

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF INSURANCE

RULE TITLE: Standards of Hazardous Financial Condition
 RULE NO.: 4-138.032

PURPOSE AND EFFECT: The purpose of the rule is to adopt the NAIC Model Regulation setting out standards for determining when an insurer is in hazardous financial condition, and to authorize issuance of an order to address the condition.

SUBJECT AREA TO BE ADDRESSED: Standards for insurers doing business in Florida to maintain sound financial condition.

SPECIFIC AUTHORITY: 624.308(1), 624.81(10) FS.

LAW IMPLEMENTED: 624.307(1), 624.81, 624.82, 624.84 FS.

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

TIME AND DATE: 9:30 a.m., May 22, 2003

PLACE: Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting the person listed below.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sandra DuPont, Bureau of Property and Casualty Insurer Solvency, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0329, (850)413-5232

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-138.032 Standards of Hazardous Financial Condition.

(1)(a) Purpose. The purpose of this rule is to set forth the standards which the Office of Insurance Regulation (hereinafter "Office) shall use for identifying insurers found to be in such condition as to render the continuance of their business hazardous to the public or to holders of their policies or certificates of insurance.

(b) This rule shall not be interpreted to limit the powers granted the Office by any laws or parts of laws of this state, nor shall this rule be interpreted to supercede any laws or parts of laws of this state.

(2) Standards. The following standards, either singly or a combination of two or more, shall be considered by the Office to determine whether the continued operation of any insurer transacting an insurance business in this state might be deemed to be hazardous to the policyholders, creditors, or the general public.

(a) Adverse findings reported in financial condition and market conduct examination reports;

(b) The National Association of Insurance Commissioners Insurance Regulatory Information System and its related reports;

(c) The ratios of commission expense, general insurance expense, policy benefits and reserve increases as to annual premium and net investment income that could lead to an impairment of capital and surplus;

(d) The insurer's asset portfolio when viewed in light of current economic conditions is not of sufficient value, liquidity or diversity to assure the company's ability to meet its outstanding obligations as they mature;

(e)1. The ability of an assuming reinsurer to perform; and
 2. Whether the insurer's reinsurance program provides sufficient protection for the company's remaining surplus after taking into account the insurer's cash flow and the classes of business written, as well as the financial condition of the assuming reinsurer;

(f) Whether the insurer's operating loss in the last 12 month period or any shorter period of time, including net capital gain or loss, change in non-admitted assets, and cash dividends paid to shareholders, is greater than 50 percent of the insurer's remaining surplus as regards policyholders in excess of the minimum required;

(g) Whether any affiliate, subsidiary or reinsurer is insolvent, threatened with insolvency, or delinquent in payment of its monetary or other obligations;

(h) Contingent liabilities, pledges or guaranties which either individually or collectively involve a total amount which affects the solvency of the insurer;

(i) Whether any "controlling person" of an insurer is delinquent in the transmitting to, or payment of, net premiums to the insurer;

(j) The age and collectibility of receivables;

(k) Whether the management of an insurer, including officers, directors, or any other person who directly or indirectly controls the operation of the insurer, fails to possess and demonstrate the competence, fitness, and reputation deemed necessary to serve the insurer in such position;

(l) Whether management of an insurer has failed to respond to inquiries relative to the condition of the insurer or has furnished false and misleading information concerning an inquiry;

(m) Whether management of an insurer has:

1. Filed any false or misleading sworn financial statement;

2. Released a false or misleading financial statement to lending institutions or to the general public; or

3. Made a false or misleading entry, or has omitted an entry of material amount in the books of the insurer;

(n) Whether the insurer has grown so rapidly and to such an extent that it lacks adequate financial and administrative capacity to meet its obligations in a timely manner;

(o) Whether the company has experienced or will experience in the foreseeable future cash flow or liquidity problems;

(3) Office's Authority.

(a) For the purposes of making a determination of an insurer's financial condition under this rule, the Office shall:

1. Disregard any credit or amount receivable resulting from transactions with a reinsurer that is insolvent, impaired, or otherwise subject to a delinquency proceeding;

2. Make appropriate adjustments to asset values attributable to investments in or transactions with parents, subsidiaries or affiliates;

3. Refuse to recognize the stated value of accounts receivable if the ability to collect receivables is highly speculative in view of the age of the account or the financial condition of the debtor;

4. Increase the insurer's liability in an amount equal to any contingent liability, pledge, or guarantee not otherwise included if there is a substantial risk that the insurer will be called upon to meet the obligation undertaken within the next 12 month period.

(b) If the Office determines that the continued operation of the insurer licensed to transact business in this state is hazardous to the policyholders or the general public, then the Office shall, upon a determination as appropriate, issue an order requiring the insurer to:

1. Reduce or limit the total amount of present and potential liability for policy benefits by reinsurance;

2. Reduce, suspend, or limit the volume of business being accepted or renewed;

3. Reduce or limit general insurance and commission expenses by specified methods;

4. Increase the insurer's capital and surplus;

5. Suspend or limit the declaration and payment of dividend by an insurer to its stockholders or to its policyholders;

6. File reports in a form acceptable to the Office concerning the market value of an insurer's assets;

7. Limit or withdraw from certain investments or discontinue certain investment practices;

8. Document the adequacy of premium rates in relation to the risks insured;

9. File, in addition to regular annual statements, interim financial reports on the form adopted by the National Association of Insurance Commissioners or in such format as promulgated by the Office.

If the insurer is a foreign insurer the Office's order shall be limited to the extent provided by statute.

(c) An insurer subject to an order under paragraph (b) may request a hearing to review that order.

1. The notice of hearing shall be served upon the insurer pursuant to Sections 120.569 and 120.57, Florida Statutes.

2. The notice of hearing shall state the time and place of hearing, and the conduct, condition, or ground upon which the Office based the order.

3. The Office shall hold all hearings under this subsection privately, unless the insurer requests a public hearing, in which case the hearing shall be public.

(4) Judicial Review. Any order or decision of the Office shall be subject to review in accordance with Sections 120.569 and 120.57, Florida Statutes, at the instance of any party to the proceedings whose interests are substantially affected.

Specific Authority, 624.308(1), 624.81(10) FS. Law Implemented 624.307(1), 624.81, 624.82, 624.84 FS. History--New _____.

DEPARTMENT OF REVENUE

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Compensation for Tax Information	12-18
RULE TITLE:	RULE NO.:
Submission of Information and	
Claims for Compensation	12-18.004

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12-18.004, F.A.C. (Submission of Information and Claims for Compensation), is to adopt, by reference, changes to form DR-55 (Application for Compensation for Tax Information) used by the Department in the administration of its authority to compensate persons who provide information to the Department pursuant to s. 213.30, F.S.

SUBJECT AREA TO BE ADDRESSED: The subject of this workshop is the proposed adoption of revisions to form DR-55, Application for Compensation for Tax Information.

SPECIFIC AUTHORITY: 213.06(1), 213.30(1) FS.

LAW IMPLEMENTED: 213.30 FS.

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

TIME AND DATE: 9:30 a.m., May 21, 2003

PLACE: Room 435, Carlton Building, 501 S. Calhoun 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.

- (a) through (b) No change.
- Form Number Title Effective Date
- (2) through (18) No change.
- (19) DR-1214 Application for Temporary
Tax Exemption Permit
(R. ~~04/03 08/00~~) _____ ~~06/01~~
- (20) No change.

Specific Authority 201.11, 202.17(3)(a), 202.22(6), 202.26(3), 212.0515(7), 212.07(1)(b), 212.08(5)(b), (7), 212.11(5)(b), 212.12(1)(b)2., 212.17(6), 212.18(2),(3), 213.06(1), 376.70(6)(b), 376.75(9)(b), 403.718(3)(b), 403.7185(3)(b), 443.171(2),(7) FS. Law Implemented 92.525(1)(b),(3), 95.091, 125.0104, 125.0108, 201.08(1)(a), 201.01, 201.133, 201.17(1)-(5), 202.11(2),(3),(6),(16),(24), 202.17, 202.22(3)-(6), 202.28(1), 203.01, 212.02, 212.03, 212.0305, 212.031, 212.04, 212.05, 212.0501, 212.0515, 212.054, 212.055, 212.06, 212.0606, 212.07(1),(8),(9), 212.08, 212.084(3), 212.085, 212.09, 212.096, 212.11(1),(4),(5), 212.12(1),(2),(9),(13), 212.13, 212.14(5), 212.17, 212.18(2),(3), 213.235, 213.29, 213.37, 219.07, 288.1258, 376.70, 376.75, 403.717, 403.718, 403.7185, 443.036, 443.121(1),(3), 443.131, 443.1315, 443.1316, 443.171(2),(7) FS. History--New 4-12-84, Formerly 12A-1.97, Amended 8-10-92, 11-30-97, 7-1-99, 4-2-00, 6-28-00, 6-19-01, 10-2-01, 10-21-01, 8-1-02, 4-17-03, 5-4-03, _____.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Communications Services Tax	12A-19
RULE TITLES:	RULE NOS.:
Tax Due at Time of Sale; Tax Returns and Regulations	12A-19.020
Public Use Forms	12A-19.100

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-19.020, F.A.C. (Tax Due at Time of Sale; Tax Returns and Regulations), is to provide that: (1) form DR-700016, Florida Communications Services Tax Return (R. 03/03), is to be used to report communications services tax on services billed from March 1, 2003, through May 31, 2003; and (2) form DR-700016, Florida Communications Services Tax Return (R. 06/03), is to be used to report communications services tax on services billed on or after June 1, 2003.

The purpose of proposed amendments to Rule 12A-19.100, F.A.C. (Public Use Forms), is to adopt, by reference, form DR-700016, Florida Communications Services Tax Return (R. 03/03), and form DR-700016, Florida Communications Services Tax Return (R. 06/03).

SUBJECT AREA TO BE ADDRESSED: The subject of this workshop is the proposed revisions to the changes to form DR-700016, as contained in the revisions dated "R. 03/03" and "R. 06/03."

SPECIFIC AUTHORITY: 202.15, 202.151, 202.16(2), 202.26(3)(a),(c),(d) FS.

LAW IMPLEMENTED: 202.11(4),(11),(12), 202.12(1), 202.13(2), 202.15, 202.151, 202.16, 202.17(6), 202.19(1), 202.22(6), 202.27, 202.28(1),(2), 202.30, 202.33(2), 202.34(3),(4)(c), 202.35(1) FS.

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

TIME AND DATE: 9:30 a.m., May 21, 2003

PLACE: Room 435, Carlton Building, 501 S. Calhoun 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.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT 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 PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12A-19.020 Tax Due at Time of Sale; Tax Returns and Regulations.

(1) through (3)(b) No change.

(c) Form DR-700016, Florida Communications Services Tax Return, contains current tax rates for each local taxing jurisdiction. These rates are also contained on the Department's Internet site at the address shown inside the parentheses (www.myflorida.com/dor/taxes/local_tax_rates.html). The Department's Internet site and form DR-700016 are revised when the tax rate in any local jurisdiction changes.

(d) The following versions of form DR-700016, Florida Communications Services Tax Return, are applicable to the reporting periods and service billing dates indicated:

<u>06/03</u>	<u>June 2003 -</u>	<u>June 1, 2003 -</u>
<u>03/03</u>	<u>March 2003 - May 2003</u>	<u>March 1, 2003 - May 31, 2003</u>
01/03	January 2003 - February 2003	January 1, 2003 - February 28, 2003
12/02	December 2002	December 1, 2002 - December 31, 2002
11/02	November 2002	November 1, 2002 - November 30, 2002
10/02	October 2002	October 1, 2002 - October 31, 2002
01/02	January 2002 - September 2002	January 1, 2002 - September 30, 2002
12/01	October 2001 - December 2001	October 1, 2001 - December 31, 2001

(4) through (8) No change.

Specific Authority 202.15, 202.151, 202.26(3)(a) FS. Law Implemented 202.12(1), 202.15, 202.151, 202.16, 202.19(1), 202.22(6), 202.27, 202.28(1),(2), 202.30(3), 202.33(2), 202.35(1) FS. History--New 1-31-02, Amended 4-17-03, _____.

12A-19.100 Public Use Forms.

(1)(a) The Department employs the following public-use forms and instructions in the administration of Chapter 202, F.S., Communications Services Tax. These forms are hereby incorporated by reference in this rule.

(b) Copies of 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 32399-0100; 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 the form 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.

Form Number	Title	Effective Date
(2) No change.		
(3)(a) <u>DR-700016</u>	<u>Florida Communications Services Tax Return (R. 06/03)</u>	_____
(b) <u>DR-700016</u>	<u>Florida Communications Services Tax Return (R. 03/03)</u>	_____
(a) through (f) renumbered (c) through (h)	No change.	
(4) through (7)	No change.	

Specific Authority 202.16(2), 202.26(3)(c),(d) FS. Law Implemented 202.11(4),(11),(12), 202.13(2), 202.16(2),(4), 202.17(6), 202.34(3),(4)(c) FS. History—New 4-17-03, Amended _____.

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Severance Taxes and Fees	12B-7
RULE TITLES:	RULE NOS.:
Public Use Forms	12B-7.008
Public Use Forms	12B-7.026
Miami-Dade County Lake Belt Mitigation Fee	12B-7.030
Public Use Forms	12B-7.031

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12B-7.008, F.A.C. (Public Use Forms) of Part I (Tax on Production of Oil, Gas, and Sulfur) of Chapter 12B-7, F.A.C., is to: (1) provide that the Department uses form DR-144, Gas and Sulfur Production Quarterly Tax Return, form DR-144ES, Declaration of Estimated Gas and Sulfur Production, form DR-145, Oil Production Monthly Tax Return, and form DR-145X, Oil Production Monthly Amended Tax Return, in its administration of the taxes imposed on the production of oil, gas, and sulfur; and (2) adopt, by reference, changes to these forms.

The purpose of the proposed amendments to Rule 12B-7.026, F.A.C. (Public Use Forms), of Part II (Severance Tax on Solid Minerals) of Chapter 12B-7, F.A.C., is to: (1) remove the adoption, by reference, of form DR-146, Miami-Dade County Lake Belt Mitigation Fee; (2) provide that form DR-142, Solid

Mineral Severance Tax Return, and form DR-142ES, Declaration/Installment Payment of Estimated Solid Mineral Severance Tax, are used by the Department in its administration of the severance taxes imposed on the severance of solid minerals, phosphate rock, or heavy minerals from the soils and waters of this state; and (3) adopt, by reference, changes to these forms.

The purpose of the proposed creation of Part III (Mitigation Fees on Mining) of Rule Chapter 12B-7, F.A.C., is to provide for separate administration of the mitigation fee imposed on mining under s. 373.41492, F.S.

The purpose of the proposed creation of Rule 12B-7.030, F.A.C. (Miami-Dade County Lake Belt Mitigation Fee), is to: (1) provide that s. 373.41492, F.S., imposes a mitigation fee on each ton of limerock and sand extracted by any person who engages in the business of extracting limerock or sand within the areas and sections provided in section 373.41492, F.S.; (2) provide that the fee is imposed at the rate per-ton, as provided in ss. 373.41492(2) and (5), F.S.; (3) provide that the Miami-Dade County Lake Belt Mitigation Fee Monthly Return (form DR-146) is to be used to report the fee to the Department; (4) provide when the return and the payment of the fee is due to the Department; and (5) provide when interest and penalties will be imposed on delinquent fees.

The purpose of the proposed creation of Rule 12B-7.031, F.A.C. (Public Use Forms), is to: (1) adopt, by reference, form DR-146, Miami-Dade County Lake Belt Mitigation Fee Monthly Return; and (2) provide how the form may be obtained from the Department.

SUBJECT AREA TO BE ADDRESSED: The subject of this workshop is: (1) the proposed changes to forms used by the Department in its administration of the taxes imposed on the production of oil, gas, and sulfur; (2) the proposed changes to forms used by the Department in its administration of the severance taxes imposed on the severance of solid minerals, phosphate rock, or heavy minerals from the soils and waters of this state; and (3) the proposed creation of Part III (Mitigation Fee on Mining), which provides for the administration of the Miami-Dade County Lake Belt Mitigation Fee imposed under s. 373.41492, F.S.

SPECIFIC AUTHORITY: 211.075(2), 211.125(1), 211.33(6), 213.06(1), 373.41492(4)(b) FS.

LAW IMPLEMENTED: 92.525(1)(b),(2),(3),(4), 211.026, 211.075, 211.076, 211.125, 211.30, 211.31, 211.3103, 211.3106, 211.33, 212.11(1)(b), 212.12(2), 212.17(1)(c), 213.235(2), 213.37, 213.755(1), 373.41492 FS.

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

TIME AND DATE: 9:30 a.m., May 21, 2003
 PLACE: Room 435, Carlton Building, 501 S. Calhoun 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.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT 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 PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

PART I – TAX ON PRODUCTION OF OIL, GAS, AND SULFUR

12B-7.008 Public Use Forms.

(1)(a) The following ~~public-use~~ forms and instructions are used by the Department in its administration of the taxes imposed on the production of oil, gas, and sulfur dealings with the public. These forms are hereby incorporated ~~and made a part of this rule~~ by reference in this rule.

(b) No change.

Form Number	Title	Effective Date
(2) DR-144	Gas and Sulfur Production Quarterly Tax Return (R. <u>04/03 03/03</u>)	____ <u>05/03</u>
(3) DR-144ES	Declaration of Estimated Gas and Sulfur Production Tax (R. <u>04/03 03/03</u>)	____ <u>05/03</u>
(4) DR-145	Oil Production Monthly Tax Return (R. <u>04/03 03/03</u>)	____ <u>05/03</u>
(5) DR-145X	Oil Production Monthly Amended Tax Return (R. <u>04/03 03/03</u>)	____ <u>05/03</u>

Specific Authority 211.075(2), 211.125(1), 213.06(1) FS. Law Implemented 92.525(1)(b),(2),(3),(4), 211.026, 211.075(2), 211.076, 211.125, 213.755(1) FS. History–New 12-28-78, Formerly 12B-7.08, Amended 12-18-94, 5-4-03, _____.

PART II – SEVERANCE TAX ON SOLID MINERALS

12B-7.026 Public Use Forms.

(1)(a) The following ~~public-use~~ forms and instructions are used by the Department in its administration of the taxes imposed on the severance of solid minerals, phosphate rock, or

heavy minerals from the soils and waters of this state dealings with the public. These forms are hereby incorporated ~~and made a part of this rule~~ by reference in this rule.

(b) No change.

Form Number	Title	Effective Date
(2) DR-142	Solid Mineral Severance Tax Return (R. <u>04/03 03/03</u>)	____ <u>05/03</u>
(3) DR-142ES	Declaration/Installment Payment of Estimated Solid Mineral Severance Tax (R. <u>04/03 03/03</u>)	____ <u>05/03</u>
(4) DR-146	Miami-Dade County Lake Belt Mitigation Fee Monthly Return (n. 7/99)	____ 10/01

Specific Authority 211.33(6), 213.06(1), 373.41492(4)(b) FS. Law Implemented 92.525(2), 211.075(2), 211.30, 211.31, 211.3103, 211.3106, 211.33, 213.755(1), 373.41492 FS. History–New 12-18-94, Amended 10-4-01, 5-4-03, _____.

PART III – MITIGATION FEE ON MINING

12B-7.030 Miami-Dade County Lake Belt Mitigation Fee.

(1) The Miami-Dade County Lake Belt Mitigation Fee is imposed on each ton of limerock and sand extracted by any person who engages in the business of extracting limerock or sand within the areas and sections provided in Section 373.41492, F.S. The per-ton mitigation fee is at the rate provided in Section 373.41492(2) and (5), F.S.

(2) The tax is to be reported to the Department on the Miami-Dade County Lake Belt Mitigation Fee Monthly Return (form DR-146, incorporated by reference in Rule 12B-7.031, F.A.C.).

(3)(a) Except as provided in Rule Chapter 12-24, F.A.C., the payment and the Miami-Dade County Lake Belt Mitigation Fee Monthly Return must be delivered to the Department or be postmarked on or before the 20th day of the month following the month of the taxable transaction to avoid penalty and interest for late filing. 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 this purpose, a legal holiday means a holiday that is observed by federal or state agencies as a legal holiday, as this term is defined in Chapter 682, F.S., and section 7503, Internal Revenue Code of 1986, as amended. A "legal holiday" pursuant to section 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) Electronic filing of payments and returns must be submitted to the Department, as provided in Rule Chapter 12-24, F.A.C., when:

1. Payment of the fee is required to be made by electronic means:

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

3. No fee is due with a return for reporting fees.

(4) When any person fails to remit the mitigation fee, or any portion thereof, on or before the day the fee is required to be paid, interest will be added to the amount of unpaid fee at the rate of interest established pursuant to Section 213.235, F.S., and Rule 12-3.0015, F.A.C. (prorated daily). Interest accrues on the amount of fee due from the date of delinquency until the date on which the tax is paid.

(5) Persons who are required to make a return or to pay the mitigation fee imposed under Section 373.41492, F.S., and administered under the provisions of Chapter 212, F.S., and fail to do so will be subject to penalties, as provided in Section 212.12(2), F.S.

Specific Authority 211.33(6), 213.06(1), 373.41492(4)(b) FS. Law Implemented 92.525(1)(b),(2),(3),(4), 211.30, 211.31, 211.3103, 211.3106, 211.33, 212.12(2), 212.17(1)(c), 213.235(2), 213.37, 213.755(1), 373.41492 FS. History--New _____.

12B-7.031 Public Use Forms.

(1)(a) The following form and instructions are used by the Department in its dealings with the public in the administration of the Miami-Dade County Lake Belt Mitigation fee. This form and instructions are hereby incorporated by reference in this rule.

(b) Copies of this form and instructions 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) calling the Forms Request Line during regular office hours at (800)352-3671 (in Florida only) or (850)488-6800; or, 4) downloading 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.

<u>Form Number</u>	<u>Title</u>	<u>Effective Date</u>
(2) DR-146	<u>Miami-Dade County Lake Belt Mitigation Fee Monthly Return (R. 02/03)</u>	_____

Specific Authority 213.06(1), 373.41492(4)(b) FS. Law Implemented 92.525(1)(b),(2),(3),(4), 212.11(1)(b), 212.12(2), 212.17(1)(c), 213.235(2), 213.37, 213.755(1), 373.41492 FS. History--New _____.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Holding Cells
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to revise the time requirements for initiation of a holding cell log.

RULE NO.: 33-602.224

SUBJECT AREA TO BE ADDRESSED: Holding cells.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 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:

33-602.224 Holding Cells.

(1) through (3) No change.

(4) A holding cell log will be initiated any time an inmate is placed in the holding cell for a period exceeding 30 minutes ~~one hour~~. Each institution will be responsible for using the Holding Cell Log, Form DC6-208, to record the reasons for placement in the cell, the length of time held in cell, and the record of frequent checks. Form DC6-208 is hereby incorporated by reference. A copy of this form is available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. Requests for forms to be mailed must be accompanied by a self-addressed stamped envelope. The effective date of this form is February 3, 2000.

(5) through (9) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New 2-3-00, Amended _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Hospice Services
 RULE NO.: 59G-4.140

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Hospice Services Coverage and Limitations Handbook, October 2003. This handbook contains changes required by the Health Insurance Portability and Accountability Act (HIPAA). The effect will be to incorporate by reference in the rule the current Florida Medicaid Hospice Services Coverage and Limitations Handbook.

SUBJECT AREA TO BE ADDRESSED: Hospice Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908 FS.

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

TIME AND DATE: 9:00 a.m., Tuesday, May 20, 2003
 PLACE: 2728 Ft. Knox Boulevard, Building 3, Conference Room D, Tallahassee, Florida
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Peggy Stafford, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, (850)487-2618

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.140 Hospice Services.

(1) No change.

(2) All hospice services providers enrolled in the Medicaid program must comply with the Florida Medicaid Hospice Services Coverage and Limitations Handbook, October 2003 July 1999, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, UB 92, incorporated by reference in Rule 59G-4.160, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History—New 1-1-87, Amended 10-9-90, 5-13-92, 10-8-92, Formerly 10C-7.0533, Amended 2-14-95, 12-27-95, 9-21-99, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE TITLE: Continuing Education Renewal Requirements
 RULE NO.: 61-20.508

PURPOSE AND EFFECT: The Council proposes to review the existing rule to determine if any rule amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Renewal Requirements.

SPECIFIC AUTHORITY: 468.4315(2), 468.4336, 468.4337 FS.

LAW IMPLEMENTED: 455.2124, 468.4336, 468.4337 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: Julie Malone, Executive Director, Regulatory Council of Community Association Managers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Aggravating and Mitigating Circumstances
 RULE NO.: 61G4-17.002

PURPOSE AND EFFECT: The Board proposes to review and amend the language.

SUBJECT AREA TO BE ADDRESSED: Aggravating and Mitigating Circumstances.

SPECIFIC AUTHORITY: 455.2273, 455.2275 FS.

LAW IMPLEMENTED: 455.2273 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 ADMINSTRATIVE WEEKLY.

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 N. Monroe Street, Tallahassee, Florida 32399-1039

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE TITLE: Re-examination
 RULE NO.: 61G5-18.004

PURPOSE AND EFFECT: The Board proposes the amend these rules to address concerns regarding the re-examination process.

SUBJECT AREA TO BE ADDRESSED: Re-examination.

SPECIFIC AUTHORITY: 120.53, 455.217(1), 477.016 FS.

LAW IMPLEMENTED: 455.217(2), 477.022 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: Julie Malone, Executive Director, Barbers' Board, Northwood Centre, 1940 N. 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 Funeral Directors and Embalmers

RULE TITLE: Disciplinary Guidelines
 RULE NO.: 61G8-30.001

PURPOSE AND EFFECT: The Board proposes to review this rule to determine th enecessity of amendments.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLES:	RULE NOS.:
Temporary Certificate Requirements for Dentists Practicing in State and County Government Facilities	64B5-7.0035
Teaching Permits	64B5-7.005
Non-Profit Corporation Permits	64B5-7.006
Limited License as Allowed in Section 456.013, F.S.	64B5-7.007

PURPOSE AND EFFECT: The Board proposes to review the rules to determine whether amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: The Board proposes to review the continuing education requirements for permit holders.

SPECIFIC AUTHORITY: 456.015, 466.002(6), 466.004(4) FS.

LAW IMPLEMENTED: 456.015, 456.032, 466.002, 466.006, 466.007, 466.011, 466.017(4), 466.025(3) FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE BOARD'S NEXT MEETING AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m. or shortly thereafter, May 16, 2003

PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316, (954)527-2700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE:	RULE NO.:
Continuing Education Requirements	64B5-12.013

PURPOSE AND EFFECT: The Board proposes the rule amendment to set a time limit for continuing education credit hours allowed for pro bono services.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment addresses the requirements per biennium for pro bono dental and dental hygiene services.

SPECIFIC AUTHORITY: 456.013(8), 456.031, 466.004(4), 466.0135, 466.014, 466.017(3),(4) FS.

LAW IMPLEMENTED: 456.013(8), 456.031, 466.0135, 466.014, 466.028(1)(i),(bb), 466.017(3),(5) FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE BOARD'S NEXT MEETING AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m. or shortly thereafter, May 16, 2003

PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316, (954)527-2700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B5-12.013 Continuing Education Requirements.

(1) through (2) No change.

(3) Continuing education credit shall be awarded only for educational experiences that are specifically appropriate for, and contain useful information directly pertinent to, dentistry and only if received through the following methods:

(a) through (d) No change.

(e) By participating in programs approved by the Board pursuant to Rule 64B5-12.0185, F.A.C., that provide substantial pro bono dental and dental hygiene services to the indigent, to dentally underserved populations or to persons who reside in areas of critical need within Florida. Dentists and dental hygienists may obtain a maximum of 5 hours per biennium of required continuing education credit for participating in such programs. Continuing education credit shall be calculated at a ratio of 1 continuing education credit for each 3 hours of patient services provided to approved programs.

(4) through (6) No change.

Specific Authority 456.013(8), 456.031, 466.004(4), 466.0135, 466.014, 466.017(3),(4) FS. Law Implemented 456.013(8), 456.031, 466.0135, 466.014, 466.028(1)(i),(bb), 466.017(3),(5) FS. History—New 4-2-86, Amended 12-31-86, 4-26-87, 7-20-87, 9-16-87, 11-18-89, 7-9-90, Formerly 21G-12.013, Amended 5-19-94, 7-18-94, Formerly 61F5-12.013, Amended 11-15-95, 4-8-96, Formerly 59Q-12.013, Amended 2-17-98, 2-15-99, 3-11-99, 11-9-00, 5-20-01,_____.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLES:	RULE NOS.:
Individual Study	64B5-12.018
Courses Required for Initial Licensure, Renewal, or Reactivation	64B5-12.019

PURPOSE AND EFFECT: The Board proposes to review the rules to determine whether amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: The Board proposes to review the continuing education requirements for attendance at Board meetings, and for courses required on HIV/AIDS and domestic violence.

SPECIFIC AUTHORITY: 456.031, 456.033, 466.004 FS.

LAW IMPLEMENTED: 456.013, 456.031, 456.033, 466.0135, 466.014 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE BOARD'S NEXT MEETING AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m. or shortly thereafter, May 16, 2003

PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316, (954)527-2700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Courses Required of Licensees for Renewal and Reactivation

RULE NO.: 64B5-12.020

PURPOSE AND EFFECT: The Board proposes the rule amendments to update continuing education requirements for life-saving techniques.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments address new developments in life-saving procedures for inclusion in continuing education requirements.

SPECIFIC AUTHORITY: 466.004 FS.

LAW IMPLEMENTED: 456.013(6),(7),(8), 466.0135, 466.014 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE BOARD'S NEXT MEETING AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m. or shortly thereafter, May 16, 2003

PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316, (954)527-2700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B5-12.020 Courses Required of Licensees for Renewal and Reactivation.

Licensed dentists and dental hygienists are required to complete the following continuing education during each license renewal biennium.

(1) Training in cardiopulmonary resuscitation (CPR) at the basic support level, including one-rescuer and two-rescuer CPR for adults, children, and infants; the relief of foreign body airway obstructions for adults, children, and infants; the use of an automatic external defibrillator (AED); and the use of ambu-bags resulting in including one-person, two-person and child techniques, which results in certification or recertification in CPR by the American Heart Association, the American Red Cross or an entity with equivalent requirements.

(2) through (3) No change.

Specific Authority 466.004 FS. Law Implemented 456.013(6),(7),(8), 466.0135, 466.014 FS. History—New 4-11-94, Amended 7-18-94, Formerly 61F5-12.020, 59Q-12.020, Amended 1-23-01, 6-7-01, 9-27-01, 12-23-02,

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Special Assessment

RULE NO.: 64B5-15.026

PURPOSE AND EFFECT: The Board proposes a new rule to determine whether additional licensure fees are necessary.

SUBJECT AREA TO BE ADDRESSED: The Board proposes to evaluate a special assessment licensure fee.

SPECIFIC AUTHORITY: 466.004 FS.

LAW IMPLEMENTED: 456.025 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE BOARD'S NEXT MEETING AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m. or shortly thereafter, May 16, 2003

PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316, (954)527-2700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Unlicensed Practice of Dentistry

RULE NO.: 64B5-17.010

PURPOSE AND EFFECT: The Board proposes the rule amendments to address the verification of a patient's shade selection outside the dentist's direct supervision.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments specify the requirements for shade selection verification for fixed partial prosthesis performed outside the dentist's direct supervision.

SPECIFIC AUTHORITY: 466.004(4) FS.
 LAW IMPLEMENTED: 466.026(1)(a), 466.028(1)(g),(bb) FS.
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE BOARD'S NEXT MEETING AT THE TIME, DATE AND PLACE SHOWN BELOW:
 TIME AND DATE: 10:00 a.m. or shortly thereafter, May 16, 2003
 PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316, (954)527-2700
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B5-17.010 Unlicensed Practice of Dentistry.

For the purposes of interpreting Sections 466.003(3), 466.026(1)(a), and 466.028(1)(g)(bb), F.S., the Board shall not consider it to be the unlicensed practice of dentistry for an unlicensed person to furnish, supply, construct or reproduce an appliance to be worn in the human mouth or to verify the patient's shade-selection outside the dentist's direct supervision for fixed partial prosthesis if:

- (1) through (2) No change.
- (3) The appliance does not adjust or otherwise affect the natural features of the face or mouth or affect any appliance placed in the mouth by a licensed dentist; ~~and~~
- (4) No change.
- (5) The request for the shade verification is accompanied by a prescription form or work order written by a licensed dentist to meet the requirements of Section 466.021, Florida Statutes;
- (6) The dentist has previously completed the initial shade selection;
- (7) The shade verification site is approved by the dentist and meets all requirements of Sections 466.028(1)(u), 466.031(1) and 466.032(1), Florida Statutes;
- (8) During shade verification, no appliances or prosthetic devices are to be placed, removed or sealed in the oral cavity at the site except by a licensed dentist on a patient of record in accordance with the requirements of Sections 466.024(5) and 466.028(1)(m), Florida Statutes;
- (9) During shade verification, contact to the patient is limited to visual contact only;
- (10) During shade verification, soft or hard tissue shall not be manipulated;

(11) During shade verification, the patient shall be instructed on how to retract his or her own lip, and the shade tab shall only be held in proximity, but without physical contact to the patient's dentition; and.

(12) During shade verification, photography shall be limited to the patient's visible dentition during smile and the patient's dentition with the patient retracting their lips.

Specific Authority 466.004(4) FS. Law Implemented 466.026(1)(a), 466.028(1)(g),(bb) FS. History--New 9-5-91, Formerly 21G-17.010, 61F5-17.010, Amended 5-9-95, Formerly 59Q-17.010, Amended _____.

Section II Proposed Rules

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE TITLE: RULE NO.:

Division of Cultural Affairs IT-1.001

PURPOSE AND EFFECT: The purpose of these amendments are to incorporate program changes to the Cultural Support Grants Program and revisions to forms used in administration of program-based grants to organizations.

SUMMARY: The proposed rule amendment reflects changes to program eligibility, criteria and procedures pursuant to recommendations of the Florida Arts Council following a public task force evaluation. Changes to the Grant Report Form incorporate new grant data coding required by federal grantor.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 255.043(4), 265.284(5)(d), 265.285(1)(c), 265.286(1),(4),(6), 265.2861(2)(b), 265.2865(6), 265.51, 265.605(1), 265.608, 265.609(1),(4),(6), 265.701(4) FS.

LAW IMPLEMENTED: 215.97, 255.043, 265.284, 265.285, 265.286, 265.2861, 265.2865, 265.51-56, 265.601-607, 265.608, 265.609, 265.701, 286.011, 286.012, 286.25 FS.

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

TIME AND DATE: 10:00 a.m., June 6, 2003
 PLACE: Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida 32301
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Linda Downey, Bureau Chief, Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida 32301