to be disposed of at state expense. Notice to the Anatomical Board is not required when:

- 1. Death was caused by a crushing injury;
- 2. The deceased had a contagious disease;
- 3. An autopsy was required to determine cause of death; ~~or~~
- 4. The body was in a state of severe decomposition; or

5. A family member objects to use of the body for medical education and research.

(2) No change.

(3) If the body of the deceased inmate is not claimed as outlined in (2)(c), disposal shall be by burial or cremation, as determined by the warden or his designee, based on cost considerations and available space, locally or at the department's designated cemetery, and whether the deceased inmate is entitled to burial in a national cemetery as a veteran of the armed forces. The warden or his designee shall make a reasonable effort, including contacting the county veterans service office or regional office of the United States Department of Veterans Affairs, to determine if the deceased inmate is entitled to burial in a national cemetery as a veteran of the armed forces. When cremation is the option selected for disposal, the institution or facility shall:

(a) Ensure that cremation is not prohibited by the tenets of the faith preference of the deceased inmate.

(b) Inform family members, whenever possible and practical, that disposal of the body is to be by cremation.

(4) No change.

Specific Authority 944.09 FS. Law Implemented 245.06, 245.08, 382, 406.50-54, 936 FS., Article 37 of the Vienna Convention on Consulate Relations History-New 10-8-76, Amended 9-24-81, Formerly 33-3.09, Amended 6-2-88, 2-18-90, 2-12-97, Formerly 33-3.009, 33-401.301, Amended 3-25-02, \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE TITLE:  
Definitions

RULE NO.:  
61G4-12.011

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to define "structural" as used in Section 489.113(3)(c), Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Definition of the term "structural."

SPECIFIC AUTHORITY: 489.103(5), 489.105(3), 489.108, 489.113(3) FS.

LAW IMPLEMENTED: 489.103(5), 489.105(3), 489.113(3), 489.115(6), 489.119(5) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, Northwood Centre, 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**

**Board of Employee Leasing Companies**

RULE TITLE:  
Definitions

RULE NO.:  
61G7-6.001

PURPOSE AND EFFECT: The Board proposes to amend this rule to add a definition for financial responsibility for payment of wages.

SUBJECT AREA TO BE ADDRESSED: Financial responsibility for payment of wages.

SPECIFIC AUTHORITY: 468.520, 468.522, 468.525 FS.

LAW IMPLEMENTED: 468.520, 468.522, 458.525(4), 468.529(1) 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: Juanita Chastain, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G7-6.001 Definitions.

To enable the Board and the Department to administer Part XI of Chapter 468, F.S., the Board hereby interprets the following terms as used in the definition of employee leasing as follows:

(1) No change.

(2) "Assumes responsibility for the payment of wages" as used in s. 468.525(4)(b), F.S., means the obligation of the employee leasing company to comply with the terms of employment established by the employee leasing company with an employee relating to the payment of wages of the employee. The term does not include any obligation on the part of the employee leasing company to assume any contractual obligation which may exist between a client of an employee leasing company and any leased employee, unless the employee leasing company specifically adopts this contractual obligation by way of a written agreement entered into with the leased employee.

(2) through (10) renumbered (3) through (11) No change.

Specific Authority 468.520, 468.522, 468.525 FS. Law Implemented 468.520, 468.522, 468.525(4), 468.525(4)(b), 468.529(1) FS. History--New 7-20-92, Formerly 21EE-6.001, Amended 9-14-93, 10-24-94, 7-18-95, 4-26-01,

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE TITLES:	RULE NOS.:
Examinations	61H1-28.0011
Number of Sitzings, and Granting of Credit,	
Release of Grades and Completion of	

Examination, Transition Rules	61H1-28.0052
Examination Credit from Other States	61H1-28.0061

PURPOSE AND EFFECT: The Board proposes the development of rules to address computer-based examinations, to become effective on January 1, 2004.

SUBJECT AREA TO BE ADDRESSED: Computer-based examinations.

SPECIFIC AUTHORITY: 455.217(1), 473.304, 473.306 FS.

LAW IMPLEMENTED: 455.217(1), 473.306 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: John W. Johnson, Executive Director, Board of Accountancy, 240 NW 76 Drive, Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-28.0011 Examinations.

(1) The Board adopts the Uniform CPA Examination "CPA Examination" prepared by the Board of Examiners of the American Institute of Certified Public Accountants and the

examination approved by the Board on Chapters 455 and 473, F.S., and the related administrative rules "Law and Rules Examination" as its licensure examinations.

(2) As used in Chapter 61H1-28, F.A.C., the following terms are hereby defined:

(a) "Examination window" means a three-month period in which candidates have an opportunity to take the CPA Examination (comprised of two months in which the examination is available to be taken and one month in which the examination will not be offered while routine maintenance is performed and the item bank is refreshed). Thus candidates will be able to test two out of the three months within each examination window.

(b) "Special examination window" means the period from April 5, 2004 to September 30, 2004 during which a candidate may have the opportunity to take the CPA Examination and during which the examination may be available for a period of time more than two months due to the unique circumstances surrounding the initial administration of the CPA Examination. The special examination window shall count as one examination window. During the special examination window a candidate may retake a failed section(s) one time.

(3) For purposes of the Uniform CPA Examination:

(a) A first-time candidate is defined as a candidate who is required to file an application in order to qualify to sit for all sections of an examination.

(b) A re-examination candidate is defined as a candidate who has not received credit for all sections within the time frame allotted, as set out in Rule 61H1-28.0052, F.A.C.

(c) Candidates cannot retake a failed test section(s) in the same examination window.

THIS RULE SHALL TAKE EFFECT ON JANUARY 1, 2004.

Specific Authority 455.217(1), 473.304, 473.306 FS. Law Implemented 455.217(1), 473.306 FS. History--New 1-1-04.

61H1-28.0052 Number of Sitzings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules.

(1) With respect to the CPA Examination:

(a) A candidate may take the required test sections individually and in any order. Credit for any test section(s) passed shall be valid for eighteen months from the actual date the candidate took that test section, without having to attain a minimum score on any failed test section(s) and without regard to whether the candidate has taken other test sections.

(b) Candidates must pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the date that the first test section(s) passed is taken. In the event all four test sections of the CPA Examination are not passed within the rolling eighteen-month period, credit for any test section(s) passed outside the eighteen-month period will expire and that test section(s) must be retaken.

(c) For purposes of this section, credit for passing a test section of the computer-based examination is valid from the actual date of the testing event for that test section, regardless of the date the candidate actually receives notice of the passing grade.

(2) A candidate shall be deemed to have passed the CPA Examination when the candidate has been granted credit for all sections of the CPA Examination. Upon certification by the Board to the Department that the applicant has met all licensure requirements as imposed by Chapters 455 and 473, F.S., and the rules promulgated pursuant thereto, the Department shall issue a license to practice public accounting to such individual.

(3) After January 1, 2004, this rule shall be effective for all first-time candidates or re-examination candidates except as provided in (4) herein.

(4) For candidates in conditioned status after the November 2003 CPA Examination the following transition rules shall apply:

(a) Candidates who have attained conditional status as of the effective date of this rule will be allowed a transition period to complete any remaining test sections of the CPA Examination. The transition period shall end upon the exhaustion of either of the following:

1. As of the effective date of this rule, the candidate having sat for the exam for the maximum number of opportunities (that is, examination windows) that the candidate who conditioned under the paper-and-pencil examination had remaining to complete all remaining test sections under the paper-and pencil examination, or

2. The number of remaining opportunities under the paper-and-pencil examination, multiplied by six months but limited by the number of sittings remaining under the paper and pencil examination. Thus, for example, if a candidate has two remaining sittings under the paper and pencil examination then that candidate will have one year to complete the CPA Examination but may only sit during two of the examination windows available during that year.

(b) If a previously conditioned candidate does not pass all remaining test sections during the transition period, conditional credits earned under the paper-and-pencil CPA Examination will expire and the candidate will lose credit for the test sections earned under the paper-and-pencil CPA Examination. However, any test section(s) passed during the transition period is subject to the retention provisions of the computer-based CPA Examination as indicated in (1) above, except that a previously conditioned candidate will not lose conditional credit for a test section of the computer-based CPA Examination that is passed during the transition period, even though more than eighteen months may have elapsed from the date the test section is passed, until the end of that candidate's transition period.

(5) Translation of subjects passed on the pen and paper CPA Examination to sections on the computer-based CPA Examinations shall be as follows:

<u>Paper-Based Examination</u>	<u>Computer-Based Examination</u>
<u>Auditing</u>	<u>Auditing &amp; Attestation</u>
<u>Financial Accounting &amp; Reporting (FARE)</u>	<u>Financial Accounting &amp; Reporting</u>
<u>Accounting &amp; Reporting (ARE)</u>	<u>Regulation</u>
<u>Business Law &amp; Professional Responsibilities (LPR)</u>	<u>Business Environment &amp; Concepts</u>

THIS RULE SHALL TAKE EFFECT ON JANUARY 1, 2004

Specific Authority 455.217(1), 473.304, 473.306 FS. Law Implemented 455.217(1), 473.306 FS. History—New 1-1-04.

61H1-28.0061 Examination Credit from Other States.

Upon application, an individual who has been granted credit by another state for any section on the CPA Examination, the specific examinations for which sections were identical to those offered in Florida, shall receive Florida credit for such out-of-state credit provided similar credit would have been granted in Florida at the time out-of-state credit was granted had the candidate met all the Florida requirements and sat for such examinations in Florida. For purposes of this rule in determining whether to transfer examination credit from another state, the Board shall consider and hold binding the examination requirements in effect in Florida at the time the individual received out-of-state credit. An individual so receiving Florida credit shall be deemed to have been a Florida candidate for such purpose in determining future sittings and credit granting for the remaining section(s). Any person desiring to receive credit under this rule shall file an application with the Department and be certified as eligible to the Department by the Board.

THIS RULE SHALL TAKE EFFECT ON JANUARY 1, 2004.

Specific Authority 455.217(1), 473.304, 473.306 FS. Law Implemented 455.217(1), 473.306 FS. History—New 1-1-04.

**DEPARTMENT OF HEALTH**

**Board of Occupational Therapy**

RULE TITLE: Requirements for License Renewal of an Active License

RULE NO.: 64B11-5.001

PURPOSE AND EFFECT: The Board proposes to review and discuss the existing language in this rule to determine if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Requirements for license renewal of an active license.

SPECIFIC AUTHORITY: 456.036, 468.219 FS.

LAW IMPLEMENTED: 456.013, 456.033, 456.036, 468.219 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: Kaye Howerton, Executive Director, Board of Occupational Therapy, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

## Section II Proposed Rules

### DEPARTMENT OF EDUCATION

#### Commission for Independent Education

RULE TITLE: General Requirements  
RULE NO.: 6F-1.001

PURPOSE AND EFFECT: The Commission proposes to repeal the rule as the content is now part of Chapter 6E, F.A.C., consolidated when the State Board of Independent Colleges and Universities and the State Board of Nonpublic Career Education merged.

SUMMARY: The rule is being repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 246.205(1), 246.207(1)(e), 246.213 FS.

LAW IMPLEMENTED: 120.53(1)(b), 246.207(1)(e), 246.213(1), 246.215(1), 246.217(3), 246.226, 246.2265, 246.228 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Samuel Ferguson, Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

#### 6F-1.001 General Requirements.

Specific Authority 246.205(1), 246.207(1)(e), 246.213 FS. Law Implemented 120.53(1)(b), 246.207(1)(e), 246.213(1), 246.215(1), 246.217(3), 246.226, 246.2265, 246.228 FS. History--New 12-19-74, Formerly 6F-7.01, Amended 7-26-78, 5-10-84, Formerly 6F-1.01, Amended 5-27-87, 7-17-90, 10-3-91, 3-29-93, 12-4-95, 1-22-01, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Commission for Independent Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Commission for Independent Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 16, 2003

### DEPARTMENT OF EDUCATION

#### Commission for Independent Education

RULE TITLES:	RULE NOS.:
Certificate of License for Schools	6F-2.001
Change in Ownership	6F-2.0015
Change in Control	6F-2.0016
Student Protection Fund	6F-2.0017
Minimum Standards for Licensure of Schools	6F-2.002
Fair Consumer Practices	6F-2.0024
Fee Schedule	6F-2.0026
School Descriptive Inventory	6F-2.003
Advertising	6F-2.004
Probable Cause Panel	6F-2.006

PURPOSE AND EFFECT: The Commission proposes to repeal the rules as the content is now part of Chapter 6E, F.A.C., consolidated when the State Board of Independent Colleges and Universities and the State Board of Nonpublic Career Education merged.

SUMMARY: These rules are being repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 246.205(1), 246.207, 246.213, 246.219, 246.222, 246.226(3) FS.

LAW IMPLEMENTED: 120.60, 246.207(1)(e), 246.213, 246.215, 246.217, 246.219, 246.222 246.2235, 120.53(1)(b), 246.226, 246.228(1)(h) FS. 246.205(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Samuel Ferguson, Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULES IS:

**6F-2.001 Certificate of License for Schools.**

Specific Authority 246.205(1), 246.207(1)(e), 246.213, 246.219 FS. Law Implemented 120.60, 246.207(1)(e), 246.213, 246.215, 246.217, 246.219 FS. History—New 12-19-74, Formerly 6F-6.01, Amended 7-26-78, 5-10-84, Formerly 6F-2.01, Amended 5-27-87, 7-17-90, 10-3-91, 3-29-93, 11-27-95, 1-22-01, Repealed.

**6F-2.0015 Change in Ownership.**

Specific Authority 246.205(1), 246.207(1)(e), 246.213(1) FS. Law Implemented 246.207(1)(e), 246.213, 246.215 FS. History—New 7-17-90, Amended 3-29-93, 1-22-01, Repealed.

**6F-2.0016 Change in Control.**

Specific Authority 246.207(1)(e), 246.213 FS. Law Implemented 246.213, 246.215 FS. History—New 7-17-90, Amended 3-29-93, 8-17-98, 1-22-01, Repealed.

**6F-2.0017 Student Protection Fund.**

Specific Authority 246.207(1)(e), 246.213 FS. Law Implemented 246.207(1)(e), (2)(g), 246.213(1) FS. History—New 10-3-91, Amended 12-4-95, 9-9-98, 1-22-01, Repealed.

**6F-2.002 Minimum Standards for Licensure of Schools.**

Specific Authority 246.207(1)(e), 246.213, 246.222 FS. Law Implemented 246.207(1)(e), 246.213(2)(a),(b),(d), 246.215(1), 246.222 FS. History—New 12-19-74, Formerly 6F-5.01, Amended 7-26-78, 11-14-78, 5-10-84, Formerly 6F-2.02, Amended 5-27-87, 7-16-89, 7-17-90, 5-14-91, 10-3-91, 3-29-93, 12-4-95, 1-22-01, Repealed.

**6F-2.0024 Fair Consumer Practices.**

Specific Authority 246.207(1)(e), 246.213 FS. Law Implemented 246.207(1)(e), 246.213(2)(a), 246.2235 FS. History—New 11-27-95, Amended 1-22-01, Repealed.

**6F-2.0026 Fee Schedule.**

Specific Authority 246.205(1), 246.207(1)(e), 246.213 FS. Law Implemented 120.53(1)(b), 246.207(1)(e),(2)(g), 246.213(1), 246.215(1), 246.217(4)(a), 246.219, 246.2235(6) FS. History—New 11-27-95, Amended 1-22-01, Repealed.

**6F-2.003 School Descriptive Inventory.**

Specific Authority 246.207(1)(e), 246.213 FS. Law Implemented 246.207(1)(e), 246.213(2)(a), 246.217(1), 246.2235(6) FS. History—New 12-19-74, Formerly 6F-4.01, Amended 7-26-78, 5-10-84, Formerly 6F-2.03, Amended 5-27-87, 7-5-89, 7-17-90, 10-3-91, 11-27-95, 1-22-01, Repealed.

**6F-2.004 Advertising.**

Specific Authority 246.207(1)(d), 246.213 FS. Law Implemented 246.213(2), 246.215(3), 246.228(1)(h) FS. History—New 12-19-74, Formerly 6F-5.01(1)(g), Amended 7-26-78, 5-10-84, Formerly 6F-2.04, Amended 5-27-87, 11-27-95, 1-22-01, Repealed.

**6F-2.006 Probable Cause Panel.**

Specific Authority 246.213(1), 246.226(3) FS. Law Implemented 246.226 FS. History—New 11-26-02, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Commission for Independent Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Commission for Independent Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 16, 2003

**DEPARTMENT OF EDUCATION**

**Commission for Independent Education**

RULE TITLES:

RULE NOS.:

Agents; License Required

6F-3.001

Agents; Qualifications, Training, Limitation

of Authority, Responsibilities of Schools,

Agents, and Applicants

6F-3.002

PURPOSE AND EFFECT: The Commission proposes to repeal the rules as the content is now part of Chapter 6E, F.A.C., consolidated when the State Board of Independent Colleges and Universities and the State Board of Nonpublic Career Education merged.

SUMMARY: These rules are being repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 246.207(1)(e), 246.213 FS.

LAW IMPLEMENTED: 246.207(1)(e), 246.213(3), 246.215(2), 246.219, 246.201(3), 246.226, 246.2265, 246.228 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Samuel Ferguson, Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULES IS:

**6F-3.001 Agents; License Required.**

Specific Authority 246.207(1)(e), 246.213 FS. Law Implemented 246.207(1)(e), 246.213(3), 246.215(2), 246.219 FS. History—New 12-19-74, Formerly 6F-5.01(2), Amended 10-7-75, 7-26-78, 5-10-84, Formerly 6F-3.01, Amended 5-27-87, 7-5-89, 7-17-90, 10-3-91, 1-22-01, Repealed.

**6F-3.002 Agents; Qualifications, Training, Limitation of Authority, Responsibilities of Schools, Agents, and Applicants.**

Specific Authority 246.207(1)(e), 246.213(1) FS. Law Implemented 246.201(3), 246.207(1), 246.213(3), 246.215(2), 246.226, 246.2265, 246.228 FS. History—New 7-17-90, Amended 1-22-01, Repealed.



NAME OF PERSON ORIGINATING PROPOSED RULE:  
Commission for Independent Education  
NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Commission for Independent  
Education  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: May 16, 2003

**DEPARTMENT OF EDUCATION**

**Commission for Independent Education**

RULE TITLE: License Application Package

RULE NO.: 6F-4.001

PURPOSE AND EFFECT: The Commission proposes to repeal the rule as the content is now part of Chapter 6E, F.A.C., consolidated when the State Board of Independent Colleges and Universities and the State Board of Nonpublic Career Education merged.

SUMMARY: The rule is being repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 246.207(1)(e), 246.213 FS.

LAW IMPLEMENTED: 120.53(1)(b), 246.207(1)(e), 246.213, 246.215, 246.217, 246.219 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Samuel Ferguson, Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

6F-4.001 License Application Package.

Specific Authority 246.207(1)(e), 246.213 FS. Law Implemented 120.53(1)(b), 246.207(1)(e), 246.213, 246.215, 246.217, 246.219 FS. History—New 12-19-74, Amended 7-26-78, 5-10-84, Formerly 6F-4.01, Amended 5-27-87, 7-16-89, 7-17-90, 10-3-91, 3-29-93, 11-27-95, 1-22-01, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Commission for Independent Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Commission for Independent  
Education

DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: May 16, 2003

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER TITLE: Highway Beautification and  
Landscape Management

RULE CHAPTER NO.: 14-40

RULE TITLES: Grant Application Process

RULE NOS.: 14-40.020

Florida Highway Beautification Council  
Grant Award Process

14-40.022

Funding, Construction, and Maintenance  
of Beautification Projects

14-40.023

PURPOSE AND EFFECT: This amendment to Part II of Rule Chapter 14-40, F.A.C., makes several technical changes and simplifications. The Florida Highway Beautification Council Grant Application also is being revised to include these changes.

SUMMARY: This is an amendment to Part II of Rule Chapter 14-40, F.A.C.

SPECIFIC AUTHORITY: 339.2405 FS.

LAW IMPLEMENTED: 339.2405 FS.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost has been prepared.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULES IS:

14-40.020 Grant Application Process.

(1) Definitions.

(a) "Agreement" means the contract between the Applicant and the Department setting forth the terms of the grant.

(b)(a) "Applicant" means a local governmental entity, as defined in Section 11.45(1)(d), Florida Statutes, or a local highway beautification council.

(c)(b) "Department" means the Florida Department of Transportation.

(d)(e) "FHBC" means the Florida Highway Beautification Council.

(e)(d) "Grant" means funds provided by the Department to Applicants, pursuant to this Rule Chapter.

~~(e) "Grant Agreement" means the contract between the Applicant and the Department setting forth the terms of the Grant.~~

(f) "Grant Application" means the Florida Highway Beautification Council Grant Application, Form 850-060-01, Rev. ~~04/03~~ ~~03/03~~, incorporated herein by reference. Copies of the grant application form and instructions for completing the grant application may be obtained from Department District Maintenance Offices, District Public Information Offices, Area Maintenance Offices, Central Public Information Office, by writing to the Environmental Management Office, 605 Suwannee Street, Mail Station 37, Tallahassee, Florida 32399-0450, or through the Department website at <http://www11.myflorida.com/emo/>.

(g) "Grant Coordinator" means the Department District employee responsible for the FHBC grant program.

(2) Grant Application.

(a) Grant applications for highway beautification grants from the FHBC must be filed and processed in accordance with this Rule Chapter. When preparing a grant ~~an~~ application for the next fiscal year, applicants should meet and work with the Grant Coordinator on or about October 1, to give adequate time for review and revisions before the February 1, application deadline.

(b) Previous recipients of grants are eligible (b) submit a grant application if their previous FHBC grant projects are maintained according to the terms of previous grant agreements, ~~and any construction or maintenance agreements~~.

(c) Applicants must submit grant requests on a completed grant application to the Grant Coordinator ~~Department District Maintenance Engineer~~ having jurisdiction over the state highway on which the beautification project is proposed. Grant applications must be accompanied by the following supporting documents: location map, photographs of existing conditions, one page written project narrative, written or graphic conceptual plan (in accordance with Part I of this Rule Chapter), one paragraph descriptions of each evaluation attribute, photographs or sketches of examples of proposed improvements, list of proposed plant species (scientific and botanical names) and anticipated quantities, anticipated maintenance schedule, proposed means of providing supplemental water, project schedule, and resolutions required in section (g) below.

(d) In order for the FHBC to consider a grant application for any Department fiscal year, ten paper copies or electronic file copies of the completed grant application and supporting documents must be received by the Grant Coordinator by February 1 of the Department fiscal year. When requested by the Grant Coordinator, additional copies will be provided. Incomplete grant applications, or grant applications that do not comply with state or federal regulations, will be returned to the applicant. An applicant may amend and resubmit any returned grant application by the February 1 deadline.

(e) In accordance with Section 215.01, Florida Statutes, the Department's fiscal year begins on July 1 and ends on June 30.

(f) Applicants may submit an unlimited number of grant applications, for any number of project sites.

(g) The applicant's governing body must have passed a resolution approving the grant application and authorizing the individual who signs the grant application for the applicant to execute agreements and documents associated with the grant; ~~including a grant agreement~~. A copy of such resolution must be included with the application.

Specific Authority 339.2405 FS. Law Implemented 339.2405 FS. History--New 1-19-99, Amended 11-22-01, 3-20-03, \_\_\_\_\_.

14-40.022 Florida Highway Beautification Council Grant Award Process.

(1) The FHBC will consider all grant applications submitted by each Grant Coordinator.

(a) The FHBC will evaluate the applications based on the following attributes:

1. Aesthetic value and imaginative conceptual design.
2. Level of local support and community involvement.
3. Cost effectiveness.
4. Feasibility of installation and maintenance.
5. Contribution to improvement of environmental conditions, including litter prevention, erosion control, visual screening, and noise abatement.
6. Use of Florida native wildflowers, and diversity of other desirable native, hybrid native, or noninvasive plant species.
7. Emphasis on low maintenance, ~~irrigation~~, and water conservation.
8. Use of recycled materials such as mulch, reuse water, or solid yard waste compost.
9. Contribution to an area wide or regional beautification plan.
10. Value to the community.

(b) The FHBC will assign a numerical score to each application by:

1. Reviewing each grant application and assigning a numerical score using the established range of 0 to 10 points for each attribute for a total possible score of 100 points.
2. Totaling all the attribute scores for a total application numerical score.

(c) Grant ~~a~~Applications will be ranked in priority by numerical score, the highest numerical score being ranked the highest priority.

(2) The FHBC will provide the Department with a list of prioritized grant applications, with recommended funding levels, and conditions for grant awards, by the first day of the fiscal year in which the funds are available.

Specific Authority 339.2405 FS. Law Implemented 339.2405 FS. History--New 3-9-99, Amended 11-22-01, 3-20-03, \_\_\_\_\_.

14-40.023 Funding, Construction, and Maintenance of Beautification Projects.

(1) Award of Grants.

(a) Each grant will be limited to a maximum of 10% of the total Department's FHBC grants budget. Applicants are encouraged to submit grant applications for projects supported with equal (50%) matching funds from other sources. Other match percentages will be considered.

(b) Official notice of each grant award will be made by the Department by certified mail to the applicant named in the grant application.

(c) To accept a grant, an applicant must send a letter of acceptance by certified mail to the Grant Coordinator within 15 days from the date of receipt of the offer of the award.

(d) Funds will be released by the Department when ~~the grant agreement and any construction and maintenance~~ agreements are executed, the project is constructed as per plans approved by the Department (see Part I of this Rule Chapter), there is written final acceptance by the Department, and receipts for grant expenses are reviewed and approved by the Department.

(e) All funding of grants is contingent upon legislative appropriations.

(2) Execution of Grant Agreements.

(a) ~~The applicant must execute a grant agreement within 90 days after the agreement is received from the Grant Coordinator. Construction and maintenance~~ Agreements associated with the grant must be executed within one year from date of the letter of acceptance grant agreement, and meet the requirements of Rule 14-40.003(3)(c), F.A.C. Failure to execute the required agreements will result in the grant award being withdrawn. Future grant applications from an applicant who fails to comply with this subsection will not be accepted for a period of two fiscal years.

(b) The grant agreement(s) between the applicant and the Department must state:

1. The intended use of the grant, as described in the grant application.

2. The payment terms for the grant (e.g., lump sum reimbursement or progress payments for long term work).

3. Any actions which the Department will take in the event of noncompliance by the applicant.

4. The methods to be used by the Department to determine compliance with the terms of ~~the grant and~~ the agreement.

(c) The individual(s) who sign the agreements on behalf of the grant applicant, or the grant applicant's designee, shall certify that the project is implemented as specified in the grant agreement, and any construction and maintenance agreements, and shall provide a certification of completion before the final invoices are submitted for the project.

Specific Authority 339.2405 FS. Law Implemented 339.2405 FS. History--New 3-20-03, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jeff Caster, State Transportation Landscape Architect, Environmental Management Office and the Florida Highway Beautification Council

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: José Abreu, P.E., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 27, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 18, 2003

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE TITLE: Forms and Instructions

RULE NO.: 40E-1.659

PURPOSE AND EFFECT: To amend Rule 40E-1.659, F.A.C. and Environmental Resource/Surface Water Management Permit Construction Completion/Construction Certification Form No. 0881, incorporated by reference in Rule 40E-1.659, F.A.C., to provide modified construction completion certification requirements for surface water management systems with wet retention/detention containing side slopes steeper than 4:1 (horizontal:vertical) for projects permitted prior to October 3, 1995.

SUMMARY: The proposed rule amendment provides modified construction completion certification requirements for surface water management systems with wet retention/detention containing side slopes steeper than 4:1 (horizontal:vertical) for projects permitted prior to October 3, 1995.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171, 373.413 FS.

LAW IMPLEMENTED: 373.413, 373.4135, 373.414, 373.4142, 373.416, 373.418, 373.426 FS.

A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 8:30 a.m., July 10, 2003

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based.

Persons with disabilities or handicaps who need assistance may contact Garrett Wallace, District Clerk, (561)682-6371, at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: For technical issues or for copies of Environmental Resource/Surface Water Management Permit Construction Completion Certification Form No. 0881A or

Form No. 0881B contact: Maria Clemente, P.E., South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 2996 or (561)682-2996, internet: mclement@sfwmd.gov; For procedural issues contact: Jan Sluth, Paralegal, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33406-4680, 1(800)432-2045, Extension 6699 or (561)682-6699, internet: jsluth@sfwmd.gov

0779 5-92 Guidance for Preparing an Application for a “Works of the District” Permit in the Everglades/Application for a Works of the District Permit  
 0830 4-94 Special Use Application and License  
 0881A ~~-03 8-95~~ Environmental Resource/Surface Water Management Permit Construction Completion/~~Construction~~ Certification  
0881B -03 Environmental Resource/Surface Water Management Permit Construction Completion Certification – For Projects Permitted Prior to October 3, 1995

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-1.659 Forms and Instructions.

Form No.	Date	Title
0050A	7-89	Application to the South Florida Water Management District for a Permit for Utilization of District Works and Modification of Existing Permit Works of the District No.
0108	3-91	Application for Release of Mineral, Canal, and Road Reservations Reserved Under Chapters 6456, 6957, 7305, 9131, 14717 and 20658, Laws of Florida
0113	8-95	Surface Water Management Permit No.
0115	8-95	Surface Water Management Permit Modification No.
0119	8-95	Wetland Resource Permit No.
0122	4-93	Application to the South Florida Water Management District for Authority to Utilize Works or Land of the District
0123	12-01	Well Construction Permit Application
0124	11-90	Well Completion Report
0145	8-95	Environmental Resource Permit No.
0157	8-95	Environmental Resource Permit Modification No.
0188	12-01	Pumpage Report
0195	6-91	Public Water Supply Well Information and Classification
0196	10-89	Water Well Inspection Scheduling Card
0299	1-90	Water Use Permit No.
0444	8-95	Application for a Standard General Permit for Incidental Site Activities
0445	12-01	Application for a Short-term Dewatering General Water Use Permit
0483	8-95	Request for Environmental Resource, Surface Water Management, Water Use, or Wetland Resource Permit Transfer
0645	12-01	Water Use Permit Application

0889	8-95	Certification of Waiver of Permit Application Processing Fee
0920	8-95	Request for Conversion of Environmental Resource/Surface Water Management Permit from Construction Phase to Operation Phase and Transfer of Permit to the Operating Entity
0938	8-95	Mitigation Construction Commencement Notice
0941	8-95	Environmental Resource Standards/Noticed General Permit No.
0942	8-95	Surface Water Management General Permit No.
0960	8-95	Environmental Resource/Surface Water Management Permit Construction Commencement Notice
0961	8-95	Environmental Resource/Surface Water Management Permit Annual Status Report for Surface Water Management System Construction
0970	8-95	Applicant Transmittal Form for Requested Additional Information
0971	8-95	Joint Application for Environmental Resource Permit/Authorization to Use State Owned Submerged Lands/Federal Dredge and Fill Permit
0972	8-95	Petition for a Formal Wetland and Surface Water Determination
0973	8-95	Above Ground Impoundment Inspection/Certification Report
0974	8-95	Notice of Intent to Construct a Minor Silvicultural System
0980	8-95	Notice of Intent to Use a Noticed General Environmental Resource Permit

(2) No change.

Specific Authority 120.53, 373.044, 373.113, F.S. Law Implemented 120.53, 373.113 FS. History—New 9-3-81, Amended 12-1-82, 3-9-83, Formerly 16K-1.90, Amended 7-26-87, 11-21-89, 1-4-93, Formerly 40E-1.901, Amended 5-11-93, 4-20-94, 10-3-95, 8-14-02, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Terrie Bates, Director, Environmental Resource Regulation  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED  
 THE PROPOSED RULE: South Florida Water Management  
 District Governing Board  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: May 15, 2003  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAW: March 14, 2003

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE TITLES:	RULE NOS.:
Publications, Rules and Interagency	
Agreements Incorporated by Reference	40E-4.091
Conversion from Construction Phase	
to Operation Phase	40E-4.361
General Conditions	40E-4.381

PURPOSE AND EFFECT: To amend Rules 40E-4.091, 40E-4.361, 40E-4.381, F.A.C., and Sections 10.1 and 10.2 of the “Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District – April 2003” incorporated by reference in Rule 40E-4.091, F.A.C., to reflect modified construction completion certification requirements for surface water management systems with wet retention/detention containing side slopes steeper than 4:1 (horizontal:vertical) for projects permitted prior to October 3, 1995. In addition, Environmental Resource/Surface Water Management Permit Construction Completion/Construction Certification Form No. 0881, referenced in each of these rules is revised to reflect the modified requirements for construction completion certification.

SUMMARY: The proposed rule amendments provide modified construction completion certification requirements for surface water management systems with wet retention/detention containing side slopes steeper than 4:1 (horizontal:vertical) for projects permitted prior to October 3, 1995.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171, 373.413 FS.

LAW IMPLEMENTED: 373.413, 373.4135, 373.414, 373.4142, 373.416, 373.418, 373.426 FS.

A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 8:30 a.m., July 10, 2003

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based.

Persons with disabilities or handicaps who need assistance may contact Garrett Wallace, District Clerk, (561)682-6371, at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: For technical issues or for copies of Environmental Resource/Surface Water Management Permit Construction Completion Certification Form No. 0881A or Form No. 0881B: Maria Clemente, P.E., South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 2996 or (561)682-2996, internet: mclement@sfwmd.gov; For procedural issues contact: Jan Sluth, Paralegal, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33406-4680, 1(800)432-2045, Extension 6699 or (561)682-6699, internet: jsluth@sfwmd.gov

THE FULL TEXT OF THE PROPOSED RULES IS:

40E-4.091 Publications, Rules and Interagency Agreements Incorporated by Reference.

(1) The following publications, rules and interagency agreements are incorporated by reference into this chapter, Chapters 40E-40, 40E-41 and 40E-400, F.A.C.:

(a) “Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District – April 2003”.

(b) through (j) No change.

(2) No change.

Specific Authority 373.044, 373.113, 373.171, 373.413 FS. Law Implemented 373.413, 373.4135, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426 FS. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1), Amended 5-1-86, 7-1-86, 3-24-87, 4-14-87, 4-21-88, 11-21-89, 11-15-92, 1-23-94, 4-20-94, 10-3-95, 1-7-97, 12-3-98, 5-28-00, 8-16-00, 1-17-01, 7-19-01, 6-26-02, 4-14-03, \_\_\_\_\_.

40E-4.361 Conversion from Construction Phase to Operation Phase.

(1) No change.

(a) No change.

(b) A completed and executed Environmental Resource/Surface Water Management Permit Construction Completion/Construction Certification Form No. 0881A or Environmental Resource/Surface Water Management Permit Construction Completion Certification – For Projects Permitted Prior to October 3, 1995 Form No. 0881B, incorporated by reference in Rule 40E-1.659, F.A.C., in accordance with Section 10.0 of the “Basis of Review for

Environmental Resource Permit Applications within the South Florida Water Management District — ~~April 2003~~, incorporated by reference in Rule 40E-4.091, F.A.C.; and

- (c) No change.
- (2) through (4) No change.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.413, 373.416 FS. History—New 10-3-95, Amended 1-7-97, 4-14-03, \_\_\_\_\_.

40E-4.381 General Conditions.

- (1)(a) through (e) No change.

(f) Within thirty days after completion of construction of the permitted activity, the permittee shall submit a written statement of completion and certification by a professional engineer or other individual authorized by law, utilizing the supplied Environmental Resource/Surface Water Management Permit Construction Completion/~~Construction~~ Certification Form No. 0881A or Environmental Resource/Surface Water Management Permit Construction Completion Certification — For Projects Permitted Prior to October 3, 1995 Form No. 0881B, incorporated by reference in Rule 40E-1.659, F.A.C. The statement of completion and certification shall be based on on-site observation of construction or review of as-built drawings for the purpose of determining if the work was completed in compliance with permitted plans and specifications. This submittal shall serve to notify the District that the system is ready for inspection. Additionally, if deviation from the approved drawings are discovered during the certification process, the certification must be accompanied by a copy of the approved permit drawings with deviations noted. Both the original and revised specifications must be clearly shown. The plans must be clearly labeled as “as-built” or “record” drawings. All surveyed dimensions and elevations shall be certified by a registered surveyor.

- (g) through (s) No change.
- (2) No change.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.116, 373.229, 373.413, 373.416, 373.421, 373.422, 373.426 FS. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.07(3), 16K-4.38, Amended 7-1-86, 4-20-94, 10-3-95, 1-7-97, 4-14-03, \_\_\_\_\_.

(The following represents proposed changes to section 10.1 and 10.2 of the document entitled “Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District – April 2003” incorporated by reference in Rule 40E-4.091, F.A.C.)

10.0 SURFACE WATER MANAGEMENT SYSTEM CERTIFICATION AND OPERATION

10.1 Construction Completion/~~Construction~~ Certification

(a) Within 30 days of ~~the~~ completion of the surface water management system construction, a Florida licensed professional engineer shall certify that the construction was completed and that the system was constructed in substantial conformance with the plans and specifications approved by the District. The above requirement shall be met by submittal of a

completed and executed Construction Completion/~~Construction~~ Certification Form #0881A, or equivalent.

(b) The District recognizes that Form #0881A does not apply to all water management systems. If Form #0881A does not apply to a particular system, ~~for example, exfiltration trench,~~ then a certification confirming the constructed appropriate elements and dimensions of that system, such as lengths, diameters and elevations ~~of the exfiltration system~~ must be provided. The following certification statement must also appear on the certification report: ~~Note that if no deviations are detected by the certifying engineer, then the District is not requiring that a copy of the approved permit drawings be submitted.~~

I HEREBY NOTIFY THE DISTRICT OF THE COMPLETION OF CONSTRUCTION OF ALL THE COMPONENTS OF THE SURFACE WATER MANAGEMENT FACILITIES FOR THE ABOVE REFERENCED PROJECT AND CERTIFY THAT THEY HAVE BEEN CONSTRUCTED IN SUBSTANTIAL CONFORMANCE WITH THE PLANS AND SPECIFICATIONS PERMITTED BY THE DISTRICT. [A COPY OF THE APPROVED PERMIT DRAWINGS IS ATTACHED WITH DEVIATIONS NOTED, IF APPLICABLE.] I HEREBY AFFIX MY SEAL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 19\_\_\_\_. (REFERENCE 373.117, 373.419, F.S.)

(c) If no deviations are detected by the certifying engineer, copies of the approved permit drawings need not be submitted.

(d) The District will accept Construction Completion Certification Form #0881B for surface water management systems with wet retention/detention areas for projects permitted prior to October 3, 1995 provided that a Florida licensed Professional Engineer certifies that:

1. Existing side slopes are no steeper than 2:1 (horizontal:vertical) from top of bank out to a minimum depth of two feet below the control elevation, except at headwalls, and/or other structural connections;

2. The surface water management system currently functions as intended, consistent with the permitted surface water management system, including level of water quality treatment, level of flood protection, and storm attenuation;

3. The wet retention/detention area side slopes have been adequately maintained and stabilized to support the operation of the surface water management system;

4. All other components and facilities associated with the permitted surface water management system are certified as being constructed in substantial conformance with the plans and specifications permitted by the District;

10.2 Construction Completion/~~Construction~~ Certification for Phased Projects

- (a) through (b) No change.

NAME OF PERSON ORIGINATING PROPOSED RULE: Terrie Bates, Director, Environmental Resource Regulation  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: South Florida Water Management District Governing Board  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 15, 2003  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 14, 2003

Persons with disabilities or handicaps who need assistance may contact Garrett Wallace, District Clerk, (561)682-6371, at least two business days in advance to make appropriate arrangements.  
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jan Sluth, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 6669 or (561)682-6669, internet: jsluth@sfwmd.gov

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE TITLE: Content of Permit Applications  
PURPOSE AND EFFECT: To require a Notice of Individual Environmental Resource Permit (“ERP”) or Surface Water Management Permit (“SWM”) be recorded in the county where the property is located. The purpose is to provide sellers and purchasers of real property containing a surface water management system with notice that there is an ERP or SWM permit and that the permit does not run with the land. It is therefore necessary to transfer the permit. The notice shall not operate as an encumbrance.

RULE NO.: 40E-4.101

SUMMARY: This rule amendment will require recording of Individual Environmental Resource permits and Surface Water Management permits in the county where the property is located. The notice shall not operate as an encumbrance.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No formal statement of estimated regulatory costs has been prepared.

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

SPECIFIC AUTHORITY: 373.016, 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.016, 373.117, 373.413, 373.416, 373.426 FS.

A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 8:30 a.m., July 10, 2003  
PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based.

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-4.101 Content of Permit Applications.

(1) No change.

(2) The application must be signed by the owner or the owner’s authorized agent and include documentation of ownership. Applications signed by agents must contain a letter of authorization which is signed by the owner. Those having the right to exercise the power of eminent domain or having a contract to purchase real property may apply for a permit, however, the permit shall prohibit commencement of work until the permittee provides proof of ownership to the District. A permit shall only be issued to the record title holder, holder of a recorded easement conveying the right to utilize the property for a purpose consistent with the authorization requested in the permit application, those having the right to exercise the power of eminent domain or having a contract to purchase real property. A Notice of Individual Environmental Resource or Surface Water Management Permit shall be filed in the county where the property is located. This notice shall not be considered an encumbrance upon the property.

Specific Authority 373.016, 373.044, 373.113, 373.17 FS. Law Implemented 373.016, 373.117, 373.413, 373.416, 373.426 FS. History—New 9-3-81, Amended 1-31-82, Formerly 16K-4.07(2), 16K-4.09(2), Amended 7-1-86, 11-21-89, 4-20-94, 10-3-95, 5-28-00, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Terrie Bates, Director, Environmental Resource Regulation Division

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the South Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 15, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 14, 2003

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE TITLE: Independent Laboratory Services  
RULE NO.: 59G-4.190

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Independent Laboratory Services Coverage and Limitations Handbook, October 2003. The handbook change consists of

the March 2003 fee schedule. The effect will be to incorporate by reference in the rule the current Florida Medicaid Independent Laboratory Services Coverage and Limitations Handbook.

SUMMARY: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Independent Laboratory Services Coverage and Limitations Handbook, October 2003. The handbook change consists of the March 2003 fee schedule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost has been prepared.

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.9081 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 (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD.)

TIME AND DATE: TBA

PLACE: TBA

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Rinaldi, Bureau of Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)922-7308

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.190 Independent Laboratory Services.

(1) This rule applies to all freestanding clinical laboratories enrolled in the Medicaid program. ~~under Section 409.905(7), F.S.~~

(2) All independent laboratory providers enrolled in the Medicaid program must be in compliance ~~comply~~ with the provisions of the Florida Medicaid Independent Laboratory Coverage and Limitations Handbook, October 2003 ~~April 2001~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS HCFA-1500 ~~and Child Health Check-Up 221~~, which is incorporated by reference in Rule 59G-4.001 ~~59G-5.020~~, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908, 409.9081 FS. History—New 1-1-77, Amended 10-11-81, Formerly 10C-7.41, Amended 6-30-92, Formerly 10C-7.041, Amended 9-28-94, 1-9-96, 10-20-96, 9-14-97, 3-22-00, 5-16-01, 2-14-02, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Susan Rinaldi, Bureau of Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)922-7308

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rhonda M. Medows, M.D., FAFP, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 29, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 14, 2003

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Facilities Management**

RULE CHAPTER TITLE: Leases for Real Property  
RULE CHAPTER NO.: 60H-1

RULE TITLE: Right-to-Terminate Clause Required  
RULE NO.: 60H-1.007

PURPOSE AND EFFECT: These amendments conform the rules to the current statute by specifically including “renewals” of leases within the scope of the rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost was prepared.

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

SPECIFIC AUTHORITY: 255.249, 255.25, 255.503 FS.

LAW IMPLEMENTED: 255.249, 255.21, 255.25, 255.254, 255.503 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 (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

TIME AND DATE: 10:00 a.m., July 6, 2003

PLACE: The Department of Management Services, Room 260L, 4050 Esplanade Way, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Randall C. Baker, Chief, Real Property Management, Department of Management Services, 4050 Esplanade Way, Building 4030, Suite 380, Tallahassee FL 32399-0950, (850)488-6519, bakerr@dms.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

60H-1.007 Right-to-Terminate Clause Required.

Article XXI of the Standard Lease Agreement, the right-to-terminate clause, allowing the agency to terminate the lease with notice if public space becomes available, shall be a part of any lease for a term exceeding one year, may not be omitted from an agency’s lease for any reason and shall be deemed a part of any lease and given full legal force and effect. However, prior to or during the term of any lease, extension(s) or renewal(s) thereof, or any replacement lease of 5,000 square feet or greater, the Department of Management Services, at the written request of the user Agency, may exempt any lease,



extension(s) or renewal(s) thereof, or any replacement lease from the requirements of this rule if the cumulative cost of the new lease, extension(s) or renewal(s), or replacement lease being proposed by the existing Lessor, is at least 10 percent less than the current market value of a comparable lease in the private sector as determined by an independent market analysis performed by the Agency, plus documented moving costs. A present value analysis index shall be used in calculating lease costs.

Specific Authority 255.25 FS. Law Implemented 255.25(2) FS. History—New 8-11-75, Amended 4-25-79, Formerly 13D-7.07, 13M-1.007, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Randall C. Baker, Chief, Real Property Management,  
Department of Management Services  
NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Robert Hosay, Assistant Deputy  
Secretary, Department of Management Services  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: May 27, 2003  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: February 28, 2003

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

**Board of Funeral Directors and Embalmers**

RULE TITLE: Disciplinary Guidelines  
RULE NO.: 61G8-30.001  
PURPOSE AND EFFECT: The Board proposes the rule amendments to delete the aggravating and mitigating circumstances that contravene the law implemented.

SUMMARY: The rule deletes language that lists “severity of the offense” and “repetition of the offense” as aggravating factors when determining a penalty for violation of the rules, statutes, or both.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 455.2273, 470.005 FS.  
LAW IMPLEMENTED: 455.2273, 470.019, 470.031, 470.036 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Board of Funeral Directors and Embalmers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G8-30.001 Disciplinary Guidelines.

(1) through (5) No change.

(6) Based upon consideration of the following factors, the Board may impose disciplinary action other than the penalties recommended in paragraphs (1) through (5) above:

~~(a) The severity of the offense;~~

~~(a)(b) The danger to the public~~

~~(c) The number of repetitions of offenses;~~

(d) through (p) renumbered (b) through (m) No change.

Specific Authority 455.2273, 470.005 FS. Law Implemented 455.2273, 470.019, 470.031, 470.036 FS. History—New 12-15-86, Amended 9-27-88, Formerly 21J-30.001, Amended 7-9-95, 2-11-96, 5-1-96, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Funeral Directors and Embalmers

NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Board of Funeral Directors and  
Embalmers

DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: April 30, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: May 5, 2003

**DEPARTMENT OF HEALTH**

**Board of Occupational Therapy**

RULE TITLE: Inactive and Delinquent Status Fees  
RULE NO.: 64B11-5.006  
PURPOSE AND EFFECT: To update inactive status fees.

SUMMARY: The Board determined to delete subsection (1) of this rule pursuant to comments from the staff at Joint Administrative Procedures Committee.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 468.221 FS.

LAW IMPLEMENTED: 468.221 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Occupational Therapy, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

RULE NOS.: 18-21.003  
18-21.004

RULE TITLES: Definitions  
Management Policies, Standards, and Criteria

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-5.006 Inactive and Delinquent Status Fees.

The fees for individuals holding a license pursuant to Section 468.221, F.S., shall be as follows:

- (1) ~~The fee for an inactive status license shall be \$55.00.~~
- (2) through (4) renumbered (1) through (3) No change.

Specific Authority 468.221 FS. Law Implemented 456.036, 468.221 FS. History—New 4-17-95, Formerly 59R-64.040, Amended 2-7-02, 2-10-03,

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Occupational Therapy  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Occupational Therapy  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 19, 2003  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 14, 2003

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. 29, No. 13, (March 28, 2003), issue of the Florida Administrative Weekly and on the Department’s official notice Internet site at [www.dep.state.fl.us](http://www.dep.state.fl.us).

These proposed changes, along with the rule as published March 28, 2003, will be considered by the Board of Trustees at the Rule Adoption Hearing to be held June 26, 2003, beginning at 9:00 am, in Room LL03 (Cabinet Meeting Room), The Capitol, Tallahassee, Florida.

The full text of this notice also is published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michael Bascom, Florida Department of Environmental Protection, Division of State Lands, 3900 Commonwealth Blvd, MS 140, Tallahassee, FL 32399-3000, (850)245-2784, facsimile (850)245-2786 or e-mail: [Michael.Bascom@dep.state.fl.us](mailto:Michael.Bascom@dep.state.fl.us)

Section III

Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF INSURANCE

RULE NO.: 4-211.320

RULE TITLE: Curriculum Standards for Special Designations

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. 29, No. 16, April 18, 2003, of the Florida Administrative Weekly.

These changes are being made to address concerns expressed by the Joint Administrative Procedures Committee.

In Subsection (2), the words, “or Professional Claims Adjuster (PCA)” are deleted.

The remainder of the rule reads as previously published.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

DOCKET NO.: (02-48R)

RULE CHAPTER NO.: 18-21

RULE CHAPTER TITLE: Sovereignty Submerged Lands Management

THE FULL TEXT OF THE PROPOSED RULES IS:

18-21.003 Definitions.

When used in these rules, the following definitions shall apply unless the context clearly indicates otherwise:

(1) through (52) No change.

(53) “Spring” – means a point where ground water emerges onto the earth’s surface, including under any surface water of the state, excluding seeps. The term “spring” shall include karst windows, a depression opening that reveals portions of a subterranean flow or the unroofed portion of a cave ~~where ground water is visible from the surface~~.

(54) “Spring run” – means a body of flowing water that originates from a spring or whose primary source of water is from a spring or springs under average rainfall conditions.

(53) through (57) renumbered (55) through (59) No change.

18-21.004 Management Policies, Standards and Criteria.

The following management policies, standards, and criteria shall be used in determining whether to approve, approve with conditions or modifications, or deny all requests for activities on sovereignty submerged lands.

- (1) No change.
- (2) Resource Management.
- (a) through (m) No change.

(n) The installation or modification of facilities on sovereignty or state-owned submerged land for withdrawal of water from a spring or spring run is prohibited.

(3) through (5) No change.

(6) Standards and Criteria for Activities at Sovereignty and State-Owned Springs and Spring Runs.

Entities requesting authorization or qualifying for consent by rule under ~~this chapter section 18-21.005~~ to conduct activities in sovereignty or state-owned springs; ~~and spring runs shall conform to the following guidelines, design standards, and criteria, to the maximum extent practicable. The provisions of this paragraph shall be applicable to those portions of a spring runs adjacent to bordered by public ownership uplands; or to the limit of public ownership and those portions of a spring runs adjacent to bordered by private property uplands for a distance not to exceed 2,000 feet downstream from a spring shall conform to the following guidelines, design standards, and criteria.~~

(a) The deposition of new sand or other fill in or within 100 feet of the spring or spring run to create or maintain an artificial beach area is prohibited.

(b) Planting or maintaining any plant species listed in the Florida Exotic Pest Plant Council's "2001 Invasive Plant List," Category I and II, which may be found on the Internet at www.fleppc.org or by writing to the Bureau of Beaches and Wetland Resources, Department of Environmental Protection, 2600 Blair Stone Road, MS 2500, Tallahassee, FL 32399-2400, ~~in or adjacent to a spring or spring run~~ shall be prohibited in a spring or spring run or on slopes draining into or within 300 feet of the spring or spring run, whichever is farther.

(c) through (d) No change.

(e) The entity authorized to conduct activities shall manage operations to avoid or minimize damage to native submerged aquatic plants and other natural or cultural resources in the spring or spring run from activities such as swimming area maintenance, wading, swimming, prop dredging, and anchoring and shall encourage users of the facility, such as those who access the area by boat, to do likewise.

(f) No change.

(g) The installation or modification of wastewater treatment drainfields, sprayfields, or similar installations is prohibited on slopes draining into or within 300 feet ~~100 yards~~ of the spring or spring run, whichever is farther, except that single family residential on-site sewage wastewater treatment and disposal systems shall be installed and operated so as to avoid or minimize impacts to the spring or spring run.

(h) No change.

**DEPARTMENT OF HEALTH**

**Division of Medical Quality Assurance**

RULE NOS.:	RULE TITLES:
64B-1.002	Notification of Applicants
64B-1.007	Selection Criteria for Examiners and Examination Consultants
64B-1.008	Chiropractic Examination Grading
64B-1.009	Requesting a Pre-hearing Review
64B-1.013	Post-Examination Review
64B-1.016	Fees: Examination and Post-Examination Review
64B-1.017	Use of Pilot Test Items

**SECOND NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 52, December 27, 2002, and a Notice of Change published in Vol. 29, No. 3, January 8, 2003, issues of the Florida Administrative Weekly.

The changes are in response to comments received from the Joint Administrative Procedures Committee.

Subsection (3) of Rule 64B-1.002, F.A.C., shall now read as follows:

(3) The department or contract provider will notify candidates of the place, date and time of the examination and provide the candidate with verification of scheduling. For department developed practical or clinical examinations, a candidate will also receive an official admission slip which will be required for admission to sit for the examination. The department or contract provider shall inform the candidate of the length of the examination, patient criteria when a patient is needed for a practical examination, and any special equipment or materials the candidate needs to bring to the examination. Except with regard to national examinations, the department or contract provider shall also inform a candidate of the major content areas tested on the examination.

The first sentence of Rule 64B-1.007, F.A.C., shall now read as follows:

For professions where there is no board, in order to be eligible to serve as an examiner or an examination consultant for department-developed examinations, the prospective examiner or examination consultant:

Subsections (1)(b),(c),(2) and (3) of Rule 64B-1.008, F.A.C., shall now read as follows:

(1)(b) Department-developed electronically administered objective, multiple choice examinations shall be graded by the department or its contract provider. The department or its contract provider shall review any statistically questionable items for psychometric soundness via the item analysis. Based upon this review and the examination consultant's recommendations, the department or its contract provider shall adjust the scoring key by totally disregarding psychometrically unsound questions for grading purposes, or by giving credit for more than one correct answer per question. The department or

its contract provider shall calculate each candidate's grade utilizing the scoring key, or adjusted scoring key if applicable, and shall provide each candidate a grade report.

(c) Department-developed practical examinations shall be graded by the department or its contract provider. Examiners are to be selected based upon criteria adopted by board rule, and where there is no board, examiners are to be selected based upon criteria adopted by the department.

(2) If there are additional adjustments to the scoring key due to mechanical or clerical miscalculations after the grades have been provided for a particular examination, amended grade reports shall be provided to all candidates whose status changes ~~from fail to pass~~ due to the adjustment unless the candidate has taken and passed a subsequent administration of the examination.

(3) Examinations developed for the department or by a professional testing entity other than a national examination provider shall be graded by that testing entity or by its contract provider. Grading procedures shall be in compliance with the provisions of the board rules, and where there is no board, the department rules.

Subsection (3) of rule 64B-1.009 shall now read as follows:

(3) The candidate will be required to pay a pre-hearing review fee in order to receive a pre-hearing review.

Subsections (2), (2)(h) and (3) of Rule 64B-1.013, F.A.C., shall now read as follows:

(2) A candidate who has taken and failed a department-developed practical or clinical examination or a department-developed electronically administered examination shall have the right to one (1) post-examination review of those examination questions answered incorrectly, the answers to those examination questions answered incorrectly, and to materials, grades and grading keys related thereto.

(2)(h) Prior to a post-examination review, candidates shall be provided written instructions and shall acknowledge in writing at that time, receipt of such instructions and affirm that they will abide by the following instructions:-

1. Only the candidate will be allowed to enter the review area;

2. No extraneous materials of any type may be brought into the review room;

3. The candidate will be provided with a duplicate of the answer sheets, a copy of the questions missed, and if applicable, other examination materials;

4. No additional time beyond the scheduled time will be provided for examination review;

5. No talking is allowed between the candidates when in the review room;

6. All examination materials are to be given to the Review Coordinator prior to departing the review room; and

7. Any observation or evidence of a candidate attempting to copy, remove or modify any testing materials shall result in the termination of the review session and shall be reported to the board, or the department where there is no board.

(3) A candidate who has taken and failed a department-developed practical or clinical examination or a department-developed electronically administered examination, completed a post-examination review and wishes to challenge the examination shall file a request/petition for administrative hearing with the department within 21 days after the date on which he/she completes his/her post-examination review.

Subsection (1)(a) of Rule 64B-1.016, F.A.C., shall now read as follows:

(1)(a) The following fees shall be assessed by the department to cover administrative costs, actual per-applicant costs, and costs incurred to develop, purchase, validate, administer, and defend the following department developed, administered, or managed examinations:

	Exam Fees	Exam Fee
Profession	Exam	
Acupuncture	National Written	<del>\$900.00</del> <del>1,091.00</del>
Chiropractic Medicine	Physical Diagnosis	\$610.00
	Technique	\$250.00
	X-Ray	\$180.00
	<del>Laws &amp; Rules</del>	<del>\$60.00</del>
	<del>Acupuncture</del>	<del>\$220.00</del>
	CBT Laws & Rules	\$35.00
	CBT Acupuncture	\$135.00
	Dental	Clinical
<del>Laws &amp; Rules</del>		<del>\$95.00</del>
CBT Laws & Rules		<del>\$95.00</del> <del>30.00</del>
Dental Hygiene	Clinical	<del>\$425.00</del> <del>325.00</del>
	<del>Laws &amp; Rules</del>	<del>\$60.00</del>
	CBT Laws & Rules	<del>\$60.00</del> <del>20.00</del>
Electrolysis	<del>National Written Exam</del>	<del>\$300.00</del> <del>505.00</del>
	National Written	\$300.00
Hearing Aid Specialist	National Written	\$300.00
Massage	<del>Colonies</del>	<del>\$595.00</del>
	CBT Colonics	\$385.00
Nursing Home Administrator	<del>Laws &amp; Rules</del>	<del>\$240.00</del>
	CBT Laws & Rules	<del>\$60.00</del> <del>155.00</del>
	Practical	<del>\$395.00</del> <del>385.00</del>
Opticianry	Neutralization	\$190.00
	<del>Laws &amp; Rules</del>	<del>\$115.00</del>
	Clinical	\$590.00
Optometry	Pharmacology	\$370.00
	CBT Laws & Rules	\$30.00

Osteopathic Medicine	National Written	\$2,500.00
Physical Therapy	CBT Laws & Rules	\$25.00
Physical Therapist Assistant	CBT Laws & Rules	\$25.00
Psychology	National Exam	<del>\$504.00</del> 458.00
	<del>Laws &amp; Rules</del>	<del>\$120.00</del>
	CBT Laws & Rules	\$80.00

The first sentence of Rule 64B-1.017, F.A.C., shall now read as follows:

Electronically administered examinations developed by or for the department might include pilot test or experimental questions for the purpose of evaluating the statistical and psychometric qualities of new or revised questions prior to their use in an examination.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Christie Brown, Division of Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C90, Tallahassee, Florida 32399-3290

---

### Section IV Emergency Rules

**NONE**

---

### Section V Petitions and Dispositions Regarding Rule Variance or Waiver

#### **WATER MANAGEMENT DISTRICTS**

NOTICE IS HEREBY GIVEN that on May 13, 2003, South Florida Water Management District (District) received a petition for waiver from Broward County Board of County Commissioners, Application No. 03-0113-5M, for utilization of Works or Lands of the District known as the North New River Canal, Broward County, for a pedestrian bridge along the North New River Canal. The petition seeks relief from subsection 40E-6.221(9), Fla. Admin. Code, which governs the placement of permanent and semi-permanent above-ground structures within the District's designated equipment staging areas.

A copy of the petition may be obtained from: Jan Sluth, (561)682-6299 or e-mail: jsluth@sfwmd.gov.

The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Jan Sluth, Office of Counsel.

---

#### **DEPARTMENT OF HEALTH**

The Board of Psychology hereby gives notice that it has received a Petition for Declaratory Statement filed by Bruce Borkosky, Psy.D., P.A. The Petitioner seeks the Board's interpretation of subsections 64B19-18.004(4) and (5), F.A.C.

The Board will consider this petition at its meeting scheduled for June 20-21, 2003 at the Radisson Hotel, 415 North Monroe Street, Tallahassee, Florida, (850)224-6000.

Copies of the Petition may be obtained from: Kaye Howerton, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

---

The Board of Psychology hereby gives notice that it has received a petition, filed on April 28, 2003, by Dr. Kayan Aratow-Kulaksiz seeking a variance of paragraph 64B19-11.005(1)(c), Florida Administrative Code, which requires that supervision be provided in the state where the "supervisor" is licensed.

Comments on this petition should be filed with Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice.

For a copy of the petition, contact: Kaye Howerton, Executive Director, Board of Psychology, at the above address or telephone (850)245-4373, Ext. 3481.

---

The Board of Psychology hereby gives notice that it has received a petition, filed on May 15, 2003 by Diane M. Vendryes, Ph.D., seeking a variance of paragraph 64B19-11.001(4)(c), Florida Administrative Code, with respect to time frames imposed for closure of the application file.

Comments on this petition should be filed with Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice.

For a copy of the petition contact: Kaye Howerton, Executive Director, Board of Psychology, at the above address or telephone (850)245-4373, Ext. 3481.

---

### Section VI Notices of Meetings, Workshops and Public Hearings

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

- State Board of Administration
- Financial Services Commission
- Department of Veterans' Affairs
- Department of Highway Safety and Motor Vehicles

Department of Law Enforcement  
Department of Revenue  
Department of Education  
Administration Commission  
Florida Land and Water Adjudicatory Commission  
Board of Trustees of the Internal Improvement Trust Fund

Department of Environmental Protection

DATE AND TIME: June 26, 2003, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

PURPOSE: Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to, matters relating to rulemaking for all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and for all activities relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S.

The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or

positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Department of Education will finalize agency action on the business of the Florida Department of Education.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and easements, Conservation and Recreation Lands (CARL) and other land purchases; land planning matters and other matters within its authority. Additionally, the Board will take action on matters presented by the Marine Fisheries Commission as set forth in Sections 370.025, 370.026 and 370.027, F.S., and matters pertaining to the Office of Greenways Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor.

The Department of Environmental Protection, while not a Cabinet agency, will present for consideration on its agenda those matters required by law to be reviewed by the Governor and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

A copy of any of the above agendas (when applicable) may be obtained by contacting each agency.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify the Governor's Cabinet Office, (850)488-5152.

The Governor and Cabinet will proceed through each agenda, item by item, in the order given above.

**CABINET AIDES BRIEFING:** On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

---

#### DEPARTMENT OF STATE

The **Friends of the Mission San Luis, Inc.** announce a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, June 17, 2003, 10:00 a.m.

**PLACE:** R. A. Gray Building, 500 South Bronough Street, Director's Conference Room 305, 3rd Floor, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE DISCUSSED:** To conduct the regular business meeting with the Board of Directors.

A copy of the agenda may be obtained by writing: Stephen McLeod, Bureau of Historical Museums, Division of Historical Resources, 500 S. Bronough Street, Tallahassee, Florida 32399-0250 or calling (850)245-6375.

Should any person wish to appeal any decision made with respect to the above mentioned meeting, he or she may need to ensure verbatim recording of the proceedings in order to provide a record of judicial review.

Pursuant to Section 286.26, Florida Statutes, people with disabilities wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any assistance.

---

The **Friends of Historic Properties & Museums, Inc.** announce a public meeting to which all persons are invited.

**DATE AND TIME** Tuesday, June 17, 2003, 2:00 p.m.

**PLACE:** R. A. Gray Building, 500 South Bronough Street, Director's Conference Room 305, 3rd Floor, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE DISCUSSED:** To conduct the regular business meeting with the Board of Directors.

A copy of the agenda may be obtained by writing: Stephen McLeod, Bureau of Historical Museums, Division of Historical Resources, 500 S. Bronough Street, Tallahassee, Florida 32399-0250 or calling (850)245-6375.

Should any person wish to appeal any decision made with respect to the above mentioned meeting, he or she may need to ensure verbatim recording of the proceedings in order to provide a record of judicial review.

Pursuant to Section 286.26, Florida Statutes, people with disabilities wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any assistance.

---

The **Grove Advisory Council** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Monday, June 23, 2003, 11:00 a.m.

**PLACE:** The Grove, 100 East 1st Avenue, Tallahassee, FL

**GENERAL SUBJECT MATTER TO BE DISCUSSED:** To conduct the regular business with the Board of Directors.

A copy of the agenda may be obtained by writing: Stephen McLeod, Bureau of Historical Museums, Division of Historical Resources, 500 S. Bronough Street, Tallahassee, Florida 32399-0250 or calling (850)245-6375.

Should any person wish to appeal any decision made with respect to the above mentioned meeting, he or she may need to ensure verbatim recording of the proceedings in order to provide a record of judicial review.

Pursuant to Section 286.26, Florida Statutes, people with disabilities wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any assistance.

---

The **Friends of the Museum of Florida History, Inc.** announce a public meeting to which all persons are invited.

**DATE AND TIME** Monday, June 23, 2003, 2:00 p.m.

**PLACE:** R. A. Gray Building, 500 South Bronough Street, Museum Education Room (lower level), Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE DISCUSSED:** To conduct the regular business meeting with the Board of Directors.

A copy of the agenda may be obtained by writing: Stephen McLeod, Bureau of Historical Museums, Division of Historical Resources, 500 S. Bronough Street, Tallahassee, Florida 32399-0250 or calling (850)245-6375.

Should any person wish to appeal any decision made with respect to the above mentioned meeting, he or she may need to ensure verbatim recording of the proceedings in order to provide a record of judicial review.

Pursuant to Section 286.26, Florida Statutes, people with disabilities wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any assistance.

The **Friends of the Old Florida Capitol**, Inc. announce a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 24, 2003, 10:00 a.m.

PLACE: R. A. Gray Building, 500 South Bronough Street, Director's Conference Room 305, 3rd Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE DISCUSSED: To conduct the regular business with the Board of Directors.

A copy of the agenda may be obtained by writing: Stephen McLeod, Bureau of Historical Museums, Division of Historical Resources, 500 S. Bronough Street, Tallahassee, Florida 32399-0250 or calling (850)245-6375.

Should any person wish to appeal any decision made with respect to the above mentioned meeting, he or she may need to ensure verbatim recording of the proceedings in order to provide a record of judicial review.

Pursuant to Section 286.26, Florida Statutes, people with disabilities wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any assistance.

The **Friends of the Knott House**, Inc. announce a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 24, 2003, 2:00 p.m.

PLACE: Knott House Museum, 301 East Park Avenue, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE DISCUSSED: To conduct the regular business meeting with the Board of Directors.

A copy of the agenda may be obtained by writing: Stephen McLeod, Bureau of Historical Museums, Division of Historical Resources, 500 S. Bronough Street, Tallahassee, Florida 32399-0250 or calling (850)245-6375.

Should any person wish to appeal any decision made with respect to the above mentioned meeting, he or she may need to ensure verbatim recording of the proceedings in order to provide a record of judicial review.

Pursuant to Section 286.26, Florida Statutes, people with disabilities wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any assistance.

The **Department of State, Division of Library and Information Services** announces its review of the Library Services and Technology Act applications.

DATES AND TIMES: Monday, June 30, 2003, 9:00 a.m. – 2:00 p.m.; if needed Tuesday, July 1, 2003, 9:00 a.m. – 12:00 Noon.

PLACE: Division of Library and Information Services, R. A. Gray Building, Third Floor Training Room, 500 South Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review federal fiscal year 2003 grant applications for Library Services and Technology Act funds.

For additional information contact: Judith A. Ring, State Librarian, (850)245-6604 or Suncom 205-6604.

Any person deciding to appeal any decision made by the Council with respect to any matter considered at this meeting will need a record of the proceedings, and that for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations due to a disability or physical impairment should contact the agency at least five days prior to the meeting in order to request any special assistance by calling (850)245-6604 or TDD (850)245-6688.

---

#### DEPARTMENT OF LEGAL AFFAIRS

The Resources Committee of the Florida **Commission on the Status of Women** will hold a telephone conference to which all interested persons are invited to participate.

DATE AND TIME: Wednesday, June 18, 2003, 10:00 a.m.

PLACE: Call (850)414-3300 for information on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

The Executive Committee of the Florida **Commission on the Status of Women** will hold a telephone conference to which all interested persons are invited to participate.

DATE AND TIME: Thursday, June 19, 2003, 10:30 a.m.

PLACE: Call (850)414-3300 for information on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

---

#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services, Division of Forestry**, announces a meeting of the Off Highway Recreation Advisory Committee which is open to all interested persons.

DATE AND TIME: Monday, June 16, 2003, 10:00 a.m.

PLACE: Lake George Work Center, Ocala National Forest, State Road 40 (9 miles east of Oklawaha River)



PURPOSE: General meeting of the Off Highway Recreation Advisory Committee.

A copy of the agenda may be obtained by contacting: John Waldron, 3125 Conner Boulevard, C25, Tallahassee, FL 32399-1650, (850)414-9852.

---

## DEPARTMENT OF EDUCATION

The State of Florida, **Education Standards Commission**, announces public hearings which all persons are invited. The following are the dates and sites of the regional hearings as well as a contact person and a telephone number:

DATE AND TIME: June 5, 2003, 4:00 p.m. – 6:00 p.m., local time

PLACE: University of Central Florida, University of Central Florida Teaching Academy, 4th Floor Conference Room, Building 93, Orlando, Florida, Contact: Rita Mammino, (407)823-5529

DATE AND TIME: June 9, 2003, 4:00 p.m. – 6:00 p.m., local time

PLACE: Florida Department of Education, Turlington Building, Room 1704, 325 West Gaines Street, Tallahassee, Florida, Contact: Dr. Adeniji A. Odutola, (850)245-0441

DATE AND TIME: June 10, 2003, 4:00 p.m. – 6:00 p.m., local time

PLACE: Lee County School District, Dr. James A. Adams Public Education Center, 2055 Central Avenue, Ft. Myers, Florida, Contact: Julie Holcomb, (239)337-8370

DATE AND TIME: June 11, 2003, 4:00 p.m. – 6:00 p.m., local time

PLACE: Alachua County School District, Kirby Smith Center Boardroom, 620 East University Avenue, Gainesville, Florida, Contact: Carolyn Matheny, (352)955-7880

DATE AND TIME: June 11, 2003, 4:00 p.m. – 6:00 p.m., local time

PLACE: Nova Southeastern University (NSU), Main Campus, NSU Library, Research, and Information Center, Room 4009, 3100 Ray Ferrero, Jr. Blvd., Ft. Lauderdale, Florida, Contact: Jennifer Duquay, (954)262-7901

DATE AND TIME: June 12, 2003, 4:00 p.m. – 6:00 p.m., local time

PLACE: University of West Florida, College of Professional Studies, The Dean's Conference Room, Building 85, Room 102, Pensacola, Florida, Contact: Dr. Robin Largue, (850)473-7327

DATE AND TIME: July 14, 2003, 4:00 p.m. – 6:00 p.m., local time

PLACE: Florida Technology Literacy Conference, TECO Room, College of Education, University of South Florida, Tampa, Florida, Contact: Kate Kamker, (813)974-6953

If you or your representative cannot attend, please fax or mail a copy of your written comments by July 18, 2003, to: Adeniji A. Odutola, Ph.D., Executive Director, Florida Education Standards Commission, Room 348, Turlington Building, Tallahassee, FL 32399, (850) 245-0441, Fax (850)245-0657

In addition, responses by e-mail will be accepted through July 18, 2003. Please e-mail responses to Judy N. Etemadi, Ph.D., Assistant Director, Judy.Etemadi@fldoe.org

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Education Standards Commission is soliciting your input regarding the proposed revisions in Accomplished Practice #12, Technology. The regional public hearings are designed for you to provide your opinion(s) and suggestion(s) for modifications. The Florida Education Standards Commission members and staff will not make a formal presentation on these recommendations at the public hearings. You or your representative(s) are invited to attend any of the regional public hearings listed below and to share your ideas on any of the attached recommendations. We request that your remarks be typed and that a copy be given to the Commission member and/or staff at the hearing in order that your recommendations are accurately reflected.

SPECIAL ACCOMMODATIONS: Persons with disabilities who require assistance to participate in these hearings are requested to contact Dr. Adeniji Odutola at the above address or telephone number.

---

Education Commissioner Jim Horne announces the June training meeting of the **State Instructional Materials Committees**. This meeting is open to the public.

DATE AND TIME: June 18, 2003, 8:30 a.m. – June 19, 2003, 12:00 Noon

PLACE: Adams Mark Hotel, 225 Coastline Drive, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committees will learn how to evaluate instructional materials that were submitted for consideration by publishers in June of 2003.

Copies of the agenda, committee rosters, and further information about this meeting may be obtained by contacting: Department of Education, Instructional Materials Office, (850)487-8791.

---

The public is invited to a meeting of the **State Board of Education**.

DATE AND TIME: June 17, 2003, 10:00 a.m. – 5:00 p.m.

PLACE: Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Minutes of Meeting held May 20, 2003; Commissioner's Report, including updates on Just Read, Florida!, the status of the Budget and other legislative issues; Consideration of: Amended Rule 6A-4.0021, Florida Teacher Certification Examination, and Amended Rule 6A-4.00821, Florida

Educational Leadership Examination; Authorize release of funds from the University Concurrency Trust Fund in accordance with the Campus Development Agreement between Florida Gulf Coast University Board of Trustees and Lee County; Resolution of the State Board of Education Approving the Financing of the Construction of a Portion of a Genetic and Cancer Research Facility on the Campus of the University of Florida and Approving the Issuance by the University of Florida Research Foundation, Inc., of Capital Improvement Bonds Not to Exceed \$35,000,000 for Such Purpose; Approval of site designation of Southeast Center in Orange County, Valencia Community College; Appointments and Charge for Advisory Council on Educational Facilities and for Advisory Council on Universal Prekindergarten Education; and other matters pertaining to the State Board of Education.

A copy of the agenda may be obtained from the Commissioner of Education's website at <http://www.fldoe.org>.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)245-9531 (Voice), at least 7 days in advance, so that their needs can be accommodated.

The **Florida Atlantic University**, Board of Trustees announces a meeting to which all persons are invited. The meeting will be conducted by conference call.

DATE AND TIME: Wednesday, June 11, 2003, 10:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Personnel and Compensation.

The call in number can be obtained by contacting: Dr. Anthony Lombardo, Liaison to the Board of Trustees, Florida Atlantic University, 777 Glades Road, Boca Raton, Florida 33431, (561)297-3032.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting: Ms. Paula Behul, (561)297-3004. If you are hearing or speech impaired, please contact the agency by calling TDD via TDD No. (561)297-2130.

The **Florida Atlantic University**, Board of Trustees announces a meeting to which all persons are invited. The meeting will be conducted by conference call.

DATE AND TIME: Monday, June 16, 2003, 10:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Audit and Finance.

The call in number can be obtained by contacting: Dr. Anthony Lombardo, Liaison to the Board of Trustees, Florida Atlantic University, 777 Glades Road, Boca Raton, Florida 33431, (561)297-3032.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least

48 hours before the meeting by contacting Ms. Paula Behul, (561)297-3004. If you are hearing or speech impaired, please contact the agency by calling TDD via TDD No. (561)297-2130.

**DEPARTMENT OF COMMUNITY AFFAIRS**

The **Department of Community Affairs** announces a meeting of the Affordable Housing Study Commission to which all interested persons are invited.

DATE AND TIME: June 18, 2003, 1:00 p.m. – 5:00 p.m.; June 19, 2003, 8:00 a.m. – 1:00 p.m. (Times are subject to change)

PLACE: Embassy Suites Hotel, Tampa-Airport/Westshore, 555 North Westshore Boulevard, Tampa, Florida

Any person requiring special accommodations due to disability or physical impairment should contact Brenda Smith, (850)922-1462, at least five calendar days prior to the meeting. People who are hearing impaired should contact Ms. Smith using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained from: Brenda Smith, The Affordable Housing Study Commission, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1462.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission is charged with developing recommendations to the Governor and Legislature to address the state's acute need for housing for very low-, low-, and moderate-income households. For this meeting, the final meeting of the Commission for the 2002-2003 study year, the Commission will review and approve recommendations to be included in the Commission's 2003 Final Report.

The **Department of Community Affairs** announces a meeting of the State Energy Program (SEP) Clean Fuel Florida Advisory Board (CFF) to which all interested parties are invited.

SEP CFF MEETING

DATE AND TIME: June 20, 2003, 9:00 a.m. – 4:30 p.m.

PLACE: Hampton Inn, 2979 Apalachee Parkway, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The CFF will consider the following items: 1) Presentation of the CFFAB "Cornerstone Report", 2) Future Board Activities, 3) Report on State Initiatives, 4) Report on transfer of Energy Office

APPEAL INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public meeting he or she may need a record or transcript of the proceeding, and for such purposes he or she may need to ensure that a record of the proceeding is made, which record may include testimony and evidence relevant to the appeal.

Anyone who wants a copy of the agenda or additional information on this meeting may write or call: Essie Turner, Administrative Assistant, Department of Community Affairs, 2255 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-2475.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the SEP, (850)488-2475, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the SEP, (850)488-2475, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the SEP using the Florida Dual Party System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Communities Trust** announces a public meeting of the Governing Body to which all persons are invited.

DATE AND TIME: June 18, 2003, 1:00 p.m. – conclusion

PLACE: Room 305, Kelley Training Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Extend grant contracts for certain funded projects; other business that the governing board deems necessary.

ACTION TO BE TAKEN: Consideration of above-stated business.

To obtain a copy of the agenda, contact: The Trust, (850)922-2207.

If any person desires to appeal any decision with respect to any matter considered at the meeting, such person will need a record of the proceeding and may need to insure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

Persons requiring a special accommodation for a disability or physical impairment should contact Florida Communities Trust, (904)922-2207, SunCom 292-2207, at least five days prior to the meeting. If hearing or speech impaired, contact Florida Communities Trust using the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

#### DEPARTMENT OF LAW ENFORCEMENT

The Florida **Department of Law Enforcement** announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, June 19, 2003, 1:00 p.m. – 5:00 p.m.; Friday, June 20, 2003, 8:30 a.m. – 5:00 p.m.

PLACE: Sawgrass Marriott Resort and Beach Club, 1000 PGA Tour Boulevard, Ponte Vedra Beach, Florida 32082, (904)285-7777.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Violent Crime and Drug Control Council and any other interested individuals will meet to hear presentations and

discuss issues relating to violent crime, and multi-agency or statewide drug control or illicit money laundering investigative or task force efforts.

A copy of the agenda may be obtained by writing: Government Analyst Joyce Gainous-Harris, Florida Department of Law Enforcement, Division of Criminal Investigations and Forensic Science Services, Office of Statewide Intelligence, Post Office Box 1489, Tallahassee, Florida 32302, (850)410-7096.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding should call (850)410-7900, (Voice) or (850)656-9597 (TDD), at least five working days before such proceeding.

#### DEPARTMENT OF REVENUE

NOTICE OF CHANGE – The **Department of Revenue** announces a change in the date of the public hearing for June 26, 2003 that was noticed in the April 11, 2003 edition of the Florida Administrative Weekly.

DATE AND TIME: August 26, 2003, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of amendments to Rule 12-3.0012, and new Rule 12-3.0017, Florida Administrative Code. Notice of this proposed adoption was published in the Florida Administrative Weekly of December 20, 2002 (Vol. 28, No. 51, pp. 5571-5573). Notice of a second public hearing was published in the Florida Administrative Weekly of February 28, 2003 (Vol. 29, No. 9, p. 890). Notice of a third public hearing was published in the Florida Administrative Weekly of May 2, 2003 (Vol. 29, No. 18, p. 1901).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting Nancy Purvis, (850)488-0712. If you are hearing-impaired or speech-impaired, please contact the Department by using the Florida Relay Service, which can be reached at 1(800)955-8770 (voice) and 1(800)955-8771 (TDD).

#### BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

The **Board of Trustees of the Internal Improvement Trust Fund** announces a public rule adoption hearing to which all persons are invited:

DATE AND TIME: June 26, 2003, 9:00 a.m.

PLACE: Room LL03, Cabinet Meeting Room, The Capitol, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To consider final adoption of the proposed rule amendments to Chapter 18-21 of the Florida Administrative Code that will establish standards and criteria for activities at sovereignty and state-owned springs and spring runs.

**CONTACT:** A copy of the agenda item requesting rule adoption will be distributed to all on the interested parties mailing list.

Any questions may be directed to: Michael Bascom, Florida Department of Environmental Protection, Division of State Lands, 3900 Commonwealth Blvd, MS 140, Tallahassee, FL 32399-3000, (850)245-2784, facsimile (850)245-2786 or e-mail: Michael.Bascom@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before the hearing by contacting the Bureau of Personnel Services, (850)245-2511. If you are hearing or speech impaired, please contact the Florida Relay Service by calling 1(800)955-8771 (TDD).

The full text of this notice also is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

---

#### STATE BOARD OF ADMINISTRATION

The **State Board of Administration** announces a public meeting to which all persons are invited.

**TIME AND DATE:** Friday, June 27, 2003, 9:00 a.m.

**PLACE:** Hermitage Room, Plaza Level, the Hermitage Centre, 1801 Hermitage Boulevard, Tallahassee, FL 32308 (Call in number – (850)921-2583 or Suncom 291-2583)

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regularly scheduled quarterly meeting of the Investment Advisory Council (IAC). The IAC is a six-member advisory council, which reviews the investments made by the staff of the Board of Administration and makes recommendations to the board regarding investment policy, strategy, and procedures. The IAC operates under s. 215.444 of the Florida Statutes.

A copy of the agenda may be obtained by writing: State Board of Administration, Attention: Cheryl D. Creel, 413-1015, 1801 Hermitage Boulevard, Suite 600, Tallahassee, Florida 32308.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify Dorothy Westwood, (850)488-4406.

---

#### DEPARTMENT OF CITRUS

The **Department of Citrus** announces a public meeting of the Fresh Grapefruit Advisory Council to which all persons are invited.

**DATE AND TIME:** Monday, June 16, 2003, 10:00 a.m.

**PLACE:** Indian River Citrus League, 7925 20th Street, Vero Beach, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Committee will meet to review and discuss staff's recommended marketing and research plans for the 2003/04 season and any other business that might come before the council for consideration.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone at (863)499-2510.

---

#### FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, June 18, 2003, 9:00 a.m.

**PLACE:** Florida Parole Commission, 2601 Blairstone Road, Bldg. C., Third Floor, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made, Chapter 80-150, Laws of Florida (1980).

A copy of the Agenda may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone: (850)488-3417.

---

#### PUBLIC SERVICE COMMISSION

**NOTICE OF CANCELLATION** – The Florida **Public Service Commission** announces that the Prehearing scheduled to be held June 16, 2003, at 1:30 p.m., Hearing Room 148, Betty Easley Conference Center, Esplanade Way, Tallahassee, Florida, has been cancelled.

**DOCKET NO.:** 021066-WS – Investigation into proposed sale of Florida Water Services Corporation.

---

**REGIONAL PLANNING COUNCILS**

NOTICE OF CANCELLATION – The **Southwest Florida Regional Planning Council** announces that its regular meeting has been canceled:

DATE AND TIME: June 19, 2003, 9:30 a.m.

PLACE: Southwest Florida Regional Planning Council Conference Room, 4980 Bayline Drive, 4th Floor, North Fort Myers, Florida 33917

The next regular meeting is scheduled for July 3, 2003, 9:30 a.m.

The **Regional Business Alliance** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 11, 2003, 3:00 p.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting to discuss regional issues impacting South Florida including transportation.

A copy of the agenda may be obtained by writing: The Broward Workshop, 2740 East Oakland Park Boulevard, Suite 206, Fort Lauderdale, Florida 33306.

The Regional Business Alliance is comprised of business and elected leaders from Monroe, Miami-Dade, Broward, Palm Beach, and Martin Counties, including members of the Tri-County Commuter Rail Authority and South Florida Regional Planning Council.

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD), if you require additional information regarding the meeting above. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

**METROPOLITAN PLANNING ORGANIZATIONS**

The **Metropolitan Planning Organization for the Orlando Urban Area**, announces the following public meetings of its Governing Board and Executive Committee to which all persons are invited:

DATE AND TIME: Wednesday, June 11, 2003, 10:30 a.m. and 12:30 p.m., respectively

(PLEASE NOTE CHANGE OF START TIME FOR THIS MEETING ONLY)

PLACE: METROPLAN ORLANDO, 315 East Robinson Street, Suite 355, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meetings.

GENERAL SUBJECT MATTER TO BE CONSIDERED/AGENDA: 1. Call to Order; 2. Chairman's Announcements; 3. Executive Director's Announcements; 4. Consent Items; 5. Action Items; 6. Other Business; 7. Executive Director's Report; 8. Board Member Comments; 9. Public Comments; 10. Adjournment.

A detailed copy of the agenda may also be obtained by contacting Ms. Virginia L. Whittington, (407)481-5672, Ext. 314 or by written request to METROPLAN ORLANDO, 315 East Robinson Street, Suite 355, Orlando, FL 32801.

Section 286.0105, Florida Statutes, states that if a person decides to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation at this meeting because of a disability or physical impairment should contact METROPLAN ORLANDO, (407)481-5672, at least 48 hours before the meeting.

**WATER MANAGEMENT DISTRICTS**

The **Suwannee River Water Management District** announces the following public meetings to which all interested persons are invited.

DATE AND TIME: June 10, 2003, 9:00 a.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting - to consider District business, and conduct public hearings on regulatory and land acquisition matters.

Public hearing in accordance with Section 373.59, F.S., concerning the proposed sale of the Sandlin Bay Tract, 600 acres +/-, Columbia County, Florida, to the United States Department of Agriculture Forest Service; also, the proposed donation of the Sandlin Bay Tract, 4,554 acres +/-, Columbia County, Florida, to the United States Department of Agriculture Forest Service.

A copy of the agenda(s) may be obtained by writing: SRWMD, 9225 CR 49, Live Oak, Florida 32060.

If any person decides to appeal any decision with respect to any matter considered at the above cited meeting, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance in order to participate in this meeting may contact Lisa Cheshire, (386)362-1001 or 1(800)226-1066 (Florida only), at least two business days in advance to make appropriate arrangements.

The **St. Johns River Water Management District** announces a Southern Region Recreation Advisory Council Meeting to which all persons are invited. The meeting is scheduled for:

MEETING: Southern Region Recreation Advisory Council  
DATE AND TIME: Thursday, June 20, 2003, 3:00 p.m. – 5:00 p.m.

PLACE: Indian River County Government Building, Conference Room A, 1st Floor, 1840 25th Street, Vero Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review land management and land acquisition activities in the Southern Region.

If any person decides to appeal any decision with respect to any matter considered at the above listed meeting such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to advise Linda Lorenzen at (386)329-4262 or (386)329-4450 (TDD) at least five work days before the date of the meeting.

---

The **St. Johns River Water Management District** announces the following meeting to which Governing Board members may attend:

East-Central Florida Water Supply Planning Initiative meetings

DATE AND TIMES: Thursday, June 26, 2003, 9:00 a.m. – 12:00 Noon; 1:30 p.m. – 4:30 p.m.

PLACE: Winter Park Civic Center, 1050 West Morse Boulevard, Winter Park, FL 32789

East-Central Florida Water Supply Planning Initiative meetings

DATE AND TIMES: Thursday, July 31, 2003, 9:00 a.m. – 12:00 Noon; 1:30 p.m. – 4:30 p.m.

PLACE: Winter Park Civic Center, 1050 West Morse Boulevard, Winter Park, FL 32789

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss water supply issues in east-central Florida.

For a copy of the agendas, write: SJRWMD, P. O. Box 1429, Palatka, FL 32178-1429 or call Malissa Dillon, Office of Communications and Governmental Affairs, (386)329-4571.

Pursuant to the provision of the Americans with Disabilities Act, anyone requiring special accommodations to participate in these meetings is asked to advise the agency at least five working days before each meeting by contacting Malissa Dillon, (386)329-4571. If you are hearing or speech impaired, please contact the agency by calling (386)329-4450 (TDD).

---

The **South Florida Water Management District** announces a public meeting which may be conducted by means of or in conjunction with communications media technology, specifically by telephonic conference to which all interested parties are invited:

DATE AND TIME: June 18, 2003, 10:00 a.m. – 12:00 Noon

PLACE: South Florida Water Management District Headquarters, B-1 Building, Room 3B, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Budget and Finance Advisory Commission meeting to discuss SFWMD Budget and finance-related matters.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Mail Stop 6260, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the Deputy District Clerk, (561)682-6447, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information or wishing to submit written or physical evidence may contact: Marcie Daniel, Budget Department, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33406, (561)682-6469.

---

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Monday, June 30, 2003, 2:00 p.m.

PLACE: City of Palm Beach Gardens Council Chambers, 10500 N. Military Trail, Palm Beach Gardens, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Loxahatchee River Management Coordinating Council.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Mail Stop 6880, 210 Atlanta Avenue, Stuart, Florida 34994.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the Deputy District Clerk, (561)682-6447, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Kathy LaMartina, Martin/St.Lucie Service Center, 210 Atlanta Avenue, Stuart, FL 34994, (772)223-2600, Ext. 3603.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: June 20, 2003, 10:00 a.m. – 12:00 Noon

PLACE: The South Florida Water Management Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, Purchasing Conference Room, Second Floor, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ranking of applicants for the Water Demand Conservation Program. Interested parties are invited to attend this meeting.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: J. M. Rule, C.P.M., Procurement Department, District Headquarters, 3301 Gun Club Road, Mail Stop Code 6612, West Palm Beach, FL 33406, (561)682-6444.

### REGIONAL UTILITY AUTHORITIES

The **Withlacoochee Regional Water Supply Authority** announces that the Authority will hold its regular June 2003 monthly board meeting as scheduled. This is a public meeting to which all persons are invited:

DATE AND TIME: June 18, 2003, 4:30 p.m.

PLACE: Hernando County Government Center, County Commission Chambers, 20 N. Main Street, Brooksville, Florida 34601

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct regular business of the Authority.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Water Supply Authority, P. O. Drawer 190, Tallahassee, Florida 32302.

Although these board meetings are normally recorded, affected persons are advised that it may be necessary for them to make their own arrangements if a verbatim record of the meeting is needed, including testimony and evidence upon which any appeal is to be based.

### DEPARTMENT OF VETERANS' AFFAIRS

The Florida **Commission on Veterans' Affairs** will hold its quarterly meeting in Tallahassee, Florida. This is a public meeting to which all persons are invited.

DATE AND TIME: Meeting: Friday, June 13, 2003, 9:00 a.m.

PLACE: The Knott Building, 404 South Monroe Street, Room 116, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Meeting.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Jan Stearns, Florida Department of Veterans' Affairs, Koger Center, 2540 Executive Center Circle, West, Douglas Building, Suite 100, Tallahassee, Florida 32301.

Please telephone (850)487-1533, at least 48 hours prior to the workshop.

### DEPARTMENT OF ELDER AFFIARS

The **Department of Elder Affairs**, Long-Term Care Ombudsman Program announces two conference calls ("meet me" conference calls) to which all persons are invited.

DATE AND TIME: June 10, 2003 and July 16, 2003, 10:00 a.m. – 11:30 a.m.

PLACE: Meet Me No.: (850)488-8295, Suncom No. 278-8295

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues related to the Long-Term Care Ombudsman Program.

A copy of the agenda or other information may be obtained by contacting: Office of the Long-Term Care Ombudsman, (850)414-2323.

The Florida **Department of Elder Affairs** announces a public hearing to which all persons are invited.

DATE AND TIME: June 26, 2003, 9:00 a.m. – 5:00 p.m.

PLACE: Department of Elder Affairs, Room 225F, 4040 Esplanade Way, Tallahassee, FL 32399-7000

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Advisory Council for the Office of Long-Term Care Policy to discuss the state of long-term care in Florida and methods for improvement.

To obtain a copy of the agenda, please contact Jennifer Sindt by phone at (850)414-2091, by email at [Sindtj@elderaffairs.org](mailto:Sindtj@elderaffairs.org) or by mail at 4040 Esplanade Way, Tallahassee, Florida 32399-7000.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the department at least 48 hours before the meeting by contacting Jennifer Sindt by phone at (850)414-2091. If you are hearing or speech impaired, please contact the department by calling (850)414-2001.

The **Department of Elder Affairs** announces a meeting to which all persons are invited.

Alzheimer's Disease Advisory Committee

DATE AND TIME: June 12, 2003, 8:30 a.m. – 3:30 p.m.

PLACE: Park Plaza Tampa Airport, Westshore Hotel. 5303 West Kennedy Boulevard, Tampa, Florida 33609, (813)289-1950, Contact: Arkeba Bouie, (850)414-2339

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss various issues regarding the Alzheimer's Disease Initiative.

#### DEPARTMENT OF MANAGEMENT SERVICES

The State of Florida, **State Technology Office** announces a Chief Information Officer (CIO) Council Meeting to which all persons are invited.

DATE AND TIME: Monday, June 16, 2003, 10:00 a.m. – 12:00 Noon

PLACE: Conference Room 124, Shared Resource Center, 2585 Shumard Oak Boulevard, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To enhance communication among the Chief Information Officers of state agencies and assist in identifying critical statewide information technology issues.

If you would like an agenda for this meeting or require special accommodations due to disability or physical impairment, please contact: Elaine Womble, Elaine.womble@myflorida.com or call (850)922-2680.

The State of **Florida Retirement Commission** announces public hearings to which all persons are invited.

DATES AND TIME: June 16-17, 2003, 8:30 a.m.

PLACE: Embassy Suites Hotel Tampa-Airport Westshore, 555 N. Westshore Boulevard, Tampa, Florida 33609

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the Agenda may be obtained by writing: State Retirement Commission, Department of Management Services, 4050 Esplanade Way, Suite 260, Tallahassee, Florida 32399-0950, (850)487-2410.

A party who decides to appeal any decision made at such hearings will need a verbatim record of the hearing and may need to ensure that one is made, including the testimony and evidence, upon which the appeal is to be based.

Persons requiring accommodation because of a physical, visual, auditory or speech impairment should contact the Commission Clerk at least ten days prior to the hearing. If you are hearing or speech impaired, call by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD). Hearing rooms and facilities are wheelchair accessible.

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida **Board of Architecture and Interior Design** announces the following meetings, to which all persons are invited to attend.

DATE AND TIME: June 13, 2003, 8:30 a.m.

PLACE: Smith, Thompson, Shaw & Manausa, P.A., 2075 Centre Pointe Boulevard, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting, portions may be closed to the public.

The following cases are open to the public:

Abby Brown; Case No. 2002-01141

Patricia Davidson; Case No. 2003-056009

Tomas Frenes; Case No. 2003-042110

La Bella Design; Case No. 2003-056026

Marlene M. Liriano; Case No. 2003-042402

Kise, Straw & Kolodner; Case No. 2003-043658

Thomas G. Lynn; Case No. 2003-044434

Lynn & Partners; Case No. 2003-044420

Joseph McHarris; Case No. 2003-042411

Michael McKnought-Smith; Case No. 2003-006875

Johnny Moore; Case No. 2003-045230

Douglas Mummaw; Case No. 2003-042282

Mummaw and Associates; Case No. 2003-042289

Joseph Rispoli; Case No. 2003-002397

Eduardo Roussell; Case No. 2003-004742

Joanna Russo; Case No. 2003-046984

Julie Schiff; Case No. 2003-042285

George J. Sorbara; Case No. 2003-042527

Rolando Sosa; Case No. 2003-002403

Tim Tripp; Case No. 2003-042259

2 WR Wilkins-Architects, Inc.; Case No. 2003-045081

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Smith, Thompson, Shaw & Manausa, P.A., 2075 Centre Pointe Boulevard, Tallahassee, FL 32308-4893.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for



such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Smith, Thompson, Shaw & Manausa, P.A., (850)402-1570, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Architecture and Interior Design** announces the following meetings, to be held by a telephone conference call to which all persons are invited to attend.

DATE AND TIME: June 23, 2003, 10:00 a.m. (Eastern Standard Time)

PLACE: Telephone No.: (850)410-0961 or (850)210-0961

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business Meeting.

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Architecture and Interior Design, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)487-8304, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Probable Cause Panel of the Florida **Real Estate Appraisal Board** announces a meeting to which all interested persons are invited. Portions of the probable cause proceedings are not open to the public.

DATE AND TIME: July 7, 2003, 10:00 a.m. or the soonest thereafter

PLACE: Suite 901, North Tower, Ninth Floor, 400 West Robinson Street, Orlando, Florida

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)481-5632, (between the hours of 9:00 a.m. – 4:00 p.m.) at least five calendar days prior to the meeting. If you are hearing or speech impaired,

please call the Real Estate Division using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Real Estate Commission** announces the meeting of the Education Foundation Committee, to be chaired by Vice-Chairman of the Commission, Carlos L. Valdes. Any interested party is encouraged to attend.

DATE AND TIME: Monday, June 16, 2003, 4:00 p.m. (Eastern Standard Time)

PLACE: VIA TELECONFERENCE or at Division of Real Estate, Conference Room 901, Hurston North Tower, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To establish procedure for disbursement of allocated Education Foundation funds.

THE PERSON TO BE CONTACTED REGARDING THE MEETING IS: Lori Crawford, Deputy Clerk, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801, (407)481-5632.

Any person requiring special accommodations due to a disability or physical impairment should contact the agency at least five days prior to the meeting in order to request any special assistance by calling (407)481-5632.

The Probable Cause Panel of the Florida **Real Estate Commission** announces a meeting to which all interested persons are invited. Portions of the probable cause proceedings are not open to the public.

DATE AND TIME: June 17, 2003, 9:30 p.m. or the soonest thereafter

PLACE: Zora Neale Hurston Building, North Tower, Suite 901N, 400 West Robinson Street, Orlando, Florida

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)481-5632 (between the hours of 9:00 a.m. – 4:00 p.m.), at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Division using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Real Estate Commission** (FREC) announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, June 17, 2003, 2:00 p.m. – completion of applicant agenda; reconvening Wednesday, June 18, 2003, 8:30 a.m.

PLACE: Division of Real Estate, Commission Meeting Room 901-N, North Tower, 400 West Robinson Street, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Florida Administrative Code 61J2 rule amendments, budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, and disciplinary actions.

If a person decides to appeal a decision made by the Commission, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required.

A copy of the agenda may be obtained by writing: Deputy Clerk of the Florida Real Estate Commission, 400 W. Robinson Street, Suite 802, Orlando, Florida 32801-1772.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation, (407)481-5632, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The **Bureau of Petroleum Storage Systems** along with the **Florida Petroleum Marketers Association** announces a meeting to review the new Preapproval Program cleanup procedures to which all persons are invited:

DATE AND TIME: Thursday, June 19, 2003, 8:30 a.m. – 5:00 p.m.

PLACE: Crowne Plaza, 555 Hazeltine Drive (near the Orlando International Airport), Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Some or all of the following topics may be discussed in this or some other order: Revised Preapproval Remediation and Remedial Action Plan (RAP) Initiative, Review of Preapproval Program Implementation Procedures for FY 2003/2004, Review of Preapproval New Bid Procedures for Source Removal, and Establishment of Preapproval New Review Procedures for Complicated Remediation Sites.

A copy of the agenda may be obtained by writing: Glenn MacGraw, Environmental Chairman, FPMA, 209 Office Plaza, Tallahassee, FL or by calling Mr. MacGraw, (850)322-1506 or e-mail: gmacgraw@handesmail.com.

DEP contact for this meeting: Roger W. Rook, Program Administrator, Bureau of Petroleum Storage Systems, (850)245-8822 or e-mail: roger.rook@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate at this meeting is asked to advise the agency at least

48 hours before the meeting by contacting Mr. Rook or the Personnel Service Specialist, Bureau of Personnel, (850)245-2511.

The Florida **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: June 19, 2003, 10:00 a.m. – completion of business

PLACE: South Florida Water Management District, Fort Lauderdale Field Station, 2535 Davie Road, Ft. Lauderdale, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting to discuss the implementation of the Statewide Invasive Species Management Plan for Florida, a comprehensive plan that coordinates the responsibilities of the state agencies to manage and prevent biological invasions.

A copy of the agenda and draft may be obtained by writing: Don C. Schmitz, Department of Environmental Protection, Division of State Lands, Bureau of Invasive Plant Management, 3900 Commonwealth Boulevard, M.S. 705, Tallahassee, FL 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Bureau of Personnel Services, (850)245-2511. If you are hearing or speech impaired, please contact the Florida Relay Service by calling 1(800)955-8771 (TDD).

The full text of this notice is published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

The **Department of Environmental Protection** will hold a one-day public workshop.

DATE AND TIME: June 27, 2003, 10:00 a.m. – 5:30 p.m.

PLACE: Room 609, Department of Environmental Protection, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss a new proposed Rule Chapter 62-780, F.A.C., Non-Program Contaminated Site Cleanup, and the associated rule, Chapter 62-777, F.A.C., Contaminant Cleanup Target Levels, that Chapter 62-780, F.A.C., will reference for cleanup target levels. The department welcomes all public comments related to this rule development.

The full text of this notice will be published on June 6, 2003 on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button entitled “Official Notices.”

The **Department of Environmental Protection** announces a public hearing to which all interested persons are invited.

DATE AND TIME: July 9, 2003, 2:00 p.m.

PLACE: Room 611, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive testimony and public comment and to take final action on the adoption of the FY 2004 State Revolving Fund (SRF) priority list for water pollution control loan projects under Rule 62-503, Florida Administrative Code (FAC), and to manage the Disadvantaged Small Community Grant priority list of wastewater projects under Chapter 62-505, FAC. Approximately \$300 million is projected to be available for assignment to qualifying wastewater, stormwater, or nonpoint source projects for loans. No funds are expected to be available for assignment to new projects on the Financially Disadvantaged Small Community Grant priority list.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

For more information regarding the Notice, please contact: Gary Powell, (850)245-8358.

---

The **Department of Environmental Protection**, Recreational Trails Program has announced that the RTP Advisory Committee will meet via teleconference as follows:

DATE AND TIME: Friday, June 13, 2003, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will discuss the Priority List for the 2003 submission cycle.

Meeting information may be obtained from the Office of Greenways and Trails, Department of Environmental Protection, Mail Station #795, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, (850)245-2052

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

---

NOTICE OF RE-SCHEDULED PUBLIC HEARING – The **Department of Environmental Protection** announces a re-scheduled public hearing by the Division of Administrative Hearings.

DATES AND TIME: July 29, 2003, 9:00 a.m.; continuing July 30-31, 2003, 9:00 a.m., if necessary

GENERAL SUBJECT MATTER TO BE CONSIDERED: To take testimony and evidence concerning the environmental effects and any other appropriate matters regarding the site certification of the proposed Lee County Solid Waste Energy Recovery Facility, DOAH Case No. 02-4573EPP, DEP-OGC

Case No. 02-1951, Power Plant Siting Application No. 90-30SA1, pursuant to the Florida Electrical Power Plant Siting Act, ss. 403.501-518, Florida Statutes.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

---

#### DEPARTMENT OF HEALTH

The **Department of Health**, Community Environmental Health Advisory Board, announces a meeting to be conducted by telephone conference call.

DATES AND TIMES: June 18, 2003, 12:00 Noon – 2:00 p.m. (EST)

PLACE: The toll free number for this call is 1(888)461-8118, Tallahassee area (850)414-5775, Suncom 994-5775

PURPOSE: To conduct general business of the board.

A copy of the agenda may be obtained by writing: Ric Mathis, Department of Health, Bureau of Facility Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1710 or by calling (850)245-4444, Extension 2337.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 5 days before the workshop/hearing/meeting by contacting the board office, (850)487-0004. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the board with respect to any matter considered at the above-cited meeting, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

---

NOTICE OF CHANGE – The **Department of Health**, Dietetics and Nutrition Practice Council, under the **Board of Medicine**, announces a General Business Meeting.

DATE AND TIME: July 11, 2003, 2:00 p.m. or soon thereafter  
GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting and Conference Call.

PLACE: Number – (850)278-5778, Suncom (850)488-5778

A copy of the agenda may be obtained by writing: Department of Health, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255 or by calling the council office at (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the council office at

(850)245-4373. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the council with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Board of Nursing** will hold the following meetings, to which all persons are invited to attend.

Education Committee Meeting (Change in date/ time 2003)

DATE AND TIME: June 12, 2003, 8:30 a.m.

PLACE: Wyndham Miami Airport, 3900 N. W. 21st Street, Miami, Florida 33142

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider matters relating to nursing programs.

Education Committee Meeting

DATE AND TIME: August 14, 2003, 8:30 a.m.

PLACE: Holiday Inn Select, 316 West Tennessee Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider matters relating to nursing programs.

Education Committee Meeting

DATE AND TIME: October 9, 2003, 8:30 a.m.

PLACE: Adams Mark, 225 Coast Line Drive, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider matters relating to nursing programs.

The **Board of Nursing**, Probable Cause Panel will hold a duly noticed conference call meeting, to which all persons are invited to attend.

DATE AND TIME: June 17, 2003, 4:30 p.m.

PLACE: Department of Health, Tallahassee, FL, Meet Me Number (850)921-6599

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4125, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Dan Coble, Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

The **Department of Children and Family Services**, District 11, Miami-Dade Community Based Care Alliance, Membership Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, June 19, 2003, 8:30 am. – 10:00 a.m.

PLACE: Rhode Building, 401 N. W. 2nd Avenue, Suite S-1014 Conference Room, Miami, Florida 33128, (305)377-7050

GENERAL SUBJECT MATTER TO BE CONSIDERED: Miami-Dade Community Based Care Alliance Membership Committee Meeting.

For copies of the agenda, further information, or person requiring accommodations in order to participate in this meeting should contact Dr. Ray Thomlison, Director, (305)348-4712, or in writing by close of business (5:00 p.m.) no later than five working days prior to the meeting.

The **Department of Children and Family Services**, District 13, Mental Health Program Office, announces a public meeting to which all persons are invited:

DATE AND TIME: June 13, 2003, 11:00 a.m.

PLACE: District 13 Headquarters, 1601 W. Gulf Atlantic Hwy, Room 2004, Wildwood, Florida 34785

GENERAL SUBJECT MATTER TO BE CONSIDERED: The department is seeking public input and information regarding the designation of Springbrook Hospital Inc. as a private Baker Act receiving facility.

Persons with disabilities requiring accommodations in order to participate in this event should contact the following person by telephone or in writing by close of business no later than four working days prior to the meeting.

For further information, contact Marilyn Connor, (352)330-2177, Ext. 6356.

**FLORIDA HOUSING FINANCE CORPORATION**

The **Florida Housing Finance Corporation** announces the following Review Committee meeting to which all persons are invited to attend:

DATE AND TIME: Friday, June 13, 2003, 2:00 p.m.

PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, FL 32301-1329

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To discuss the evaluation of responses submitted for Florida Housing Finance Corporation's Request for Qualifications # 2003/03 for Trustee services.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Robin Grantham, at Florida Housing Finance Corporation, (850)488-4197, at least five (5) calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing Finance Corporation using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by Florida Housing Finance Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings be made, which record shall include the testimony and evidence upon which the appeal is to be based.

**FLORIDA SELF-INSURERS GUARANTY ASSOCIATION**

The **Florida Self-Insurers Guaranty Association, Inc.** announces a telephone conference meeting of the Finance Committee of its Board of Directors in which all interested persons are invited to attend.

**DATE AND TIME:** Tuesday, June 10, 2003, 2:00 p.m.

**PLACE:** Florida Hotel and Motel Association Building, 200 W. College Avenue, Suite 115, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** FSI GA investments and other business.

Information on the meeting may be obtained by contacting: Brian Gee, Florida Self-Insurers Guaranty Association, 200 W. College Avenue, Suite 115, Tallahassee, Florida 32301, (850)222-1882.

**FLORIDA HEALTHY KIDS CORPORATION**

The **Florida Healthy Kids Corporation** announces its Board of Directors Meeting to which all persons are invited to attend.

**DATE AND TIME:** June 16, 2003

**PLACE:** The Savannah Center, 1545 Buena Vista, The Villages, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Meeting of the Board of Directors.

Further details and an agenda for the meeting may be obtained by contacting: Florida Healthy Kids Corporation, P.O. Box 980, Tallahassee, Florida 32302 or by calling (850)224-5437.

**CRIMINAL JUSTICE TRAINING COUNCIL**

The Region IV, **Criminal Justice Training Council** announces a telephonic conference to be held:

**DATE AND TIME:** June 16, 2003, 2:00 p.m.

**PLACE:** Santa Fe Community College, Institute of Public Safety, 3737 N. E. 39th Avenue, Gainesville, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Approval of budget amendments and programmatic changes to the Region IV Criminal Justice Training Trust Fund operating budget, FY 2002-2003.

Anyone who wishes to be included may contact: Daryl Johnston, Director, SFCC Institute of Public Safety, 3737 N. E. 39th Avenue, Gainesville, Florida 32609.

**FLORIDA SURPLUS LINES SERVICE OFFICE**

The **Florida Surplus Lines Service Office**, Board of Governors' announces a public meeting to which all interested parties are invited:

**BOARD OF GOVERNORS' QUARTERLY MEETING**

**DATE AND TIME:** Wednesday, July 30, 2003, 1:00 p.m.

**PLACE:** Boca Raton Resort & Club, 501 E. Camino Real, Boca Raton, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Business Matters.

A copy of the agenda may be obtained by sending a faxed request to Georgie Barrett, (850)513-9624.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this meeting should contact Georgie a week prior to the meeting at (850)224-7676, Ext. 19.

**Section VII  
Notices of Petitions and Dispositions  
Regarding Declaratory Statements**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a petition for declaratory statement In Re: Petition for Declaratory Statement, Lauralee Larsen, Unit Owner, Sea Monarch Condominium, Petitioner, on May 16, 2003.

The Petitioner request a declaratory statement as to whether an association rule requiring guests to sign an overnight guest registration form violates Section 718.106, Florida Statutes.

A copy of the Petition for Declaratory Statement, Docket Number 2003062379, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation,

Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed May 27, 2003, by Smith Property Holdings. The Petition is seeking clarification regarding the application of NFPA 101, Subdivision 30.3.4.3.1. Specifically the petitioner asks: Is it the intent of the Florida Fire Prevention Code (Life Safety Code) 30.3.4.3 to require fire alarm audibility levels as described in NFPA 72 to be provided on individual outside balconies of apartment buildings?

A copy of the Petition for Declaratory Statement may be obtained by writing: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, or by calling Kimberly Riordan, (850)413-3170, or by faxing the request to (850)922-1235, Attn: Gabriel Mazzeo.

**Section VIII**

**Notices of Petitions and Dispositions Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

Florida Chapter, ACP-ASIM, Inc. and Florida Society of Dermatology and Dermatologic Surgery, Inc. vs. Department of Health, Board of Medicine; Case No.: 03-1752RP; Rule No.: 64B8-30.012

J. A. Jones Environmental Services Company vs. Department of Environmental Protection; Case No.: 03-1483RU

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

Florida Home Builders Association, Inc., Florida A.G.C. Council, Inc. and Wackenhut Corrections Corporation and Florida School Boards Association vs. Department of Revenue; Case No.: 02-3146RP; Rule No.: 12A-1.094(1)-(4); Dismissed

Louis Dreyfus Citrus, Inc., Tampa Juice Service, Inc., Pasco Beverage Company and Juice Source, L.L.C. and Country Pure Foods, Inc. vs. Department of Citrus; Case No.: 03-0595RP; Rule No.: 20-15; Invalid

Meadowbrook Long Term Acute Hospital of West Gables, LLC. vs. Agency for Health Care Administration; Case No.: 03-0965RP; Rule No.: 59C-1.045; Dismissed

J. A. Jones Environmental Services Company vs. Department of Environmental Protection; Case No.: 03-1483RU; Dismissed

**Section IX**

**Notices of Petitions and Dispositions Regarding Non-rule Policy Challenges**

**NONE**

**Section X**

**Announcements and Objection Reports of the Joint Administrative Procedures Committee**

**NONE**

**Section XI**

**Notices Regarding Bids, Proposals and Purchasing**

**DEPARTMENT OF EDUCATION**

**REQUEST FOR BID**

The University of Florida, Purchasing Division will receive sealed bids for the following: 04L-107, Housing Project BR131-298, Diamond Village Building 298 Renovation, estimated budget: \$400,000-\$450,000, to be opened July 3, 2003, at 3:00 p.m. Local Time. Scope of work: Interior spaces are vacant and scheduled for partial demolition followed by the reconstruction with new materials. A complete new mechanical split system is included. Portions of the existing electrical and plumbing systems will be re-used. Specifications and Plans are available in Central Purchasing, Elmore Hall, Radio Road, Gainesville, FL 32611, Telephone (352)392-1331. A Mandatory Pre-Bid Meeting will be held June 16, 2003, at 10:00 a.m. at Diamond Commons, corner of Diamond Road and SW 13th Street, Gainesville, FL. All questions should be directed to A.J. Sontag, Associate Director, UF Purchasing (352)392-1331 Ext. 304. AMERICANS WITH DISABILITY ACT OF 1991 – If special

accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Emily J. Hamby, (352)392-1331, Ext. 303, within three (3) days of the event.

---

**NOTICE REGARDING ELECTRONIC POSTING**

Pursuant to Section 287.042(3)(b)2., Florida Statutes, the DeSoto County School District hereby provides notice of the following URL for the centralized website that will be used for electronically posting solicitations, decisions or intended decisions, and other matters relating to procurement:

<http://desotoschools.com/purchasing.htm>

---

**Notice to Bidders**

The School District of Lee County, Florida

Purchasing Department

BID REQUEST FOR:

**FRESH MILK & OTHER DAIRY PRODUCTS**

BID NO. 6096

OPENING DATE: JUNE 20, 2003, MONDAY, 2:00 P.M., EST

Request a bid package by:

Phone (239)479-4250, Fax (239)337-8200

In Person or Mail: 3308 Canal Street, Fort Myers, Florida 33916-6594

Complete bid package available only upon request.

---

**DEPARTMENT OF MANAGEMENT SERVICES**

**NOTICE REGARDING ELECTRONIC POSTING**

Pursuant to Section 287.042(3)(b)2., Florida Statutes, the Department of Management Services hereby provides notice of the following URL for the centralized website that will be used for electronically posting solicitations, decisions or intended decisions, and other matters relating to procurement:

[http://fcn.state.fl.us/owa\\_vbs/owa/vbs\\_www.main\\_menu](http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu)

Viewers may navigate to this URL via the State portal, [www.myflorida.com](http://www.myflorida.com); from the main page, drill down as follows: Business; Doing Business with the State; Vendor Bid System (VBS).

---

**HILLSBOROUGH COUNTY AVIATION AUTHORITY**

**NOTICE TO PROFESSIONAL CONSULTANTS**

The Hillsborough County Aviation Authority hereby requests, pursuant to the Consultants Competitive Negotiation Act, Florida Statutes 287.055, letters of interest from architectural/engineering firms or individuals desiring to render professional services for the following project:

**CONSTRUCT OR REHABILITATE HANGARS AND T-HANGARS AND RELATED WORK  
PETER O. KNIGHT, VANDENBERG AND  
PLANT CITY AIRPORTS**

HCAA PROJECT NOS. 4610, 4745, 4760, AND 4765

Services to be furnished shall include, but not be limited to, all architectural design and all engineering related to civil, utilities, taxiways, taxilanes, blast pads, structural, mechanical, plumbing, electrical, related surveys, testing and geotechnical engineering; and basic architectural/engineering services during construction. A more detailed scope of services will be included in the formal request for proposals.

Qualified consultants desiring consideration for this project must give written notification in the form of a letter of interest to: Louis P. Russo, Jr., Acting Senior Director of Planning and Development, Hillsborough County Aviation Authority, Post Office Box 22287, Tampa, Florida 33622.

The letters of interest must be received at or before 5:00 p.m., local time, Monday, June 30, 2003. For additional information go to the Authority's website at [www.tampaairport.com](http://www.tampaairport.com); Contracts & Business Information' RFP/RFQ/RFI Information on or after Thursday, July 10, 2003.

---

**NOTICE TO PROFESSIONAL CONSULTANTS**

The Hillsborough County Aviation Authority hereby requests, pursuant to the Consultants Competitive Negotiation Act, Florida Statutes 287.055, letters of interest from architectural/engineering firms desiring to render professional services for the following:

**CONTINUING CONSULTING ENGINEERING SERVICES**

The agreement for continuing consulting engineering services is intended to provide design services for specific projects selected by the Authority. The consulting engineer may be tasked by the Authority to perform 100% design of projects or to provide technical engineering disciplines to supplement Authority staff in the design. The consulting engineer must have on staff and be able to propose lead architectural, mechanical, electrical, structural and civil engineering personnel. Specialized services the consulting engineer may be tasked to provide include fire protection engineering, electronic systems, communications/IT systems, traffic, marine engineering services, land surveying and materials testing. A more detailed scope of services will be included in the formal request for proposals.

Qualified consultants desiring consideration for this project must give written notification in the form of a letter of interest to: Louis P. Russo, Acting Senior Director of Planning and Development, Hillsborough County Aviation Authority, Post Office Box 22287, Tampa, Florida 33622.

A mandatory pre-proposal conference will be held in the Authority board room, located on the third floor – blue side, on Monday, June 23, 2003 at 2:00 p.m. The letters of interest must be received at or before 5:00 p.m., local time, Wednesday, June 18, 2003.

For additional information go to the Authority website at www.tampaairport.com; Contracts & Business Information; RFP/RFQ/RFI Information on or after Friday, June 20, 2003.

**Section XII  
Miscellaneous**

**DEPARTMENT OF COMMUNITY AFFAIRS**

DCA Final Order No.: DCA-03-OR-129  
STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: CITY OF MARATHON LAND DEVELOPMENT  
REGULATIONS ADOPTED BY CITY OF  
MARATHON  
ORDINANCE NO. 2003-05

**FINAL ORDER**

The Department of Community Affairs (the “Department”) hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2002), rejecting a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

**FINDINGS OF FACT**

1. The Florida Keys Area is a statutorily designated area of critical state concern, and the City of Marathon is a local government within the Florida Keys Area.

2. On April 4, 2003, the Department received for review City of Marathon Ordinance No. 2003-05, which was adopted by the City of Marathon City Council on March 11, 2003 (“Ord. 2003-05”).

3. Ord. 2003-05 amends Section 9.5-11 (R-17) Definitions, of the Land Development Regulations by changing the definition of a “hotel room” for density restriction purposes to allow either a single room or a suite of rooms with a maximum of three (3) bedrooms and three (3) bathrooms, a dining area, and one other living area. Two bedroom suites are limited to 1090 square feet and three bedroom suites are limited to 1560 square feet.

4. Ord. 2003-05 is not consistent with the City’s 2010 Comprehensive Plan.

**CONCLUSIONS OF LAW**

5. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2002).

6. The City of Marathon is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2002) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.

7. “Land development regulations” include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2002). The regulations adopted by Ord. 2003-05 are land development regulations.

8. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the “Principles”) set forth in § 380.0552(7), Fla. Stat. See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff’d, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.

9. Ord. 2003-05 does not promote and further the following Principle:

(a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

Hotel redevelopment as two and three bedroom suites with increased occupancy rates will have negative impacts on infrastructure capabilities, hurricane evacuation, and water consumption. The proposed ordinance is inconsistent with the Monroe County Comprehensive Plan. If the Department approves the City of Marathon’s proposed Comprehensive Plan, this ordinance could provide for the rebuilding at the higher occupancy rate almost all of the 1135 available units in Marathon.

10. Ord. 2003-05 does not promote and further the following Principle:

(j) To make available adequate affordable housing for all sectors of the population of the Florida Keys.

The increased occupant loads at redeveloped hotels and motels will require additional staff. The proposed ordinance will increase the demand for affordable housing, exacerbating the current shortage of affordable housing for service workers.

11. Ord. 2003-05 does not promote and further the following Principle:

(k) To provide adequate alternatives for the protection of public safety, and welfare in the event of a natural or manmade disaster and for a postdisaster reconstruction plan.



Traffic impacts from redeveloped two or three bedroom suites as opposed to single room hotel rooms will include higher gross vehicle utilization as a result of additional staff and unrelated occupants sharing suites. The current hurricane model utilized for evacuation analysis indicates that the evacuation plan timeframe of 24 hours for the Keys has been exceeded.

12. Ord. 2003-05 does not promote and further the following Principle:

(1) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.

Ord. 2003-05 will exacerbate existing storm evacuation shortfalls, affordable housing shortages, and impact available water supplies and transportation facilities.

13. Ord. 2003-05 is inconsistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 2003-05 is found to be inconsistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby REJECTED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

/s/ \_\_\_\_\_  
H.E. "SONNY" TIMMERMAN, DIRECTOR  
Division of Community Planning  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED

REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 28th day of May, 2003.

/s/ \_\_\_\_\_  
Paula Ford, Agency Clerk

By U.S. Mail:  
Honorable John Bartus, Mayor  
City of Marathon  
10054-55 Overseas Highway  
Marathon, Florida 33050

Katherine V. Selchan, City Clerk  
City of Marathon  
210 University Drive  
Coral Springs, Florida 33071

Scott Janke  
City Manager  
City of Marathon  
10054-55 Overseas Highway  
Marathon, Florida 33050

John R. Herin, Jr.  
Weiss, Serota, Helfman, Pastoriza and Guedes, P.A.  
City Attorney  
City of Marathon  
2665 South Bayshore Drive, Suite 420  
Miami, Florida 33133

By Hand Delivery or Interagency Mail:  
Jim Quinn, DCA Tallahassee  
Rebecca Jetton, DCA Florida Keys Field Office  
David L. Jordan, Deputy General Counsel, DCA Tallahassee  
Timothy E. Dennis, Assistant General Counsel, DCA Tallahassee

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLID-0103-011  
DATE RECEIVED: May 27, 2003  
DEVELOPMENT NAME: UNNAMED MIXED USE – EBSCO  
DEVELOPER/AGENT: EBSCO Industries, Inc./  
DEVELOPMENT TYPE: 28-24.031, 28-24.020, 28-24.023, 28-24.026, , F.A.C.  
LOCAL GOVERNMENT: Walton County

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for the Relocation of a Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that General Motors Corporation, intends to allow the relocation of Vince Whibbs Pontiac-Buick-GMC, as a dealership for the sale of Pontiac and GMC vehicles, from its present location at 3401 Navy Blvd., Pensacola Florida 32505, to a proposed location at 5651 Pensacola Blvd., Pensacola, Florida (Escambia), Florida 32505, on or after June 20, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Vince Whibbs Pontiac-Buick-GMC are dealer operator: MarkT. Whibbs, 3401 Navy Blvd., Pensacola Florida 32505; principal investor(s): Vince Whibbs, Sr., 3401 Navy Blvd., Pensacola, Florida 32505, Greg Whibbs, 3401 Navy Blvd., Pensacola, Florida 32505, John Whibbs, 3401 Navy Blvd., Pensacola, Florida 32505, Ann Brown, 3401 Navy Blvd., Pensacola, Florida 32505, Kathleen Matthews, 3401 Navy Blvd., Pensacola, Florida 32505. The notice indicates intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900, Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Angela M. Helt, Dealer Contractual Manager, General Motors Corporation, Dealer Contractual Group, Postal Code 482-A07-C66, 100 Renaissance Center, Detroit, Michigan 48265-1000.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for the Relocation of a  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Nissan North America, Inc., intends to allow the relocation of Napleton's Northlake Nissan, Inc. d/b/a Napleton's Northlake Nissan ("Napleton's"), as a dealership for the sale of Nissan automobiles, from its present location at 572 Northlake Boulevard, North Palm Beach, Florida 33408, to a proposed location at South Industrial Boulevard and Blue Heron Boulevard, Riviera Beach, corner of I-95 and Blue Heron Boulevard (Palm Beach County), Florida 33404, on or after May 22, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Napleton's Northlake Nissan, Inc. d/b/a Napleton's Northlake Nissan ("Napleton's") are dealer operator: Edward F. Napleton, 406 North Monroe, Hindsdale, IL 60521 and Kristen Anne Napleton, 3496 South Ocean Boulevard, South Palm Beach, Florida 33480; principal investor(s): Edward F. Napleton, 406 North Monroe, Hindsdale, IL 60521 and Kristen Anne Napleton, 3496 South Ocean Boulevard, South Palm Beach, Florida 33480. The notice indicates intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900, Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Andrew C. Delbrueck, Market Representation Manager, Southeast Region, Nissan North America, Inc., P.O. Box 23017, Jacksonville, Florida 32241-3017.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

#### AGENCY FOR HEALTH CARE ADMINISTRATION

The Florida Agency for Health Care Administration (the Agency), Bureau of Medicaid Program Analysis provides the following public notice regarding reimbursement for inpatient hospitals participating in the Florida Medicaid Program.

**PURPOSE:** To comply with federal public notice requirements in Section 1902(a)(13)(A) of the Social Security Act in changing reimbursement for inpatient hospitals, the Agency is publishing the proposed rates, the methodologies underlying the establishment of such rates, and justifications for the proposed rates. The Agency is in the process of amending its Title XIX Inpatient Hospital Reimbursement Plan (The Plan) to incorporate changes to the reimbursement methodology.

**PROPOSED RATES:** Effective June 7, 2003, the proposed rates for Medicaid inpatient hospitals will be rates resulting from the current methodology except for the following:

Effective June 7, 2003, Reimbursement for adult (age 21 and over) heart and liver transplant evaluations and transplant surgery services will be paid the actual billed charges up to a global maximum rate established by the Agency. These payments will be made to physicians and facilities that have met specified guidelines and are established as designated transplant centers as appointed by the Secretary of the Agency. The global maximum reimbursement for transplant surgery services is an all-inclusive payment and encompasses 365 days of transplant related care.

**METHODOLOGIES:** The methodology underlying the establishment of the proposed rates for Medicaid inpatient hospitals will be rates resulting from the current methodology used to calculate per diems except reimbursement for adult (age 21 and over) heart and liver transplant evaluations and transplant surgery services will be paid the actual billed charges up to a global maximum rate established by the Agency. These payments will be made to physicians and facilities that have met specified guidelines and are established as designated transplant centers as appointed by the Secretary of the Agency. The global maximum reimbursement for transplant surgery services is an all-inclusive payment and encompasses 365 days of transplant related care.

**JUSTIFICATION:** The justification for the proposed rate change is to maximize available funding for liver transplants that expires on June 30, 2003, the end of the state fiscal year.

The Agency is proposing the above rates and changes in reimbursement, effective June 7, 2003. Providers, beneficiaries and their representatives, and other concerned State residents may provide written comment on the proposed rates, methodologies and justification underlying the establishment of such rates.

Written comments may be submitted to: Robert Butler, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 21, Tallahassee, Florida 32308. Written comments should be submitted no later than June 20, 2003.

Copies of the proposed reimbursement plan incorporating the above changes are available from the contact person listed above.

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

##### FLORIDA FINDING OF NO SIGNIFICANT IMPACT

The Florida Department of Environmental Protection has determined that the project involving wastewater collection and treatment facilities for the City of Frostproof will not adversely affect the environment.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices." For more information regarding the Finding of No Significant Impact, please call Troy Mullis, (850)245-8358.

##### NOTICE OF APPLICATIONS RECEIVED FOR PERMIT COVERAGE UNDER THE STATE'S GENERIC PERMIT FOR MS4'S

Notice is hereby given that the Department has received applications for permit coverage under the State's Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button entitled "Official Notices."

The person to be contacted regarding the propose rule is: Sarah Jozwiak, NPDES Stormwater Section, Florida Department of Environmental Protection, Mail Station 2500, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

The Department of Environmental Protection will accept Fiscal Year 2004-2005 grant applications for the Florida Recreation Development Assistance Program (FRDAP) as follows:

APPLICATION SUBMISSION PERIOD: August 12, 2003 – September 12, 2003

Applications must be postmarked before or on the last date of the program application period.

PHONE (850)488-7896, SUNCOM 278-7896, FAX (850)488-3665, SUNCOM 278-3665

The full text of this notice may be found on the DEP website at <http://www.dep.state.fl.us> under the button titled Official Notices.

#### NOTICE OF PUBLIC OPPORTUNITY TO COMMENT ON A PLAN OF EXPLORATION PROPOSED IN THE EASTERN GULF OF MEXICO

On May 23, 2003, the DEP Office of Intergovernmental Programs received an Initial Plan of Exploration for Lloyd Ridge Blocks 47, 91 and 135, by Anadarko Petroleum Corporation, pursuant to the state consistency requirements of 15 CFR 930. The deadline for public comments is July 11, 2003.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices".

Contact person: Debby Tucker, (850)245-2163, email address [Debby.Tucker@dep.state.fl.us](mailto:Debby.Tucker@dep.state.fl.us).

#### DEPARTMENT OF JUVENILE JUSTICE

The Florida Department of Juvenile Justice has posted the following policy for review and comment on MyFlorida.com at:

<http://www.djj.state.fl.us/reference/policiesandprocedures/policyreview.html>.

The department-wide policy (type B) addresses the following issue: Staff Development in Residential and Correctional Facilities – sets forth the requirements of orientation and in-service training of staff and volunteers in residential and correctional programs. This is the first of two - 20 working day review and comment periods. Please submit comments to the contact person identified on the above Website. The closure date for submission of comments on the policy is June 19, 2003. Responses to comments received will be posted during the review period to the extent possible, but no later than 10 working days after the end of the review period on the above Website.

In addition to the above, the Matrix of Comments as the result of a second posting of the Needs Assessment and Performance Planning in Residential and Correctional Facilities Policy has also been posted at the above Website address.

#### DEPARTMENT OF HEALTH

On May 27, 2003, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Val N. Manocchio, M.D., license number ME 39044. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On May 27, 2003, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Stacey Libengood, L.P.N., license number PN 1153011. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8), and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

---

On May 27, 2003, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Clinton Shaffer, C.N.A., license number CNA 0599333685021. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

---

On May 27, 2003, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Thad Riley, R.Ph, license number PS 33127. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6),

Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

---

## **FISH AND WILDLIFE CONSERVATION COMMISSION**

### **NOTICE TO COASTAL LOCAL GOVERNMENTS DERELICT VESSEL REMOVAL GRANT PROGRAM**

The Florida Fish and Wildlife Conservation Commission is administering a grant program to provide funding to coastal local governments for the reimbursement of the removal of derelict vessels from coastal waters of the State. An abandoned vessel becomes a derelict only after all available means to have the rightful owner remove the vessel have failed. An investigation is conducted by the local Florida Fish and Wildlife Conservation office and can involve court orders requiring the removal. In many cases the attempt to identify the owner is unsuccessful, and after proper notice the vessel is declared derelict. Only after this declaration, is the vessel eligible for removal under this grant program.

Applications will be accepted from June 1, 2003, through July 15, 2003. Applications must be postmarked no later than July 15, 2003 or delivered in person by 5:00 p.m. on July 15, 2003.

Applications are available on-line at [www.floridaconservation.org](http://www.floridaconservation.org) (Boating) or by writing or calling:

Wendy Huszagh or Ginni Joyner

Florida Fish and Wildlife Conservation Commission

Division of Law Enforcement

620 South Meridian Street

Tallahassee, FL 32399-1600

(850)488-5600

---

**DEPARTMENT OF FINANCIAL SERVICES**

**SECURITIES GUARANTY FUND**

NOTICE IS HEREBY GIVEN that the Office of Financial Institutions and Securities Regulation, on April 25, 2003, issued a Notice of Intent to Enter a Final Order Approving Payment from the Securities Guaranty Fund in Administrative Proceeding No. 2666-S-5/00 to Harry Lang regarding the activities of FAIRCHILD FINANCIAL GROUP, INC. f/k/a VTR CAPITAL, INC., CRD #21404. Those persons whose substantial interests may be determined by this proceeding are advised that they may request a hearing concerning the Notice of Intent, to be conducted in accordance with the provisions of Sections 120.569 and 120.57, Florida Statutes. The petition for hearing must comply with Rules 28-106.201, 28-106.301, or 28-107.004, Florida Administrative Code, and must be received within twenty-one (21) days of the date of publication of this notice. Petitions shall be filed with:

Agency Clerk

Office of Financial Institutions and Securities Regulation  
Fletcher Building, Suite 526  
200 East Gaines Street  
Tallahassee, Florida 32399-0379

FAILURE OF A RESPONDENT TO TIMELY FILE A REQUEST FOR HEARING WITHIN THE 21 DAY TIME PERIOD, SHALL CONSTITUTE A WAIVER OF THAT RESPONDENT'S RIGHT TO REQUEST A HEARING ON ANY MATTER SET FORTH IN THE NOTICE OF INTENT, AND THE OFFICE WILL ISSUE ITS FINAL ORDER TAKING ACTIONS SET FORTH IN THE NOTICE OF INTENT.

---

**NOTICE OF FILINGS**

Notice is hereby given that the Office of Financial Institutions and Securities Regulation has received the following applications. Comments may be submitted to the Deputy Director, Financial Institutions, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Institutions and Securities Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379, pursuant to provisions specified in Rule 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., June 27, 2003):

**APPLICATION TO ACQUIRE CONTROL**

Financial Institution to be Acquired: United Trust Company, St. Petersburg, Florida

Proposed Purchaser: Sabal Holdings Inc., St. Petersburg, Florida

Received: May 20, 2003

---

**Section XIII**  
**Index to Rules Filed During Preceding Week**

**RULES FILED BETWEEN May 19, 2003  
 and May 23, 2003**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

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

12A-1.0015	5/23/03	6/12/03	29/5	
12A-1.038	5/23/03	6/12/03	29/5	29/18
12A-1.039	5/23/03	6/12/03	29/5	
12A-1.059	5/23/03	6/12/03	29/5	
12A-1.060	5/23/03	6/12/03	29/5	
12A-1.064	5/23/03	6/12/03	29/5	29/18
12A-1.0641	5/23/03	6/12/03	29/5	
12A-1.071	5/23/03	6/12/03	29/5	
12A-1.0911	5/23/03	6/12/03	29/5	
12A-1.097	5/23/03	6/12/03	29/5	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

**WATER MANAGEMENT DISTRICTS**  
**South Florida Water Management District**

40E-2.091	5/20/03	6/9/03	29/13	
40E-24.011	5/23/03	6/12/03	29/4	
40E-24.101	5/23/03	6/12/03	29/4	
40E-24.201	5/23/03	6/12/03	29/4	
40E-24.301	5/23/03	6/12/03	29/4	
40E-24.401	5/23/03	6/12/03	29/4	

**AGENCY FOR HEALTH CARE ADMINISTRATION**  
**Health Care Cost Containment Board**

59E-5.102	5/19/03	6/8/03	29/9	
-----------	---------	--------	------	--

**Medicaid Program Office**

59G-6.010	5/22/03	6/11/03	29/14	
59G-8.200	5/22/03	6/11/03	29/8	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

61-24.004	5/20/03	6/9/03	29/11	
61-24.012	5/20/03	6/9/03	29/11	

**Board of Professional Engineers**

61G15-22.0003	5/19/03	6/8/03	29/16	
---------------	---------	--------	-------	--

**Florida Real Estate Appraisal Board**

61J1-8.002	5/19/03	6/8/03	29/10	
------------	---------	--------	-------	--

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

64B17-3.006	5/23/03	6/12/03	28/50	29/17
-------------	---------	---------	-------	-------

**Division of Disease Control**

64D-3.002	5/20/03	6/9/03	29/9	29/17
64D-3.003	5/20/03	6/9/03	29/9	
64D-3.0031	5/20/03	6/9/03	29/9	
64D-3.004	5/20/03	6/9/03	29/9	
64D-3.007	5/20/03	6/9/03	29/9	
64D-3.0071	5/20/03	6/9/03	29/9	
64D-3.012	5/20/03	6/9/03	29/9	
64D-3.013	5/20/03	6/9/03	29/9	

**Division of Environmental Health and Statewide Program**

64E-2.030	5/21/03	6/10/03	29/14	
-----------	---------	---------	-------	--



Section XIV  
List of Rules Affected

				Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
This "List of Rules Affected" is a cumulative list of all rules which have been proposed but not filed for adoption. Beginning with the February 2, 1996 issue, the list will be published monthly for the period covering the last eight weeks.				4-149.043	28/51	29/8	
w – Signifies Withdrawal of Proposed Rule(s)				4-149.101	24/3c		
c – Rule Challenge Filed				4-149.102	24/3c		
v – Rule Declared Valid				4-149.103	24/3c		
x – Rule Declared Invalid				4-149.104	24/3c		
d – Rule Challenge Dismissed				4-149.105	24/3c		
dw – Dismissed Upon Withdrawal				4-149.106	24/3c		
Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	4-149.107	24/3c		
STATE				4-149.108	24/3c		
1A-35.005	28/18			4-149.109	24/3c		
1A-35.007	28/18				24/3c		
1B-24.002	26/43			4-149.110	24/3c		
1B-26.003	29/10		29/19		24/3c		
1T-1.001	29/18			4-149.1105	24/3c		
	29/18			4-149.111	24/3c		
	29/18				24/3c		
LEGAL AFFAIRS				4-149.112	24/3c		
2A-2.002	29/4	29/13	29/19	4-149.113	24/3c		
BANKING AND FINANCE				4-149.114	24/3c		
				4-149.115	24/3c		
3C-105.407	28/52		29/20w	4-149.116	24/3c		
3D-30.028	29/16			4-149.117	24/3c		
3E-48.005	28/42			4-149.118	24/3c		
3E-600.0132	28/40			4-149.119	24/3c		
3F-5.010	28/48			4-149.120	24/3c		
INSURANCE				4-149.121	24/3c		
4-137.001	29/12			4-149.122	24/3c		
4-138.001	29/12				24/3c		
4-138.047	28/41			4-149.123	24/3c		
4-141.0016	21/2c				24/3c		
4-143.007	29/18			4-149.124	24/3c		
4-143.008	29/18			4-149.125	24/3c		
4-143.015	29/18			4-149.126	24/3c		
4-149	24/3c			4-149.127	24/3c		
	24/3c			4-149.128	24/3c		
4-149.0025	28/51			4-149.129	24/3c		
4-149.003	29/1	29/12		4-149.130	24/3c		
4-149.006	28/51				24/3c		
4-149.021	29/1	29/12		4-149.131	24/3c		
4-149.022	28/51				24/3c		
4-149.037	28/51	29/8		4-149.132	24/3c		
4-149.038	28/51				24/3c		
4-149.041	28/51			4-149.133	24/3c		
					24/3c		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
4-149.190	24/3c			4A-41.107	29/12		
4-154.112	29/16			4A-61.001	29/15		
4-154.201	29/18			4A-63.001	29/10	29/19	
4-154.202	29/18			4A-64.005	29/18		
4-154.203	29/18			4C-40.0055	28/47		
4-154.204	29/18			4J-6.001	29/9		29/17
4-154.210	29/18			AGRICULTURE AND CONSUMER SERVICES			
4-154.402	28/33		29/18w				
4-154.403	28/33		29/18w	5B-58.001	27/29		
4-154.404	28/33		29/18w		27/42	27/49	
4-154.405	28/33		29/18w	5B-58.001(16)	27/50c		
4-154.406	28/33		29/18w	5F-2.001	29/17		
4-154.407	28/33		29/18w	5F-2.014	29/17		
4-154.4071	28/33		29/18w	5F-3.001	29/17		
4-154.408	28/33		29/18w	5F-3.016	29/17		
4-154.411	28/33		29/18w	5F-5.001	29/17		
4-154.412	28/33		29/18w	5F-7.005	29/17		
4-154.502	28/33		29/18w	5J-8.003	28/41		
4-154.503	28/33		29/18w	5J-9.002	28/41		
4-154.504	28/33		29/18w	5J-9.006	28/41		
4-154.506	28/33		29/18w	5J-10.002	28/41		
4-154.507	28/33		29/18w	5J-13.002	28/41		
4-154.508	28/33		29/18w	5J-13.003	28/41		
4-154.512	28/33		29/18w	5M-4.001	29/17		29/20w
4-154.516	28/33		29/18w		29/22		
4-154.517	28/33	28/52	29/18w	5M-4.002	29/17		29/20w
4-154.518	28/33		29/18w		29/22		
4-154.5181	28/33		29/18w	5M-4.003	29/17		29/20w
4-154.525	29/16				29/22		
4-156.011	29/1	29/12		5M-4.004	29/17		29/20w
4-163.0045	29/16				29/22		
4-167.002	27/14			EDUCATION			
4-170.013	29/13						
4-170.014	29/13			6A-1.0014	29/11		29/20
4-170.0141	29/13			6A-1.094221	29/11		29/20
4-170.0142	29/13			6A-3.0141	29/16		
4-170.015	29/13			6A-3.0171	29/7		29/16
4-175.003	29/13			6A-3.0291	29/7		29/16
4-189.003	29/18			6A-4.0021	29/20		
4-189.0055	29/18			6A-4.00821	29/20		
4-191.051	29/1	29/12		6A-4.028	29/16		
4-193.065	27/27			6A-4.0323	29/16		
	29/18			6A-4.0332	29/16		
4-203.042	29/1	29/12		6A-6.080	16/30		
4-211.031	27/44			6A-14.057	29/16		
4-211.042	29/12			6A-14.072	29/11		29/20
4-211.320	29/16	29/23		6C1-1.300	Newspaper		29/22
4-228.055	26/35			6C1-2.003	Newspaper		29/22
4A-3.002	27/12			6C1-2.0161	Newspaper		29/22
4A-41.101	29/12			6C1-2.0163	Newspaper		29/22
4A-41.102	29/12			6C1-2.019	Newspaper		29/22
4A-41.103	29/12			6C1-2.021	Newspaper		29/22
4A-41.104	29/12			6C1-2.021	Newspaper		29/22
4A-41.105	29/12			6C1-3.007	Newspaper		29/22
4A-41.106	29/12			6C1-3.009	Newspaper		29/22

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
6C1-3.013	Newspaper		29/22	6C6-4.008	Newspaper		29/20
6C1-3.025	Newspaper		29/22	6C7-2.001	Newspaper		29/16
6C1-3.030	Newspaper		29/22	6C7-2.0121	Newspaper		29/16
6C1-3.0372	Newspaper		29/22	6C7-2.027	Newspaper		29/16
6C1-3.0376	Newspaper		29/22	6C7-2.031	Newspaper		29/16
6C1-3.0421	Newspaper		29/22	6C7-3.010	Newspaper		29/16
6C1-3.057	Newspaper		29/22	6C7-3.0121	Newspaper		29/16
6C1-3.070	Newspaper		29/22	6C7-3.0122	Newspaper		29/16
6C1-3.071	Newspaper		29/22	6C7-3.0123	Newspaper		29/16
6C1-3.072	Newspaper		29/22	6C7-3.0133	Newspaper		29/16
6C1-3.073	Newspaper		29/22	6C7-3.0134	Newspaper		29/16
6C1-3.074	Newspaper		29/22	6C7-3.014	Newspaper		29/16
6C1-4.004	Newspaper		29/22	6C7-3.018	Newspaper		29/16
6C1-4.016	Newspaper		29/22	6C7-3.0191	Newspaper		29/16
6C1-5.076	Newspaper		29/22	6C7-3.0262	Newspaper		29/16
6C1-6.009	Newspaper		29/22	6C7-4.008	Newspaper		29/17
6C1-7.003	Newspaper		29/22	6C7-4.010	Newspaper		29/17
6C1-7.013	Newspaper		29/22	6C7-4.019	Newspaper		29/17
6C1-7.019	Newspaper		29/22	6C7-4.029	Newspaper		29/17
6C2-2.024	Newspaper		29/18	6C7-4.0291	Newspaper		29/17
6C2-2.0241	Newspaper		29/18	6C7-4.0292	Newspaper		29/17
6C2-2.02410	Newspaper		29/18	6C7-4.033	Newspaper		29/17
6C2-2.02411	Newspaper		29/18	6C7-5.0021	Newspaper		29/16
6C2-2.02412	Newspaper		29/18	6C7-5.003	Newspaper		29/16
6C2-2.02413	Newspaper		29/18	6C7-5.0041	Newspaper		29/16
6C2-2.02414	Newspaper		29/18	6C7-5.0042	Newspaper		29/16
6C2-2.02415	Newspaper		29/18	6C7-5.0043	Newspaper		29/16
6C2-2.02416	Newspaper		29/18	6C7-7.130	Newspaper		29/16
6C2-2.02417	Newspaper		29/18	6C8-3.0081	Newspaper		29/18
6C2-2.02418	Newspaper		29/18	6C8-6.090	Newspaper		29/18
6C2-2.02419	Newspaper		29/18	6C8-6.100	Newspaper		29/18
6C2-2.0242	Newspaper		29/18	6D-14.002	29/3		29/20
6C2-2.02420	Newspaper		29/18	6E-2.0041	28/43	29/5	29/21
6C2-2.02421	Newspaper		29/18			29/14	29/21
6C2-2.02422	Newspaper		29/18	6E-3.002	28/43		
6C2-2.02423	Newspaper		29/18	6F-1.001	28/44		
6C2-2.02424	Newspaper		29/18		29/23		
6C2-2.0243	Newspaper		29/18	6F-2.001	28/44		
6C2-2.0244	Newspaper		29/18		29/23		
6C2-2.0245	Newspaper		29/18	6F-2.0015	28/44		
6C2-2.0246	Newspaper		29/18		29/23		
6C2-2.0247	Newspaper		29/18	6F-2.0016	28/44		
6C2-2.0248	Newspaper		29/18		29/23		
6C2-2.0249	Newspaper		29/18	6F-2.0017	28/44		
6C2-2.025	Newspaper		29/16		29/23		
6C4-4.01209	Newspaper		29/17	6F-2.002	28/44		
6C4-4.02000	Newspaper		29/17		29/23		
6C4-4.02010	Newspaper		29/17	6F-2.0024	28/44		
6C4-4.02020	Newspaper		29/17		29/23		
6C4-4.02030	Newspaper		29/17	6F-2.0026	28/44		
6C4-4.02040	Newspaper		29/17		29/23		
6C4-4.02050	Newspaper		29/17	6F-2.003	28/44		
6C4-4.02060	Newspaper		29/17		29/23		
6C4-4.02070	Newspaper		29/17	6F-2.004	28/44		
6C4-4.02080	Newspaper		29/17		29/23		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
6F-2.006	29/23			9J-2.010	29/8		29/22
6F-3.001	28/44			9J-2.015	29/8		29/22
	29/23			9J-2.016	29/8		29/22
6F-3.002	28/44			9J-2.0185	29/8		29/22
	29/23			9J-2.024	29/8		29/22
6F-4.001	28/44			9J-2.025	29/8		29/22
	29/23			9J-2.0251	29/8		29/22
6L-1.001	28/12			9J-2.027	29/8		29/22
6L-1.002	28/12			9J-2.029	29/8		29/22
6L-1.004	28/12			9J-2.041	29/8		29/22
6L-1.005	28/12			9J-2.043	29/8		29/22
6L-1.006	28/12			9J-2.044	29/8		29/22
6L-1.007	28/12			9J-2.045	29/8		29/22
6L-1.008	28/12			9J-2.046	29/8		29/22
6L-1.009	28/12			9J-2.048	29/8		29/22
6L-1.010	28/12			9J-5.0055	18/40		
6L-1.011	28/12			9K-8.011	28/13		
6L-1.012	28/12						
6L-1.013	28/12						
				HEALTH AND REHABILITATIVE SERVICES			
	COMMUNITY AFFAIRS			10-5.011(1)(v)	15/46c		
				10M-9.026	22/1		
				10M-9.045	22/1		
9B-1.002	29/13			LAW ENFORCEMENT			
9B-1.003	29/13			11B-27.006	27/17		
9B-1.004	29/13			11B-30.014	19/40		
9B-1.0055	29/13			REVENUE			
9B-1.006	29/13			12-1	29/19c		
9B-1.007	29/13			12-3.0012	28/51		
9B-1.0085	29/13			12-3.0017	28/51		
9B-1.009	29/13			12-3.012	29/17		
9B-1.0095	29/13			12-17.001	29/2		29/17
9B-1.011	29/13			12-17.002	29/2		29/17
9B-1.016	29/13			12-17.003	29/2		29/17
9B-1.017	29/13			12-17.004	29/2		29/17
9B-1.0211	29/13			12-17.005	29/2		29/17
9B-1.027	29/13			12-17.006	29/2	29/11	29/17
9B-1.028	29/13			12-17.007	29/2		29/17
9B-3.047	28/46	29/2 29/9	29/16 29/16	12-17.008	29/2	29/11	29/17
9B-3.054	29/13			12-17.009	29/2		29/17
9B-22.002	29/10			12-17.010	29/2		29/17
9B-22.004	29/10			12-24.001	29/7		
9B-22.006	29/10			12-24.002	29/7		
9B-22.007	29/10			12-24.003	29/7		
9B-22.008	29/10			12-24.004	29/7		
9B-22.011	29/10			12-24.005	29/7		
9B-72.010	29/11	29/18		12-24.006	29/7		
9B-72.030	29/11			12-24.007	29/7		
9B-72.040	29/11	29/18		12-24.008	29/7		
9B-72.045	29/11	29/18		12-24.009	29/7		
9B-72.050	29/11	29/18		12-24.010	29/7		
9B-72.060	29/11			12-24.021	29/7		
9B-72.070	29/11	29/18					
9B-72.090	29/11	29/18					
9B-72.100	29/11	29/18					
9B-72.130	29/11						

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
12-24.022	28/4			12B-7.026	29/5	29/12	29/18
12-24.023	29/7			12B-8	23/8c		
12A-1.0015	29/5		29/23	12B-8.003	29/5		29/18
12A-1.038	28/27			12B-8.006	29/17		
	29/5	29/18	29/23	12C-1.022	29/5	29/11	
	29/17			12C-1.051	29/5	29/19	
12A-1.039	29/5		29/23	12C-2.005	29/5		29/18
12A-1.059	29/5		29/23	12C-2.006	29/5		29/18
12A-1.060	29/5		29/23	12C-2.007	29/5		29/18
12A-1.064	29/5	29/18	29/23	12C-2.008	29/5		29/18
12A-1.0641	29/5		29/23	12C-2.0115	29/5		29/18
12A-1.071	29/5		29/23	12C-2.012	29/5		29/18
12A-1.0911	29/5		29/23	12C-3.008	29/5		29/18
12A-1.0935	29/17			12C-3.012	29/5		29/18
12A-1.094	28/27	28/41		12D-10.0044	28/40	28/48	
12A-1.094(1)-(4)	28/35c		29/23d			29/3	
12A-1.095	29/17					29/9	
12A-1.0955	29/17					29/15	
12A-1.097	29/5		29/18			29/21	
	29/5		29/23	12E-1.022	29/3	29/19	
12A-1.107	29/5		29/18				
12A-6.038	29/17						
12A-13.001	29/1	29/10	29/18				
12A-13.002	29/1	29/10	29/18	14-6.0011	29/11		29/18
		29/12	29/18	14-10.0052	28/47		
12A-13.003	29/1		29/18	14-12.021	29/6		
12A-17.004	29/17			14-15.002	28/13		
12A-19.020	29/17			14-15.003	26/46		
12A-19.100	29/17			14-40.020	29/23		
12BER03-1			29/15	14-40.022	29/23		
12BER03-2			29/15	14-40.023	29/23		
12BER03-3			29/15	14-46.002	29/10		29/18
12BER03-4			29/15	14-46.003	29/10		29/18
12B-4.001	29/5	29/11	29/18	14-75.0022	28/23	29/11	29/17
12B-4.003	29/5		29/18	14-75.003	28/23	29/11	29/17
12B-4.004	29/5		29/18	14-75.004	28/23	29/11	29/17
12B-4.013	29/5		29/18	14-75.0051	28/23	29/11	29/17
12B-4.031	29/5		29/18	14-75.0052	28/23		29/17
12B-4.032	29/5		29/18	14-87.0011	29/14		
12B-4.033	29/5		29/18	14-87.002	29/14		
12B-4.051	29/5		29/18	14-87.004	29/14		
12B-4.052	29/5		29/18				
12B-4.053	29/5		29/18				
12B-4.054	29/5		29/18				
12B-6.001	28/46	29/6	29/18	15C-7.003	29/12		
		29/8	29/18				
12B-6.002	28/46		29/18				
12B-6.0021	28/46		29/18				
12B-6.003	28/46		29/18				
12B-6.004	28/46		29/18				
12B-6.005	28/46		29/18				
12B-6.0051	28/46		29/18				
12B-6.006	28/46		29/18				
12B-6.007	28/46		29/18				
12B-6.008	28/46		29/18				
12B-7.008	29/5	29/12	29/18				

TRANSPORTATION

HIGHWAY SAFETY AND MOTOR VEHICLES

ENVIRONMENTAL REGULATION

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST				20-39.003	29/7		29/17
				20-39.017	29/1	29/10	29/16
18-21.003	29/1		29/19w	20-107.001	29/17		
	29/5			20-107.002	29/17		
	29/13	29/23		20-107.003	29/17		
18-21.004	25/48	25/50		20-107.004	29/17		
	29/1		29/19w	20-107.005	29/17		
	29/5	29/22		20-107.006	29/17		
	29/13	29/23		20-108.001	29/16		
18-21.0051	29/1		29/19w	PROFESSIONAL REGULATION			
	29/5			21M-49.002	19/6c		
18-21.009	29/1		29/19w	21M-50.002	19/6c		
	29/5			21M-50.003	19/6c		
18-21.010	29/1		29/19w	21M-50.007	19/6c		
	29/5			21M-50.009	19/6c		
18-21.011	29/1		29/19w	PUBLIC SERVICE COMMISSION			
	29/5	29/22		25-6.0183	29/9		29/17
18-23.002	28/52	29/11		25-7.072	29/16		
18-23.007	28/52	29/11		25-17.0832	29/7	29/14	29/20
18-23.010	28/52	29/11		25-22.082	28/43	28/50	
STATE BOARD OF ADMINISTRATION						29/3	
19-8.010	29/8		29/19			29/17	
19-8.012	29/8		29/19			29/20	
19-8.013	29/8	29/16	29/22	EXECUTIVE OFFICE OF THE GOVERNOR			
19-8.028	29/16			27E-4.001	20/11		
19-8.029	29/8		29/19	27E-4.002	20/11		
19-8.030	29/8		29/19	27E-4.003	20/11		
19-8.031	29/8		29/19	27E-4.004	20/11		
19B-15.001	28/8			27E-4.005	20/11		
19B-15.002	28/8			27E-4.006	20/11		
19B-15.003	28/8			27E-4.007	20/11		
19B-15.004	28/8			27E-4.008	20/11		
19B-15.005	28/8			REGIONAL PLANNING COUNCILS			
19B-15.006	28/8			29C-1.001	29/4		29/17
19B-15.007	28/8			29C-1.002	29/4		29/17
19B-15.008	28/8			29C-1.003	29/4		29/17
19B-15.009	28/8			29C-1.004	29/4		29/17
19B-15.010	28/8			29C-1.005	29/4		29/17
19B-15.011	28/8			29C-1.006	29/4		29/17
CITRUS				29C-1.0071	29/4		29/17
20-2.002	29/1	29/10	29/16	29C-1.0072	29/4		29/17
20-2.003	29/1	29/10	29/16	29C-1.008	29/4		29/17
20-9.002	29/20			29C-1.010	29/4		29/17
20-15	29/13c		29/23x	29C-1.011	29/4		29/17
20-15.001	28/46	29/10		29C-1.012	29/4		29/17
20-15.002	28/46			29C-1.013	29/4		29/17
20-15.003	28/46	29/10		29C-1.014	29/4		29/17
20-34.004	29/17			29C-1.015	29/4		29/17
20-34.005	29/17						
	29/21						
20-34.006	29/7		29/17				

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
29C-1.017	29/4		29/17	33-601.720	29/14		29/21
29C-1.018	29/4		29/17	33-601.725	28/4	28/9	
29C-9.001	29/4		29/17		29/14	29/19	
CORRECTIONS				33-601.738	26/48	27/38	
33-2.001	23/25			33-601.820	29/19		
33-3.0081	25/35	25/43		33-601.901	29/20		
33-3.0082	25/35	25/43		33-602.201	29/20		
33-3.0084	25/35	25/43		33-602.203	29/20		
33-3.0085	25/35	25/43		33-602.207	29/20		
33-3.015	21/43			33-602.230	29/19		
33-3.018	17/14			33-603.101	29/11		29/20
33-8.0142	19/43			METROPOLITAN PLANNING ORGANIZATIONS			
33-22.003	17/12			35I-1.009	29/2		29/16
33-22.009	17/12			LABOR AND EMPLOYMENT SECURITY			
33-22.011	17/12			38E-106.401	24/1		
33-32.021	19/5			38F-8.055	22/4		
33-32.022	19/5			38I-60.200	20/7		
33-38.001	25/35	25/43		38K-1.0045	23/27		
33-38.003	25/35	25/43		WATER MANAGEMENT DISTRICTS			
33-38.005	25/35	25/43		40B-1	29/13c		
33-38.006	25/35	25/43		40C-1.101	27/52		
33-38.009	25/35	25/43		40C-1.181	20/18		
33-38.010	25/35	25/43		40C-8.031	29/4	29/13	29/19
33-38.011	25/35	25/43		40C-400.201	21/48	21/48	
33-38.012	25/35	25/43		40D-0.201	20/3		
33-103.007	29/18			40D-1.202	19/36	19/42	
33-103.008	29/18			40D-1.607	29/10		
33-103.013	29/18			40D-2.031	20/48		
33-103.014	29/18			40D-2.041	20/48		
33-203.201	29/14	29/20		40D-2.091	22/48		
33-204.002	29/19			40D-2.301	22/48		
33-204.003	29/19			40D-2.331	20/48		
33-204.005	29/18			40D-2.601	20/48		
33-204.111	27/29			40D-3.037	29/16		
33-208.101	29/11			40D-4.091	22/48		
33-208.507	26/16				25/3		
33-210	28/52c				29/10	29/22	
33-210.101	28/52c				29/18		
33-210.102	28/52c				29/22		
	29/6	29/11	29/19	40D-4.201	21/22		
33-210.103	28/52c			40D-4.351	29/18		
33-302.101	29/22			40D-6.521	24/50		
33-302.104	29/20			40D-8.624	23/38	24/48	
33-302.105	29/7			40D-8.6240	23/38	24/48	
	29/20			40D-22.011	28/47		
33-302.109	29/22			40D-22.101	28/47		
33-302.111	29/18			40D-22.201	28/47		
33-501.401	29/14	29/19		40D-22.302	28/47		
33-508.101	28/13			40D-22.303	28/47		
33-601.101(1)(a)5., (2),(7)	28/39c			40D-22.401	28/47		
33-601.230	29/19			40D-40.021	29/10	29/22	
33-601.311	29/20						

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
40D-40.302	29/10			40E-20.651	29/17		
40D-40.321	29/10			40E-24.011	29/4		29/23
40D-40.381	29/10			40E-24.101	29/4		29/23
40D-45.341	19/42	20/3		40E-24.201	29/4		29/23
40D-602.221	28/47			40E-24.301	29/4		29/23
40E-1.510	20/18	21/36		40E-24.401	29/4		29/23
40E-1.603	19/4c			40E-63.223	27/2	27/9	
40E-1.606	19/4c			40E-601.314	26/9		
40E-1.607	19/43						
	29/17			COMMISSION FOR THE TRANSPORTATION DISADVANTAGED			
40E-1.612	20/18	21/36		41-2.006	29/15		
40E-1.614	20/18	21/36		41-2.012	29/15		
40E-1.659	29/23						
40E-1.669	19/4c			FLORIDA LAND AND WATER ADJUDICATORY COMMISSION			
40E-2.011	29/17			42GG-1.001	29/11		
40E-2.091	29/13		29/23	42GG-1.002	29/11		
	29/17			42GG-1.003	29/11		
40E-2.301	29/17			42JJ-1.001	28/44		
40E-2.321	29/17			42JJ-1.002	28/44		
40E-3.032	28/5			42JJ-1.003	28/44		
40E-3.0391	28/5			42KK-1.001	29/22		
40E-4.091	20/18	21/36		42KK-1.002	29/22		
	29/23			42KK-1.003	29/22		
40E-4.101	29/23			42X-1.001	29/22		
40E-4.361	29/23			42X-1.002	29/22		
40E-4.381	29/23			EXPRESSWAY AUTHORITIES			
40E-5.011	29/17			45A-2.001	21/49		
40E-5.021	29/17			MARINE FISHERIES COMMISSION			
40E-5.041	29/17			46-15.002	21/35		
40E-5.051	29/17			46-21.007(1)	18/2		
40E-5.101	29/17			46-24.003	21/27		
40E-5.301	29/17			46-37.001	20/18		
40E-5.321	29/17			46-37.002	20/18	20/25	
40E-5.331	29/17			46-37.003	20/18		
40E-5.381	29/17			46-37.004	20/18	20/25	
40E-7.203	29/17			46-37.005	20/18		
40E-7.206	29/17			46-37.006	20/18	20/25	
40E-7.2081	29/17			46-42.003	20/35		
40E-7.2091	29/17			46-47.007	22/27		
40E-7.2101	29/17			LOTTERY			
40E-7.2111	29/17			53ER03-7			29/6
40E-7.2121	29/17			53ER03-8			29/6
40E-7.213	29/17			53ER03-9			29/6
40E-7.523	28/39			53ER03-10			29/7
40E-7.532	28/39			53ER03-11			29/7
40E-7.637	29/17			53ER03-12			29/9
40E-7.639	22/23	22/37		53ER03-13			29/9
40E-7.664	29/17						
40E-20.011	29/17						
40E-20.091	29/17						
40E-20.101	29/17						
40E-20.301	29/17						
40E-20.302	29/17						
40E-20.321	29/17						
40E-20.331	29/17						



Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
53ER03-14			29/11	59C-1.0355(4)(d)	27/49c		
53ER03-15			29/11	59C-1.045	29/7		29/19w
53ER03-16			29/11		29/18c		
53ER03-17			29/13		29/19		
53ER03-18			29/13	59C-2.200	29/20		
53ER03-19			29/13	59E-1.001	20/27		
53ER03-20			29/15	59E-1.002	20/27		
53ER03-21			29/15	59E-1.003	20/27		
53ER03-22			29/17	59E-1.004	20/27		
53ER03-23			29/17	59E-1.005	20/27		
53ER03-24			29/20	59E-1.006	20/27		
53ER03-25			29/20	59E-1.007	20/27		
53ER03-26			29/22	59E-5.102	29/9		29/23
53ER03-27			29/22	59E-5.301	29/16		
53-16.009	29/7		29/16	59E-5.302	29/16		
53-19.0035	25/43			59E-5.303	29/16		
53-302.101	29/22			59E-5.304	29/16		
53-302.109	29/22			59E-5.305	29/16		
				59E-5.306	29/16		
				59E-5.307	29/16		
				59E-5.308	29/16		
				59E-5.309	29/16		
				59E-5.310	29/16		
				59E-5.311	29/16		
				59E-5.312	29/16		
				59E-5.314	29/16		
				59E-5.315	29/16		
				59E-5.316	29/16		
				59E-5.317	29/16		
			29/13	59E-5.318	29/16		
			29/18	59E-5.401	29/16		
				59E-5.402	29/16		
				59E-5.501	29/16		
				59E-5.502	29/16		
				59E-5.503	29/16		
				59E-5.504	29/16		
				59E-5.505	29/16		
				59E-5.506	29/16		
				59E-5.507	29/16		
				59E-5.605	29/10		29/21
				59E-5.607	29/16		
				59F-1.002	20/33		
				59G-4.010	29/18		
				59G-4.030	29/18		
				59G-4.040	29/18		
				59G-4.055	21/39	21/45	
				59G-4.060	29/18		
				59G-4.070	27/6	27/18	
				59G-4.110	29/18		
				59G-4.160	29/19		
				59G-4.190	29/6		
					29/22		
					29/23		
				59G-4.210	29/18		
				59G-4.220	29/18		
				59G-4.230	29/18		

ELDER AFFAIRS

AGENCY FOR HEALTH CARE ADMINISTRATION

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
59G-4.231	29/18			60BB-4.206	28/34	29/9	29/16
59G-4.240	29/10	29/12	29/22	60BB-4.207	28/34	29/9	29/16
	29/21			60BB-4.208	28/34	29/9	29/16
	29/22			60BB-4.209	28/34	29/9	29/16
59G-4.270	29/18			60BB-4.210	28/34	29/9	29/16
59G-4.340	29/18			60BB-4.300	28/34	29/9	29/16
59G-5.010	29/8		29/18	60DD-1.001	29/13		29/20
59G-6.010	29/14		29/23	60H-1.002	29/9		29/19
59G-6.020	29/17	29/18		60H-1.003	29/9		29/19
59G-8.200	29/8		29/23	60H-1.007	29/9		29/19
59G-11.001	29/1		29/16		29/23		
59G-11.002	29/1		29/16	60H-1.009	29/9		29/19
59G-11.003	29/1	29/10	29/16	60H-1.015	29/9		29/19
59G-11.004	29/1		29/16	60H-1.022	29/9		29/19
59G-208.101	27/4	27/16		60H-1.027	29/9		29/19
59H-1.00352	26/3	26/17		60H-1.030	29/9		29/19
59M-3.005	21/25			60S-1.002	29/17		
59O-2.002	22/34	24/49		60S-1.004	29/17		
59O-2.003	22/34	24/49		60S-1.0045	29/17		
59O-3.002	22/34	24/49		60S-1.005	29/17		
59O-9.003	22/34	24/48		60S-1.0052	29/17		
59Q-9.002	20/39			60S-1.0053	29/17		
59R-62.010	21/5			60S-1.00535	29/17		
59R-62.040	21/5			60S-1.0054	29/17		
59T-11.013	23/22	23/35		60S-1.0055	29/17		
59T-14.004	23/22	23/35		60S-1.0057	29/17		
59T-15.002	23/22	23/35		60S-2.002	29/17		
59T-16.001	23/22	23/35		60S-2.004	29/17		
59T-16.002	23/22	23/35		60S-2.0041	29/17		
59U-11.019	20/51	21/7		60S-2.005	29/17		
59U-14.002	23/24	23/35		60S-2.006	29/17		
59V-3.007	20/34	20/48		60S-2.007	29/17		
59Y-5.001	23/11			60S-2.010	29/17		
				60S-2.013	29/17		
				60S-2.015	29/17		
				60S-3.002	29/17		
				60S-3.003	29/17		
				60S-3.0035	29/17		
				60S-3.006	29/17		
				60S-3.008	29/17		
				60S-3.011	29/17		
				60S-3.012	29/17		
				60S-3.013	29/17		
				60S-4.002	29/17		
				60S-4.0025	29/17		
				60S-4.003	29/17		
				60S-4.0035	29/17		
				60S-4.004	29/17		
				60S-4.005	29/17		
60BB-4.100	28/34	29/9	29/16	60S-4.006	29/17		
60BB-4.200	28/34	29/9	29/16	60S-4.007	29/17		
60BB-4.201	28/34	29/9	29/16	60S-4.008	29/17		
60BB-4.202	28/34	29/9	29/16	60S-4.010	29/17		
60BB-4.203	28/34	29/9	29/16	60S-4.011	29/17		
60BB-4.204	28/34	29/9	29/16	60S-4.012	29/17		
60BB-4.205	28/34	29/9	29/16				

MANAGEMENT SERVICES

60-1	28/42c		
60-8.001	28/34		
60-8.002	28/34		
60-8.003	28/34		
60-8.004	28/34		
60-8.005	28/34		
60-8.006	28/34		
60-8.007	28/34		
60A-1.006	29/20		
60A-1.030	29/20		
60A-1.031	29/20		
60A-1.032	29/20		
60BB-2.036	29/16		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
60S-4.015	29/17			61F9-6.0035	19/36		
60S-6.001	29/17			61F9-6.011	19/36		
60S-7.009	29/17			61F9-6.013	19/36		
60S-7.010	29/17			61F14-3.016	19/36		
60S-7.050	29/17			61G-3.5082	27/4		
60S-7.060	29/17			61G1-11.005	29/20		
60S-7.070	29/17			61G1-23.010	28/21	29/20	
60S-11.001	29/17			61G2-3.005	21/33		
60S-11.002	29/17			61G2-3.0055	23/38	24/6	
60S-11.003	29/17			61G2-4.001	21/29		
60S-11.004	29/17			61G3-16.0091	27/11		
60T-25.001	18/41	18/44		61G3-20.009	27/11		
60T-25.002	18/41	18/44		61G3-30.001	28/2		
60Z-1.017	29/18c			61G4-15.002	27/23		
60Z-1.026	29/10			61G4-15.015	29/18		29/22w
	29/18c			61G4-15.018	29/13	29/21	
60Z-2.017	29/10			61G4-16.001	29/18		
				61G4-17.001	19/29		
				61G4-18.011	19/38		
				61G4-18.012	19/38		
				61G4-21.005	29/3	29/18	
				61G6-4.019	29/12		29/19
				61G6-5.001	29/5	29/7	
				61G6-5.002	29/12		29/19
				61G6-7.001	24/8	24/23	29/17
					28/48	28/51	29/17
						29/9	29/17
				61G7-10.0013	28/51		
				61G7-10.011	26/13		
				61G8-16.0001	29/9		29/17
				61G8-16.001	29/9		29/17
				61G8-16.002	22/10	22/16	29/17
					29/9		29/17
				61G8-16.003	29/4		29/17
				61G8-16.004	29/9	29/20	
				61G8-17.0034	29/9		29/17
				61G8-23.002	29/9		29/17
				61G8-30.001	29/23		
				61G10-12.001	26/24		
				61G10-18.001	28/18	29/8	
						29/19	
			29/19	61G11-25.001	20/22		
			29/19	61G14-15.001	27/43		
			29/19	61G14-15.003	29/12		29/19
			29/19	61G14-17.004	28/45	29/19	
		22/36		61G14-19.001	29/19		
		22/36		61G14-20.001	29/12	29/19	
				61G15-20.007	29/20		
				61G15-22.0003	29/16		29/23
				61G15-22.002	29/20		
		23/44		61G15-31.003	28/51	29/11	29/17
		23/44			29/6c		29/19d
				61G16-2.001	23/12		
		20/32		61G16-5.003	21/43	21/50	
	20/27			61G17-1.006	21/6		
	20/7			61G17-1.010	29/4		
	18/53	20/24					

BUSINESS AND PROFESSIONAL REGULATION

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
61G17-3.004	29/4			ENVIRONMENTAL PROTECTION			
61G17-5.001	29/10			62ER03-1			29/5
61G17-5.0031	29/10			62-1	29/23c		29/23d
61G17-5.0041	29/10	29/22		62-4.050	20/21	21/22	
61G17-5.0043	29/10	29/22			29/5		29/17
61G17-5.0044	29/10	29/22		62-17.151	24/45	24/45	
		19/29		62-17.161	24/45	24/45	
		19/52		62-33.0051	27/11		
61G17-5.0045	29/10			62-40	29/7c		
61G17-5.0051	29/10				29/9c		
61G18-16.002	26/29				29/13c		
61G18-16.003	26/29				29/13c		
61G18-16.0035	26/29				29/13c		
61G18-17.005	29/13		29/21		29/13c		
61G18-30.001	29/14				29/18c		
61G19-6.0035	28/48	29/16	29/22		29/19c		
61G19-6.008	28/48	29/16		62-40.110	28/51		
61G19-7.0010	26/41			62-40.120	28/51		
61G19-9.001	27/47	28/4	29/22	62-40.210	28/51		
	29/15		29/22	62-40.310	28/51		
61H1-20.0053	26/28			62-40.410	28/51		
61H1-21.001	28/45	29/12	29/20	62-40.411	28/51		
61H1-27.001	29/10		29/19	62-40.412	28/51		
61H1-29.003	29/10		29/20	62-40.416	28/51		
61H1-33.007	29/10	29/20	29/21w	62-40.422	28/51		
	29/21			62-40.425	28/51		
61H1-36.005	29/10		29/19	62-40.430	28/51		
61H1-54.002	21/29			62-40.431	28/51		
61J1-2.005	28/41	28/43		62-40.432	28/51		
		28/46		62-40.450	28/51		
61J1-3.001	28/41	28/43		62-40.458	28/51		
		28/46		62-40.470	28/51		
61J1-3.002	28/41	28/43		62-40.473	28/51		
		28/46		62-40.474	28/51		
61J1-4.005	28/41	28/43		62-40.475	28/51		
		28/46		62-40.510	28/51		
61J1-4.240	27/45			62-40.520	28/51		
61J1-6.001	28/47			62-40.531	28/51		
61J1-7.004	28/41	28/43		62-40.540	28/51		
		28/46		62-40.610	28/51		
61J1-7.005	28/41	28/43		62-210.900	29/16		
		28/46		62-210.990	20/36		
61J1-8.002	29/10		29/23	62-213.430	20/52	21/7	
61J2-2.027	28/22			62-296.401	22/32	22/38	
61J2-2.031	28/22			62-302.530	29/12		
61J2-3.008	29/11			62-302.540	27/52		
61J2-3.009	29/11				29/12		
61J2-3.010	29/11			62-312.122	24/18		
61J2-3.020	29/11			62-330.2001	26/9		
61J2-5.016	28/22			62-341.602	21/22	21/22	
61J2-17.012	28/3	28/17		62-343.010	21/22		
61J2-24.001	27/34			62-343.020	21/22		
61J8-4.022	29/10			62-343.030	21/22		
				62-343.040	21/22		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
62-343.050	21/22			62-555.520	29/18		
62-343.060	21/22			62-555.525	29/18		
62-343.070	21/22			62-555.527	29/18		
62-343.080	21/22			62-555.528	29/18		
62-343.090	21/22			62-555.530	29/18		
62-343.100	21/22			62-555.533	29/18		
62-343.110	21/22			62-555.536	29/18		
62-343.120	21/22			62-555.540	29/18		
62-343.130	21/22			62-555.900	29/18		
62-343.140	21/22			62-560.610	29/2		29/18
62-343.900	21/22			62-561.100	24/52		
62-345.100	29/12			62-610.814	24/52		
62-345.200	29/12			62-621.100	29/9	29/15	29/20
62-345.300	29/12			62-621.200	21/52		
62-345.400	29/12			62-621.300	29/9		29/16
62-345.500	29/12			62-624.100	29/9		29/17
62-345.600	29/12			62-624.200	29/9		29/17
62-345.900	29/12			62-624.300	29/9		29/17
62-524.400	20/45			62-624.310	29/9		29/17
62-531.200	29/19			62-624.400	29/9		29/17
62-531.300	29/19			62-624.420	29/9		29/17
62-531.330	29/19			62-624.440	29/9		29/17
62-550.310	20/47			62-624.460	29/9		29/17
	29/2		29/18	62-624.500	29/9		29/17
	29/2		29/19	62-624.600	29/9		29/17
62-550.340	29/2		29/18	62-624.800	29/9	29/11	29/17
62-550.500	29/2		29/18	62-624.810	29/9	29/11	29/17
62-550.511	29/2		29/18			29/12	
62-550.512	29/2		29/18	62-701	22/42c		
62-550.513	29/2		29/18	62-707.500	22/30		
62-550.515	29/2		29/18	62-712.100	21/34		
62-550.516	29/2		29/18	62-712.200	21/34		
62-550.519	29/2		29/18	62-712.300	21/34		
62-550.550	29/2		29/18	62-712.400	21/34		
62-550.730	20/19			62-712.410	21/34		
62-550.817	29/18			62-712.420	21/34		
62-555.310	29/18			62-712.430	21/34		
62-555.312	29/18			62-712.440	21/34		
62-555.314	29/18			62-712.450	21/34		
62-555.315	29/18			62-712.460	21/34		
62-555.320	29/18			62-712.500	21/34		
62-555.322	29/18			62-712.800	21/34		
62-555.325	29/18			62-712.810	21/34		
62-555.330	29/18			62-712.900	21/34		
62-555.335	29/18			62-730.050	23/7		
62-555.340	29/18			62-730.220	28/24		
62-555.345	29/18			62-761.891	24/14		
62-555.348	29/18			62-771.300	21/52		
62-555.350	29/18			62-775.500	21/52	22/15	
62-555.357	29/18			62-788.400	25/5		
62-555.360	29/18			62B-2	28/8		
62-555.365	29/18			62D-2.014	21/52	22/13	
62-555.401	29/18			62D-2.014(17)	29/18c		
62-555.405	29/18				29/19c		
62-555.500	29/18			62N-3.002	21/43		
62-555.510	29/18			62N-36.004	21/43		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
62R-7.002	21/17			64B4-6.002	29/19		
62R-7.010	23/34			64B4-6.0045	25/32		
62R-7.020	21/17			64B5-15.010	27/30		
62R-7.022	21/17			64B5-16.005	29/7		29/16
62R-7.025	21/17			64B5-17.002	29/7		29/16
62R-7.026	21/17			64B6-1.016	28/52		
62R-7.028	21/17			64B6-8.001	28/52	29/14	29/22
	22/47					29/16	29/22
62R-7.032	21/17			64B6-8.002	28/52	29/14	29/22
62S-1.100	29/18					29/16	29/22
62S-1.300	29/18			64B6-55.004	27/41		
62S-1.350	29/18			64B7-26.001	29/22		
62S-1.400	29/18			64B7-27.002	29/7		
62S-1.450	29/18			64B7-27.012	24/12		
62S-3.003	29/18			64B7-32.001	26/6		
62S-4	29/17			64B7-32.003	28/31	29/16	
					28/39c		
				64B8-1.007	28/3	28/26	29/22
					29/13		29/22
				64B8-4.022	29/10		
				64B8-9.008	27/49c		
				64B8-9.009	25/3	25/16	29/19d
						25/24	29/19d
						25/33	29/19d
						26/7	29/19d
							29/19d
				64B8-9.0091	29/12		
				64B8-9.014	29/8		
				64B8-13.0045	27/48	28/16	
				64B8-30.002	29/21		
				64B8-30.003	29/12		29/20
					29/21		
				64B8-30.005	29/4		
				64B8-30.007	29/21		
				64B8-30.008	29/21		
				64B8-30.012	29/12		
					29/23c		
				64B8-30.014	29/12		29/20
				64B8-30.019	29/21		
			29/18	64B8-40.004	29/16	29/18	
			29/18	64B8-44.007	29/17		
				64B8-51.006	29/16		
				64B8-52.004	29/16	29/18	
				64B8-54.004	27/41		
				64B8-55.001	29/19		
				64B8-55.002	29/19	29/20	
				64B8-55.004	28/38	29/16	29/22
			29/18	64B9-3.007	25/9		
			29/19	64B9-15.001	29/1		
			29/19	64B9-15.002	29/1		
				64B9-15.005	29/1	29/15	29/21
				64B9-15.007	29/1	29/15	
				64B9-15.008	29/1	29/15	29/21
				64B9-15.011	29/1	29/15	29/21
				64B10-11.001	28/37		

HEALTH

64-1	29/7c		
64B-1.001	28/52		
64B-1.002	28/52	29/23	
64B-1.003	28/52		
64B-1.004	28/52		
64B-1.005	28/52		
64B-1.006	28/52		
64B-1.007	28/52	29/23	
64B-1.008	28/52	29/23	
64B-1.009	28/52	29/23	
64B-1.010	28/52		
64B-1.011	28/52		
64B-1.013	28/52	29/23	
64B-1.016	28/52	29/23	
64B-1.017	28/52	29/23	
64B-2.001	29/16		
64B-21.0015	27/39		
64B-21.004	27/39		
64B-21.006	27/39		
64B1-31.001	27/51	28/6	
64B2-11.003	29/11		29/18
64B2-13.007	29/9		29/18
64B2-17.0025(4)	29/3c		
64B3-2.001	23/51		
64B3-2.002	22/34	24/49	
64B3-2.003	22/34	24/49	
64B3-3.004	23/51		
64B3-6.001	27/5	27/17	
64B3-8.001	28/50	29/12	29/18
64B3-8.002	28/50	29/12	29/19
64B3-8.005	28/50	29/12	29/19
64B4-3.001	25/22		
64B4-3.003	29/19		
64B4-4.017	25/32		
64B4-4.018	25/32		
64B4-5.007	25/32		
64B4-6.0013	25/32		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
64B10-14.004	23/22 29/3	23/40	29/17 29/17	64D-3.012	29/9		29/23
64B11-5.001	29/11		29/18	64D-3.013	29/9		29/23
64B11-5.006	29/23			64E-1.0015	29/11		
64B12-15.003	28/45	29/10	29/16	64E-1.005	29/11		
64B12-19.002	27/11			64E-1.007	29/11		
64B13-5.002	28/49 29/6c 29/8c			64E-1.102	29/11		
64B13-6.001	28/45	29/4 29/18		64E-1.105	29/11		
64B14-2.001	28/36			64E-1.106	29/11		
64B14-4.004	29/14		29/20	64E-2.030	29/14		29/23
64B15-6.001	29/16			64E-6.007	25/48		
64B15-6.0031	29/16			64E-6.009	29/17		
64B15-6.011	29/16			64E-6.011	29/17		
64B15-15.003	29/2	29/10	29/17	64E-6.012	29/17		
64B15-19.007	29/16			64E-6.019	29/17		
64B16-27.105	27/4	27/21		64E-6.020	29/17		
64B16-27.300	29/13			64E-6.021	29/17		
64B16-28.140	24/38			64E-6.025	29/17		
64B16-28.450	28/52	29/13		64E-6.026	29/17		
64B17-3.006	28/50	29/17	29/23	64E-6.027	29/17		
64B17-4.006	28/50	29/17		64E-6.029	29/17		
64B18-17.001	29/17			64E-6.0295	29/17		
64B19-11.011	29/1			64E-11.002	29/13		
64B19-12.009	29/1 29/17		29/17w	64E-11.003	29/13		
64B19-18.0025	28/33			64E-11.004	29/13	29/20	
64B20-2.002	25/45 29/22	26/30		64E-11.005	29/13		
64B24-4.001	29/16			64E-11.006	29/13	29/20	
64B24-4.002	29/16			64E-11.007	29/13	29/20	
64B24-4.004	29/16			64E-11.012	29/13		
64B24-4.006	29/16			64E-11.013	29/13		
64B24-4.007	29/16			64E-11.014	29/13		
64B24-4.010	29/16			64E-17.006	27/50		
64B24-7.007	29/16			64F-12.001	29/10	29/19	
64B24-7.008	29/16			64F-12.012	29/10	29/19	29/21w
64B29-1.002	28/38	28/43 29/15	29/21 29/21	64F-12.013	29/10		29/21w
64B32-3.002	29/22			64F-12.015	29/18		
64B32-5.001	28/3	28/5		64F-12.018	29/18		
64B32-6.004	29/22			64F-12.024	29/10		29/21w
64B33-2.004	29/21			64F-16.005	29/15		
64C-13.018	24/22			64F-16.006	29/15		
64C-23.002	27/17			64F-16.007	29/15		
64C-27.001	27/17			64F-16.008	29/15		
64C-27.002	27/17			64F-19.001	28/47		
64D-3.002	29/9	29/17	29/23	64F-19.002	28/47		
64D-3.003	26/6 29/9	26/17	29/23 29/23	CHILDREN AND FAMILY SERVICES			
64D-3.0031	29/9		29/23	65-1	29/6c 29/6c		
64D-3.004	29/9		29/23	65A-1.205	29/21		
64D-3.007	29/9		29/23	65A-1.400	25/21c		
64D-3.0071	29/9		29/23	65A-1.601	28/11	28/23 28/31 28/41	
				65A-1.603	29/9		29/21
				65A-1.701	29/16		
				65A-1.702	29/16		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
65A-1.703	29/16			65C-25.005	29/9		
65A-1.710	29/16			65C-25.006	29/9	29/21	
65A-1.711	29/16			65C-25.007	29/9	29/21	
65A-1.712	29/16			65C-25.008	29/9	29/21	
65A-1.713	29/16			65E-2.003	26/20	26/28	
65A-1.714	29/16			65E-11.002	29/9		
65A-1.716	29/21			65E-11.003	29/9		
65A-4.213	25/32			65E-11.004	29/9		
65A-4.216	25/32			65E-11.007	29/9		
65A-4.219	29/12			65E-12.110	29/9		
65A-15.0095	26/4			65E-14.001	29/10		
65B-4.032	29/9			65E-14.003	29/10		
65C-16.001	29/17			65E-14.004	29/10		
65C-16.002	29/17			65E-14.005	29/10		
65C-16.003	29/17			65E-14.007	29/10		
65C-16.004	29/17			65E-14.011	29/10		
65C-16.005	29/17			65E-14.014	29/10	29/16	
65C-16.007	29/17			65E-14.016	29/10		
65C-16.008	29/17			65E-14.017	29/10		
65C-16.009	29/17			65E-14.018	29/10		
65C-16.010	29/17			65E-14.019	29/10	29/16	
65C-16.011	29/17			65E-14.020	29/10	29/16	
65C-16.012	29/17			65E-14.021	29/10	29/16	
65C-16.013	29/17			65E-14.022	29/10	29/16	
65C-16.014	29/17						
65C-16.015	29/17						
65C-16.016	29/17						
65C-16.017	29/17						
65C-17.001	28/48	29/11	29/20	67-18.005	28/42		
65C-17.002	28/48		29/20	67-21.019	24/46	24/46	
65C-17.003	28/48		29/20	67-32.002	29/10		29/18
65C-17.006	28/48	29/11	29/20	67-32.004	29/10		29/18
65C-20.008	29/9	29/21		67-32.005	29/10		29/18
65C-20.009	29/9	29/21		67-32.006	29/10		29/18
65C-20.010	29/9	29/21		67-32.007	29/10		29/18
65C-20.011	29/9	29/21		67-32.009	24/28		
65C-20.012	29/9				29/10		29/18
65C-20.013	29/9	29/21		67-32.010	29/10		29/18
65C-21.001	23/20			67-32.011	29/10		29/18
65C-22.001	29/9	29/21		67-37.011	25/37		
65C-22.002	29/9	29/21		67-38.002	26/5	26/21	
65C-22.003	29/9	29/21				26/22	
65C-22.004	29/9	29/21			29/12	29/22	
65C-22.005	29/9	29/21		67-38.0025	29/12		
65C-22.006	29/9	29/21		67-38.003	29/12	29/22	
65C-22.007	29/9	29/21		67-38.004	29/12	29/22	
65C-22.011	28/25			67-38.005	29/12	29/22	
65C-22.013	28/25			67-38.007	29/12		
65C-22.014	28/25			67-38.008	29/12		
65C-22.015	28/25			67-38.010	29/12		
65C-22.026	28/25			67-38.011	29/12		
65C-25.001	29/9			67-38.012	29/12		
65C-25.002	29/9			67-38.014	29/12		
65C-25.003	29/9			67-38.015	29/12		
65C-25.004	29/9	29/21		67-38.017	29/12		
				67-48.005	27/45c		

FLORIDA HOUSING FINANCE CORPORATION



Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
67-48.026	28/51		29/17	68B-4.0082	29/17		
67-48.027	28/51		29/17	68B-13.005	29/17		
67-50.005	29/4	29/12	29/18	68B-13.008	27/31	26/13	
67-50.010	29/4	29/12	29/18	68B-13.010	29/17		
67-50.030	29/4	29/12	29/18	68B-24.002	29/17		
67-50.040	29/4	29/12	29/18	68B-24.004	29/17		
67-50.050	29/4	29/12	29/18	68B-24.0055	29/17	29/19	
67-50.060	29/4	29/12	29/18	68B-24.006	29/17		
67-50.070	29/4	29/12	29/18	68B-33.0034	29/9		29/16
67-50.080	29/4	29/12	29/18	68B-33.004	29/9		29/16
				68B-33.005	29/9		29/16
FISH AND WILDLIFE CONSERVATION COMMISSION				68B-35.002	29/17		
68A-1.004	29/8		29/17	68B-35.003	29/17		
68A-4.008	29/8		29/17	68B-35.004	29/17		
68A-5.005	29/8		29/17	68B-35.005	29/17		
68A-9.004	29/8		29/17	68B-38.001	29/17		
	29/17			68B-39.001	29/17		
68A-13.003	29/8		29/17	68B-39.002	29/17		
68A-14.001	29/8		29/17	68B-39.003	29/17		
68A-15.004	29/8		29/17	68B-39.004	29/17		
68A-15.005	29/8		29/17	68B-39.0045	29/17		
	29/17			68B-39.0046	29/17		
68A-15.006	29/8		29/17	68B-39.0047	29/17		
68A-15.061	29/8	29/15	29/21	68B-39.005	29/17		
68A-15.062	29/8	29/15	29/21	68B-39.008	29/17		
	29/17			68B-44.006	29/17		
68A-15.063	29/8		29/17	68B-44.008	29/17		
	29/17			68B-45.002	29/17		
68A-15.064	29/8		29/17	68B-45.006	29/17		
68A-15.065	29/8		29/17	68B-55.001	29/17		
	29/17			68B-55.002	29/17		
68A-16.004	29/8		29/17	68B-55.003	29/17		
68A-16.005	29/8		29/17	68B-55.004	29/17		
68A-17.005	29/8	29/15	29/21	68B-56.001	29/8		29/17
68A-20.005	29/8		29/17	68B-56.002	29/8		29/17
68A-24.003	28/17			68B-56.003	29/8		29/17
68A-24.004	28/17			68B-56.004	29/8		29/17
68A-24.006	28/17			68DER03-1			29/13
68A-27.0012	29/17						29/18w
68A-27.004	29/17						
68A-27.005	29/17						