

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Elections

RULE CHAPTER TITLE: Elections
 RULE CHAPTER NO.: 1S-2
 RULE TITLE: Voting Machine Equipment Regulation/
 Purchase Use and Sale
 RULE NO.: 1S-2.004

PURPOSE AND EFFECT: The purpose of this rule amendment is to update the rule to include statutory changes.

SUBJECT AREA TO BE DISCUSSED: The rule will incorporate changes to state and federal laws.

SPECIFIC AUTHORITY: 101.294 FS.

LAW IMPLEMENTED: 101.292, 101.293, 101.294, 101.295 FS.

IF REQUESTED IN WRITING, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

Pursuant to the Americans with Disabilities Act, persons needing special accommodations to review the documents should contact Maria Matthews at the above contact information.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Maria I. Matthews, General Counsel's Office, Division of Elections, Department of State, 500 N. Bronough Street, Tallahassee, Florida 32399, (850)245-6500

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Community Planning

RULE CHAPTER TITLE: Rules of Procedure and Practice
 Pertaining to Developments
 of Regional Impact
 RULE CHAPTER NO.: 9J-2
 RULE TITLE: Development of Regional Impact
 Review Fee Rule
 RULE NO.: 9J-2.0252

PURPOSE AND EFFECT: To adopt uniform criteria for the assessment and collection of fees to fund the regional planning agencies' direct and indirect costs of conducting the DRI review process.

SUBJECT AREA TO BE ADDRESSED: Uniform criteria for the assessment and collection of fees to fund the regional planning agencies' direct and indirect costs of conducting the DRI review process.

SPECIFIC AUTHORITY: 380.032(2)(a), 380.06(23)(a),(d) FS.

LAW IMPLEMENTED: 380.06(23)(d) FS.

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: 1:30 p.m. – 5:00 p.m., January 4, 2005

PLACE: Randall Kelly Training Center, Sadowski Building, Room 305, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact Beth Barineau, Administrative Secretary, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1757, Suncom 292-1757, at least seven days before the date of the hearing. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James Stansbury, Principal Planner, Division of Community Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1818, Suncom 292-1818

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

9J-2.0252 Development of Regional Impact Review Fee Rule.

(1) through (2) No change.

(3) ALLOWABLE CHARGES.

(a) The applicant shall be liable to the regional planning agency for 100% of the actual costs, both direct and indirect, of coordinating or reviewing an application for development approval, an application for development approval of a substantial deviation, an application for development designation, or an application for development designation of a substantial change.

Each Regional Planning Agency shall develop a cost allocation plan which addresses direct and indirect costs in compliance with the Office of Management and Budget Circular A-87, for use in its operations, including management of the Development of Regional Impact Process. A current copy of the plan shall be maintained on file in the offices of the regional planning agencies. Costs associated with an appeal filed pursuant to Section 380.07, Florida Statutes, shall not be charged to an applicant.

(b) through (d) No change.

(4) through (7) No change.

Specific Authority 380.032(2)(a), 380.06(23)(a),(d) FS. Law Implemented 380.06(23)(d) FS. History--New 11-14-90, Amended 2-21-01,_____.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE TITLE: Public Use Forms
 RULE NO.: 12A-1.097

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-1.097, F.A.C. (Public Use Forms), is to adopt, by reference, changes to forms used by the Department in the administration of sales and use tax.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is the proposed changes to forms used by the Department in the administration of sales and use tax.

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)4.,(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, 201.01, 201.08(1)(a), 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.

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

TIME AND DATE: 9:00 a.m., January 4, 2005

PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any rulemaking proceeding before Technical Assistance and Dispute Resolution is asked to advise the Department at least 48 hours before such proceeding by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Alan Fulton, Senior Tax Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, (850)488-8026

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12A-1.097 Public Use Forms.

(1) The following public use forms and instructions are employed by the Department in its dealings with the public related to the administration of Chapter 212, F.S. These forms are hereby incorporated by reference in this rule.

(a) through (b) No change.

Form Number	Title	Effective Date
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(2) through (4) No change.

(5)(a) DR-7	Consolidated Sales and Use Tax Return (R. 01/05 01/04)	___ 09/04
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(b) DR-7N	Instructions for Consolidated Sales and Use Tax Return (R. 01/05 01/04)	___ 09/04
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(6)(a) DR-15	Sales and Use Tax Return (R. 01/05 01/04)	___ 09/04
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(b) DR-15CS	Sales and Use Tax Return (R. 01/05 01/04)	___ 09/04
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(c) DR-15CSN	DR-15 Sales and Use Tax Returns Instructions for 2005 2004 (R. 01/05 01/04)	___ 09/04
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(d) DR-15EZ	Sales and Use Tax Return (R. 01/05 01/04)	___ 09/04
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(e) DR-15EZN	Instructions for 2005 2004 DR-15EZ Sales and Use Tax Returns (R. 01/05 01/04)	___ 09/04
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(f) No change.

(g) DR-15MO	Out-of-State Purchase Return (R. 09/04 06/04)	___ 08/02
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(h) DR-15N	Instructions for 2005 2004 DR-15 Sales and Use Tax Returns (R. 01/05 01/04)	___ 09/04
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- (i) DR-15SA Sales and Use Tax Return [Semi-Annual] (R. ~~01/05~~ ~~06/02~~) _____ 04/03
- (j) DR-15SAN Annual and Semiannual Sales and Use Tax Return Instructions (R. ~~01/05~~ ~~12/02~~) _____ 04/03
- (k) through (n) No change.
- (7) through (23) 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)4.,(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, 201.01, 201.08(1)(a), 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, 6-12-03, 10-1-03, 9-28-04.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE TITLE: Public Use Forms
 RULE NO.: 12A-16.008

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-16.008, F.A.C. (Public Use Forms), is to adopt, by reference, changes to forms used by the Department in the administration of solid waste fees and the rental car surcharge.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is the proposed changes to forms used by the Department in the administration of solid waste fees and the rental car surcharge.

SPECIFIC AUTHORITY: 212.17(6), 212.18(2), 213.06(1) FS.
 LAW IMPLEMENTED: 212.0606, 212.12(2), 213.235, 376.70, 403.717, 403.718, 403.7185 FS.

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

TIME AND DATE: 9:00 a.m., January 4, 2005
 PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any rulemaking proceeding before Technical Assistance and Dispute Resolution is asked to advise the Department at least 48 hours before such proceeding by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Alan Fulton, Senior Tax Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, (850)488-8026

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12A-16.008 Public Use Forms.

(1)(a) The following public use forms and instructions are employed by the Department of Revenue in its dealings with the public in administering the rental car surcharge.

(b) No change.

Form Number	Title	Effective Date
(2) DR-15SW	Solid Waste and Surcharge Return (R. 01/05 R-04/03)	_____ <u>09/04</u>
(3) DR-15SWN	Instructions for <u>2005</u> Completing the DR-15SW Solid Waste and Surcharge <u>Returns Return</u> (R. 01/05 R-09/03)	_____ <u>09/04</u>

(4) No change.

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.0606, 212.12(2), 213.235, 376.70, 403.717, 403.718, 403.7185 FS. History—New 11-14-89, Amended 7-7-91, 8-10-92, 3-21-95, 6-19-01, 4-17-03, 9-28-04.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE TITLE: Public Use Forms
 RULE NO.: 12A-17.005

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-17.005, F.A.C. (Public Use Forms), is to adopt, by reference, changes to the form used by the Department in the administration of the registration renewal of secondhand dealers or secondary metals recyclers.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is the proposed changes to the form used by the Department in the administration of the registration renewal of secondhand dealers or secondary metals recyclers.

SPECIFIC AUTHORITY: 212.17(6), 212.18(2), 213.06(1), 538.11 FS.
 LAW IMPLEMENTED: 212.17(6), 212.18(2), 213.06(1), 538.09, 538.11, 538.25, 539.002 FS.

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

TIME AND DATE: 9:00 a.m., January 4, 2005
 PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any rulemaking proceeding before Technical Assistance and Dispute Resolution is asked to advise the Department at least 48 hours before such proceeding by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Alan Fulton, Senior Tax Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, (850)488-8026

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12A-17.005 Public Use Forms.

The following public-use forms and instructions are employed by the Department in its dealings with the public in administering Chapter 538, F.S., and are incorporated by reference in this rule. 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 32304; or 2) faxing the Distribution Center at (850)922-2208; or 3) visiting any local Department of Revenue Service Center to personally obtain a copy; or 4) calling the Forms Request Line during regular office hours at (800)352-3671 or (850)488-6800; or 5) 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.

Form Number	Title	Effective Date
(1) No change.		
(2) DR-1SR	Renewal Application for Secondhand Dealer or Secondary Metals Recycler (R. 07/04 06/02)	___ 08/02

Specific Authority 212.17(6), 212.18(2), 213.06(1), 538.11 FS. Law Implemented 212.17(6), 212.18(2), 213.06(1), 538.09, 538.11, 538.25, 539.002 FS. History--New 3-15-90, Amended 11-14-91, 4-18-93, 10-17-94, 8-1-02, 9-28-04,_____.

DEPARTMENT OF REVENUE

Sales and Use Tax

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 move provisions regarding which version of Form DR-700016, Florida Communications Services Tax Return, is to be used to report communications services tax on services billed during specified months from Rule 12A-19.020, F.A.C., to Rule 12A-19.100, F.A.C. (Public Use Forms), as amended.

The purpose of the proposed amendments to Rule 12A-19.100, F.A.C. (Public Use Forms), is to (1) provide which version of Form DR-700016, Florida Communications Services Tax Return, is to be used to report communications services tax on services billed during specified months; and (2) adopt, by reference, revisions to Form DR-700016.

SUBJECT AREA TO BE ADDRESSED: The subject of this workshop is the proposed changes to Form DR-700016, Florida Communications Services Tax Return, used by the Department in the administration of the communications services tax.

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(3), 202.33, 202.34(3),(4)(c), 202.35(1),(2) FS.

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

TIME AND DATE: 9:00 a.m., January 4, 2005

PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any rulemaking proceeding before Technical Assistance and Dispute Resolution Office is asked to advise the Department at least 48 hours before such proceeding by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS: Robert Babin, Attorney, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, (850)922-4842

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. Versions of Form DR-700016, Florida Communications Services Tax Return, and the applicable reporting periods and service billing dates are provided in Rule 12A-19.100, F.A.C.

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

REVISION-DATE	REPORTING PERIODS	SERVICE BILLING DATES
06/04	June 2004 –	June 1, 2004 –
01/04	January 2004 – May 2004	January 1, 2004 – May 31, 2004
12/03	December 2003	December 1, 2003 – December 31, 2003
11/03	November 2003	November 1, 2003 – November 30, 2003
10/03	October 2003	October 1, 2003 – October 31, 2003
06/03	June 2003 – September 2003	June 1, 2003 – September 30, 2003
03/03	March 2003 – May 2003	March 1, 2003 – May 31, 2003
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 (10) 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, 7-31-03, 10-1-03, 9-28-04, _____.

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) No change.

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

REVISION DATE	REPORTING PERIODS	SERVICE BILLING DATES
01/05	January 2005 –	January 1, 2005 –
11/04	November 2004 – December 2004	November 1, 2004 – December 31, 2004
10/04	October 2004	October 1, 2004 – October 31, 2004
06/04	June 2004 – September 2004	June 1, 2004 – September 30, 2004
01/04	January 2004 – May 2004	January 1, 2004 – May 31, 2004
12/03	December 2003	December 1, 2003 – December 31, 2003
11/03	November 2003	November 1, 2003 – November 30, 2003
10/03	October 2003	October 1, 2003 – October 31, 2003
06/03	June 2003 – September 2003	June 1, 2003 – September 30, 2003
03/03	March 2003 – May 2003	March 1, 2003 – May 31, 2003
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

Form Number Title Effective Date

(3)(2) No change.

(4)(a)(3) DR-700016 Florida Communications Services Tax Return (R. 01/05) _____

(b) DR-700016 Florida Communications Services Tax Return (R. 11/04) _____

(c) DR-700016 Florida Communications Services Tax Return (R. 10/04) _____

(a) through (m) renumbered (d) through (p) No change.

(4) through (8) renumbered (5) through (9) No change.

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(2),(4), 202.17(6), 202.19(1), 202.22(6), 202.27, 202.28(1),(2), 202.30(3), 202.33, 202.34(3),(4)(c), 202.35(1),(2) FS. History–New 4-17-03, Amended 7-31-03, 10-1-03, 9-28-04, _____.

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE TITLE: Public Use Forms RULE NO.: 12B-4.003

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12B-4.003, F.A.C. (Public Use Forms), is to: (1) adopt, by reference, changes to forms used by the Department in the administration of the documentary stamp tax; and (2) provide technical changes to guidelines on how to obtain forms from the Department.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is the proposed changes to forms used by the Department in the administration of documentary stamp tax.

SPECIFIC AUTHORITY: 201.11, 213.06(1) FS.

LAW IMPLEMENTED: 201.022, 201.133 FS.

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

TIME AND DATE: 9:00 a.m., January 4, 2005

PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any rulemaking proceeding before Technical Assistance and Dispute Resolution is asked to advise the Department at least 48 hours before such proceeding by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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:

12B-4.003 Public Use Forms.

(1) The following public-use forms and instructions are employed by the Department of Revenue in its administration of the documentary stamp tax, and are hereby incorporated in this rule by reference. 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 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, 4) calling the Forms Request Line during regular office hours at (800)352-3671 (in Florida only) or (850)488-6800; or, 5) 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.

Form Number Title Effective Date

Table with 3 columns: Form Number, Title, Effective Date. Row 1: (2) No change. Row 2: (3) DR-225 DR-225B Documentary Stamp Tax Return For Registered Taxpayers' Unrecorded Documents (R. 12/04 03/04) 05/03. Row 3: (4) DR-228 Documentary Stamp Tax Return For Nonregistered Taxpayers' Unrecorded Documents (R. 12/04 10/02) 05/03.

Specific Authority 201.11, 213.06(1) FS. Law Implemented 201.022, 201.133 FS. History-Revised 8-18-73, Formerly 12A-4.03, Amended 9-26-77, 12-11-78, Formerly 12B-4.03, Amended 12-5-89, 2-16-93, 10-20-93, 12-30-97, 5-4-03.

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE TITLE: Public Use Forms RULE NO.: 12B-7.031

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12B-7.031, F.A.C. (Public Use Forms), is to adopt, by reference, changes to the form used by the Department in the administration of the Miami-Dade County Lake Belt mitigation fee.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is the proposed changes to the form used by the Department in the administration of the Miami-Dade County Lake Belt mitigation fee.

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.

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

TIME AND DATE: 9:00 a.m., January 4, 2005

PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any rulemaking proceeding before Technical Assistance and Dispute Resolution is asked to advise the

Department at least 48 hours before such proceeding by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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:

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) No change.

Form Number	Title	Effective Date
(2) DR-146	Miami-Dade County Lake Belt Mitigation Fee Monthly Return (R. <u>01/05 01/04</u>)	___ <u>09/04</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 10-1-03, Amended 9-28-04, _____.

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE TITLE: Tax Statement; Overpayments

RULE NO.: 12B-8.003

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12B-8.003, F.A.C. (Tax Statement; Overpayments), is to adopt changes to forms used by the Department in the administration of the insurance premium tax.

SUBJECT AREA TO BE ADDRESSED: The subject of this workshop is the proposed changes to forms used by the Department in the administration of the insurance premium taxes, fees, and surcharges.

SPECIFIC AUTHORITY: 213.06(1) FS.

LAW IMPLEMENTED: 213.05, 213.37, 624.5092, 624.511, 624.518 FS.

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

TIME AND DATE: 9:00 a.m., January 4, 2005

PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any rulemaking proceeding before Technical Assistance and Dispute Resolution is asked to advise the Department at least 48 hours before such proceeding by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Robert DuCasse, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, (850)922-4715

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12B-8.003 Tax Statement; Overpayments.

(1) Tax returns and reports shall be made by insurers on forms prescribed by the Department. These forms are hereby incorporated by reference in this rule.

(2) through (4) No change.

Form Number	Title	Effective Date
(5)(a) DR-907	Florida Insurance Premium Installment Payment (R. <u>01/05 01/04</u>)	___ <u>09/04</u>
(b) DR-907N	Information for Filing Insurance Premium Installment Payment (Form DR-907) (R. <u>01/05 01/04</u>)	___ <u>09/04</u>
(6)(a) DR-908	Insurance Premium Taxes and Fees Return for Calendar Year <u>2004 2003</u> (R. <u>01/05 01/04</u>)	___ <u>09/04</u>
(b) DR-908N	Instructions for Preparing Form DR-908 Florida Insurance Premium Taxes and Fees Return (R. <u>01/05 01/04</u>)	___ <u>09/04</u>
(7) DR-350900	<u>2004 2003</u> Insurance Premium Tax Information for Schedules XII and XIII, DR-908 (R. <u>01/05 01/04</u>)	___ <u>09/04</u>

Specific Authority 213.06(1) FS. Law Implemented 213.05, 213.37, 624.5092, 624.511, 624.518 FS. History—New 2-3-80, Formerly 12B-8.03, Amended 3-25-90, 3-10-91, 2-18-93, 6-16-94, 12-9-97, 3-23-98, 7-1-99, 10-15-01, 8-1-02, 5-4-03, 9-28-04, _____.

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE TITLE: Forms
 RULE NO.: 12C-1.051

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12C-1.051, F.A.C. (Forms), is to adopt, by reference, changes to the forms used by the Department in the administration of the corporate income tax and franchise tax.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is the proposed changes to the forms used by the Department in the administration of the corporate income tax and franchise tax.

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.

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

TIME AND DATE: 9:00 a.m., January 4, 2005

PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any rulemaking proceeding before Technical Assistance and Dispute Resolution is asked to advise the Department at least 48 hours before such proceeding by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Charles Dunning, Senior Tax Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, (850)922-4843

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

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 (3)	No change.	
(4)(a) F-1065	Florida Partnership Information Return (R. 01/05 01/03)	<u>06/03</u>
(b) F-1065N	Instructions for Preparing Form F-1065 Florida Partnership Information Return (R. 01/05 05/03)	<u>06/03</u>
(5) F-1120A	Florida Corporate Short Form Income Tax Return (R. 01/05 01/04)	<u>09/04</u>
(6)(a) F-1120	Florida Corporate Income/Franchise and Emergency Excise Tax Return (R. 01/05 01/04)	<u>09/04</u>
(b) F-1120N	F-1120 Instructions – Corporate Income/Franchise and Emergency Excise Tax Return for taxable years beginning on or after January 1, 2004 2003 (R. 01/05 01/04)	<u>09/04</u>
(7) F-1120ES	Declaration/Installment of Florida Estimated Income/Franchise and/or Emergency Excise Tax for Taxable Year Beginning on or after January 1, 2005 2004 (R. 01/05 01/04)	<u>09/04</u>
(8) through (15)	No change.	
(16) F-2220	Underpayment of Estimated Tax on Florida Corporate Income/Franchise and Emergency Excise Tax (R. 01/05 01/04)	<u>09/04</u>
(17) F-7004	Florida Tentative Income/Franchise and/or Emergency Excise Tax Return and Application for Extension of Time to File Return (R. 01/05 01/04)	<u>09/04</u>

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, 3-15-04, 9-28-04, _____.

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE TITLE: Public Use Forms
 RULE NO.: 12C-2.0115

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 the form used by the Department in the administration of the intangible personal property tax.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is the proposed changes to the form used by the Department in the administration of the intangible personal property tax.

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.

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

TIME AND DATE: 9:00 a.m., January 4, 2005

PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any rulemaking proceeding before Technical Assistance and Dispute Resolution is asked to advise the Department at least 48 hours before such proceeding by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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:

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	2005 2004 Florida Intangible Personal Property Tax Return for Corporation, Partnership, and Fiduciary Filers as of January 1, 2005 2004 (R. 01/05 01/04)	____ 09/04
(3) DR-601CN	2005 2004 Instructions for Filing Form DR-601C Intangible Personal Property Tax Return for Corporation, Partnership and Fiduciary Filers (R. 01/05 01/04)	____ 09/04
(4) DR-601CS	2005 2004 Schedules B, C, D, and E for use with DR-601C (R. 01/05 01/04)	____ 09/04
(5) DR-601-G	Government Leasehold Intangible Personal Property Tax Return (R. 01/04)	____ 05/03
(6) DR-601-I	2005 2004 Florida Intangible Personal Property Tax Return for Individual and Joint Filers as of January 1, 2005 2004 (R. 01/05 01/04)	____ 09/04
(7) DR-601IN	2005 2004 Instructions for Filing Form DR-601I Intangible Personal Property Tax Return for Individual and Joint Filers (R. 01/05 01/04)	____ 09/04
(8) DR-601IS	2005 2004 Schedules B, C, D, and E for use with DR-601I (R. 01/05 01/04)	____ 09/04
(9) No change.		
(10) DR-350111	Intangible Tax Self-Audit Worksheet (R. 07/04 05/03)	____ 05/03

(11) DR-350112	Taxpayer Affidavit (R. 06/04)	<u> </u> 05/03
(12) DR 350113	Taxpayer Affidavit for Trusts with Intangible Tax Self Analysis Worksheet for Trusts (R. 01/03)	<u> </u> 05/03
(12) (13) DR-350617	Application for Exclusion from Filing Stockbroker Position Statement (R. <u>01/05</u> 01/03)	<u> </u> 05/03
(13) (14) DR-350618	Stockbroker Instructions and Specifications for Reporting Information on Magnetic Media for Year Ending <u>12/31/04</u> 12/31/04 (R. <u>01/05</u> 01/03)	<u> </u> 05/03
(14) (15) DR-350619	Stockbroker Filing Magnetic Media Transmittal (R. <u>01/05</u> 01/03)	<u> </u> 05/03
(15) (16) DR-350620	Stockbroker Information Report (R. <u>01/05</u> 01/03)	<u> </u> 05/03

(10)(c) and (10)(h) are amended for clarification of criteria regarding logo signs for attractions that can only be signed in one direction.
 SPECIFIC AUTHORITY: 334.044(2) FS.
 LAW IMPLEMENTED: 334.044(28), 479.261 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: 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:

14-85.004 Logo Sign Program.

(1) through (9) No change.

(10) Qualification of Businesses.

(a) through (b) No change.

(c) A business shall qualify for a business logo sign in one direction only and at one half the standard annual permit fee if any either of the following conditions are met:

1. The business is located at an interchange that serves one direction only.

2. The business is located at an interchange serving both directions, but the business can only serve motorists traveling in one direction because of the interchange configuration ~~or because of sign spacing~~.

3. The business is located at an interchange serving both directions, but the business can only be signed in one direction because of sign spacing.

4. The business is using supplemental signing in one direction and supplemental signing in the other direction is not available.

(d) through (g) No change.

(h) Attraction. To qualify for a business logo sign in the attraction category, a business must meet all of the following conditions:

1. Be open at least 5 days a week for 52 weeks a year.

2. Charge admission for entry.

3. Have, as its principal focus, family-oriented entertainment or cultural, educational, recreational, scientific, or historical activities.

4. Be publicly recognized as a bona fide tourist destination. A bona fide tourist destination will have and keep current all legally required permits and licenses and comply with laws concerning the provision of public accommodations pursuant to subparagraphs (10)(a)1. and 2. of the rule; will

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, 9-28-04, _____.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Logo Sign Program 14-85

RULE TITLE: RULE NO.:

Logo Sign Program 14-85.004

PURPOSE AND EFFECT: This amendment will allow attractions that can only be signed in one direction with supplemental guide signs to be signed in the other direction with a logo attraction sign. Sections (10)(c) and (10)(h) are amended. Section (10)(c) is revised to split out part of one condition relating to sign spacing into a new 3. and to add a new condition 4. regarding signing in one direction. Section (10)(h)6. also is revised to concur with (10)(c) as amended.

SUBJECT AREA TO BE ADDRESSED: This amendment will allow attractions that can only be signed in one direction with supplemental guide signs to be signed in the other direction with a logo attraction sign. Specifically, paragraphs

advertise to the general public additional ways other than the Logo Sign Program; and will comply with the conditions expressed in paragraph (10)(h) of this rule.

- 5. Provide adequate parking.
- 6. Not be advertised or displayed on any other existing traffic control device such as a supplemental guide sign or overhead sign in the direction being signed.
- 7. Be located within fifteen miles of the interchange.
- (11) through (13)(b) No change.

Specific Authority 334.044(2) FS. Law Implemented 334.044(28), 479.261 FS. History—New 6-26-85, Formerly 14-85.04, Amended 3-20-91, Amended 10-10-96, 12-31-96, 10-8-97, 5-25-99, 8-31-99, 7-15-02, 1-7-03, 11-30-04.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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

RULE TITLES:	RULE NOS.:
Reimbursement Contract	19-8.010
Procedures to Determine Ineligibility for Participation and Exemption from Participation in the Florida Hurricane Catastrophe Fund	19-8.012
Revenue Bonds Issued Pursuant to Section 215.555(6), Florida Statutes	19-8.013
Reimbursement Premium	19-8.028
Insurer Reporting Requirements	19-8.029
Insurer Responsibilities	19-8.030

PURPOSE AND EFFECT: To discuss proposed amendments to the following rules: Rule 19-8.010, F.A.C., the annual Reimbursement Contract, Rule 19-8.012, F.A.C., the rule governing ineligibility and exemption from the Florida Hurricane Catastrophe Fund, Rule 19-8.013, F.A.C., Revenue Bonds Issued by the Florida Hurricane Catastrophe Fund Finance Corporation on behalf of the FHCF, the use of the proceeds of the bonds, and the emergency assessments to service the bonds, Rule 19-8.028, F.A.C., the annual reimbursement premium formula, Rule 19-8.029, F.A.C., the insurer reporting requirements for the 2005-2006 contract year for the FHCF, and Rule 19-8.030, F.A.C., insurer responsibilities.

SUBJECT AREA TO BE ADDRESSED: Contract requirements, exemption and ineligibility for participation in the FHCF, bonding, premium formula requirements, insurer reporting requirements for the 2005-2006 contract year, and insurer responsibilities.

SPECIFIC AUTHORITY: 215.555(3) FS.

LAW IMPLEMENTED: 215.555 FS.

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

TIME AND DATE: 9:00 a.m. – 12:00 Noon, January 13, 2005
 PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida 32308 (The conference call number for those who wish to participate by telephone is (850)921-2548, Suncom 291-2548)

Copies of the proposed amended rules and the agenda for the workshop may be obtained from: Donna Sirmons, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300, (850)413-1349.

Any person requiring special accommodations to participate in this proceeding is asked to advise Donna Sirmons at least five (5) calendar days before such proceeding.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY TEXT, IF AVAILABLE, IS: Jack E. Nicholson, Senior FHCF Officer, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300, (850)413-1340

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE TITLE:	RULE NO.:
Conditions for Issuance of Permits	40C-41.063

PURPOSE AND EFFECT: The purpose and effect of this proposed rule amendment is to delete a provision in paragraph 40C-41.063(7)(b), F.A.C. (which requires that applications for stormwater permits, which propose alternative designs to the minimum required by paragraph 40C-41.063(7)(a), F.A.C., must be processed as applications for individual stormwater permits), so that all applications for stormwater permits are initially processed as applications for standard general stormwater permits (consistent with a related proposed amendment to subsection 40C-42.024(2), F.A.C.), to reduce the number of projects that must obtain individual permits and thereby reducing processing time and costs for applicants.

SUBJECT AREA TO BE ADDRESSED: Deleting paragraph 40C-41.063(7)(b), F.A.C., so that all applications for stormwater permits are initially processed as applications for standard general stormwater permits (consistent with a related proposed amendment to subsection 40C-42.024(2), F.A.C.).

SPECIFIC AUTHORITY: 373.044, 373.113, 373.414, 373.418 FS.

LAW IMPLEMENTED: 373.413, 373.414, 373.415, 373.416, 373.418, 373.426, 373.461 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Norma K. Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32178-2529, (386)329-4459, Suncom 860-4459, e-mail: nmesser@sjrwmd.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40C-41.063 Conditions for Issuance of Permits.

(1) through (6) No change.

(7) Within the Sensitive Karst Areas Basin, ~~the following criteria are established:~~

~~(a) Stormwater management systems should be designed to assure adequate treatment (pursuant to Rule 62-28.700, F.A.C.) of the stormwater before it enters the Floridan Aquifer, and to preclude the formation of solution pipe sinkholes in the stormwater system. Many different stormwater management system designs will achieve these goals, therefore the District does not require any specific system design. However, to assure protection of the Floridan Aquifer, the District does require certain design features. The individual site characteristics may affect what design features will be required. However, for all projects in sensitive karst areas, the following minimum design features are required:~~

~~1. through 5. renumbered (a) through (e) No change.~~

~~a. through g. renumbered 1. through 6. No change.~~

~~(b) Applicants for a stormwater management permit which do not propose to meet at least the minimum design features in paragraph (a) above, may seek approval for the alternative design through the District's individual permit process. However, the applicant must provide reasonable assurance that state water quality standards are met.~~

(8) No change.

Specific Authority 373.044, 373.113, 373.414, 373.415, 373.418 FS. Law Implemented 373.413, 373.414, 373.415, 373.416, 373.418, 373.426, 373.461 FS. History--New 12-7-83, Amended 5-17-87, 8-30-88, 4-3-91, 9-25-91, 7-14-92, 10-3-95, 11-25-98, 10-11-01, 3-7-03,_____.

LAND AND WATER ADJUDICATORY COMMISSION

Gateway Services District

RULE CHAPTER TITLE: Gateway Services Community Development District
RULE CHAPTER NO.: 42F-1

RULE TITLE: Boundary
RULE NO.: 42F-1.002

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to contract the boundaries of the Gateway Services Community Development District ("CDD"), pursuant to Chapter 190, F.S. The Petition, as supplemented, was filed by the Gateway Services Community Development District with its registered office located at 3200 Tamiami Trail No., Suite 200, Naples, Florida 34103. The Petition, as supplemented, proposes to modify the land area presently

serviced by the District by amending its boundaries to contract approximately 12 acres. The District currently covers approximately 4,501 acres of land and after contraction, the District will encompass approximately 4,488.58 acres. The property to be contracted out of the District is owned by Lee County. Petitioner has obtained the consent of Lee County to the contraction of the boundaries of the District. Pursuant to Section 190.046(1)(e), F.S., the filing of the Petition, as supplemented, for contraction by the District Board of Supervisors constitutes consent of the landowners within the District other than of landowners whose land is proposed to be removed from the District. The contraction parcel consists of right-of-way which has been deeded to Lee County for the future construction of Treeline Avenue. The funding of the future road construction will be undertaken by a separate community development district (Arborwood CDD).

SUBJECT AREA TO BE ADDRESSED: Contraction of the boundaries of the Gateway Services Community Development District.

SPECIFIC AUTHORITY: 190.005, 190.046 FS.

LAW IMPLEMENTED: 190.004, 190.005, 190.046 FS.

IF REQUESTED 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, A HEARING WILL NOT BE HELD):

TIME AND DATE: 10:00 a.m., Tuesday, January 11, 2005

PLACE: Room 1703G, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Barbara Leighty, (850)487-1884, at least two (2) business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jonathan T. Johnson, Hopping Green & Sams, P.A., Post Office Box 6526, Tallahassee, Florida 32314-6526, (850)222-7500 or Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Mental Health Targeted Case Management Services
RULE NO.: 59G-4.199

PURPOSE AND EFFECT: The purpose of this rule is to incorporate by reference the Florida Medicaid Mental Health Targeted Case Management Coverage and Limitations Handbook, October 2004. The handbook contains the policies and procedures for the Medicaid Mental Health Targeted Case

Management Program. The effect will be to incorporate by reference in the rule the current Florida Medicaid Mental Health Targeted Case Management Coverage and Limitations Handbook.

SUBJECT AREA TO BE ADDRESSED: This Notice of Rule Development replaces the notice that was published in the Florida Administrative Weekly, Vol. 29, No. 45, on November 7, 2003. We are publishing a new Notice of Rule Development, because the revised handbook will be effective October 2004.

SUBJECT AREA TO BE ADDRESSED: Medicaid Mental Health Targeted Case Management Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.907, 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: 2:00 p.m., January 3, 2005

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room E, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Michelle Comeaux, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, MS #20, Tallahassee, Florida 32308, (850)921-8288

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.199 Mental Health Targeted Case Management Services.

(1) This rule applies to all mental health targeted case management providers enrolled in the Medicaid Mental Health Targeted Case Management Program.

(2) All Medicaid-enrolled mental health targeted case management providers must be in compliance with the Florida Medicaid Mental Health Targeted Case Management Coverage and Limitations Handbook, October 2004, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, Non-Institutional 081, which is incorporated by reference in Rule 59G-13.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.907, 409.908 FS. History--New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Optometric Services

RULE NO.: 59G-4.210

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to incorporate by reference the revised Florida Medicaid Optometric Services Coverage and Limitations Handbook, January 2005. The coverage and limitations handbook revisions include global HIPAA language and

modifications in procedure code and claim form combinations due to HIPAA. The effect will be to incorporate by reference in the rule the Florida Medicaid Optometric Services Coverage and Limitations Handbook, January 2005.

SUBJECT AREA TO BE ADDRESSED: This Notice of Rule Development replaces the notice that was published in the Florida Administrative Weekly, Vol. 30, No. 6, on February 6, 2004. We are publishing a new Notice of Rule Development, because the revised handbook will be effective January 2005.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.907, 409.908, 409.9081 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: 10:00 a.m., Monday, January 3, 2005

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room E, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jason Ottinger, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308, (850)922-7314

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.210 Optometric Services.

(1) No change.

(2) All optometric practitioners enrolled in the Medicaid program must be in compliance with the provisions of the Florida Medicaid Optometric Services Coverage and Limitations Handbook, January 2005 ~~March 2003~~, which is 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 5-020, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.907, 409.908, 409.9081 FS. History--New 4-13-93, Amended 7-1-93, Formerly 10C-7.069, Amended 12-21-97, 10-13-98, 5-24-99, 4-23-00, 7-5-01, 2-20-03, 8-5-03, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Requirements for Certification and Registration

RULE NO.: 61G4-15.005

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address possible alternate criteria for the demonstration of financial stability.

SUBJECT AREA TO BE ADDRESSED: Alternate criteria for the demonstration of financial stability.

SPECIFIC AUTHORITY: 489.115(5),(6), 489.129(1), 489.132(5) FS.

LAW IMPLEMENTED: 489.113(1), 489.115(5),(6), 489.129(1), 489.132(5) FS.

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

TIME AND DATE: 1:00 p.m., January 12, 2005

PLACE: Bay Point Marriott, 2400 Marriott Drive, Panama City Beach, Florida 32408

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tim Vaccaro, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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

Board of Orthotists and Prosthetists

RULE CHAPTER TITLE: Fees
 RULE CHAPTER NO.: 64B14-2

PURPOSE AND EFFECT: The Board proposes to review the existing language of the entire chapter to determine whether changes are necessary to raise fees or to collect a one time fee assessment from all active and inactive status licensees pursuant to Section 456.025(5), F.S., in order to erase a cash deficit and ensure the financial integrity of the profession.

SUBJECT AREA TO BE ADDRESSED: Fees.

SPECIFIC AUTHORITY: 456.036, 468.802, 468.806 FS.

LAW IMPLEMENTED: 456.036, 468.806 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE CHAPTER TITLE: In-Home Protective Services
 RULE CHAPTER NO.: 65C-11

PURPOSE AND EFFECT: This rule outlines the procedures the Department and contracted agencies will use in providing in-home protective supervision to dependent children.

SUBJECT AREA TO BE ADDRESSED: In-Home Protective Services.

SPECIFIC AUTHORITY: 39.0121 FS.

LAW IMPLEMENTED: 39.01, 39.401, 39.521, 39.601, 39.701 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: 10:00 a.m. Wednesday, January 12, 2005

PLACE: Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 6, Room 164, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Ed Cox, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 6, Room 159, Tallahassee, FL 32399-0700, (850)922-2298

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NOT CHARGE UPON REQUEST FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE CHAPTER TITLE: Licensed Out-of-Home Care
 RULE CHAPTER NO.: 65C-13

PURPOSE AND EFFECT: This rule outlines the procedures the Department and contracted agencies will use in the creation of licensed foster homes.

SUBJECT AREA TO BE ADDRESSED: Licensed Out-Of-Home Care.

SPECIFIC AUTHORITY: 39.0121, 409.175 FS.

LAW IMPLEMENTED: 39.4085, 409.175 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: 10:00 a.m. Wednesday, January 12, 2005

PLACE: Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 6, Room 164, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Ed Cox, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 6, Room 159, Tallahassee, FL 32399-0700, (850)922-2298

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NOT CHARGE UPON REQUEST FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE CHAPTER TITLE: Child-Placing Agencies RULE CHAPTER NO.: 65C-15
 PURPOSE AND EFFECT: This rule specifies the requirements for the creation of licensed child-placing agencies.

SUBJECT AREA TO BE ADDRESSED: The requirements for the creation of child-placing agencies.

SPECIFIC AUTHORITY: 409.175 FS.

LAW IMPLEMENTED: 409.175 FS.

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

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

TIME AND DATE: 10:00 a.m. Wednesday, January 12, 2005
 PLACE: Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 6, Room 164, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Ed Cox, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 6, Room 159, Tallahassee, FL 32399-0700, (850)922-2298

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NOT CHARGE UPON REQUEST FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE CHAPTER TITLE: Out-of-Home Care RULE CHAPTER NO.: 65C-28

PURPOSE AND EFFECT: This rule outlines the procedures the Department and contracted agencies will use in providing protective supervision to dependent children in licensed out-of-home care.

SUBJECT AREA TO BE ADDRESSED: Out-of-Home Care.
 SPECIFIC AUTHORITY: 39.0121, 409.175 FS.

LAW IMPLEMENTED: 39.01, 39.4085, 39.521, 39.601, 39.701, 409.175 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: 10:00 a.m. Wednesday, January 12, 2005
 PLACE: Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 6, Room 164, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Ed Cox, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 6, Room 159, Tallahassee, FL 32399-0700, (850)922-2298

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NOT CHARGE UPON REQUEST FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE CHAPTER TITLE: Protective Investigations RULE CHAPTER NO.: 65C-29

PURPOSE AND EFFECT: This rule outlines the procedures the Department and contracted agencies will use in carrying out protective investigations.

SUBJECT AREA TO BE ADDRESSED: Protective Investigations.

SPECIFIC AUTHORITY: 39.0121 FS.

LAW IMPLEMENTED: 39.301, 39.302, 39.304, 39.308, 39.402 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: 10:00 a.m. Wednesday, January 12, 2005
 PLACE: Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 6, Room 164, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Ed Cox, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 6, Room 159, Tallahassee, FL 32399-0700, (850)922-2298

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NOT CHARGE UPON REQUEST FROM THE CONTACT PERSON LISTED ABOVE.

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE TITLE: General Methods of Taking Game; Prohibitions

RULE NO.: 68A-12.002

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to define methods of taking game and to prohibit the taking of some game on designated areas.

SUBJECT AREA TO BE ADDRESSED: The Commission is considering changing the methods of taking game which will be prohibited in certain geographical locations.

SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.

LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.

A HEARING WILL BE HELD IN CONJUNCTION WITH THE COMMISSION'S PUBLIC MEETING AT THE TIME, DATES AND PLACE SHOWN BELOW:

TIME AND DATE: 8:30 a.m., February 2-4, 2005

PLACE: Edgewater Beach Resort, 11212 Front Beach Road, Panama City Beach, Florida

Notice of Additional Hearings will be published in future FAW notices as required.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Nick Wiley, Division of Wildlife, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE PRELIMINARY TEXT OF THE PROPOSED RULE IS AVAILABLE FROM: James V. Antista, General Counsel, Fish And Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE: Specific Fish Management Area Regulations

RULE NO.: 68A-20.005

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to establish or revise rule provisions, during calendar year 2005, associated with regulations on specific fish management areas for taking and possessing freshwater fish or other activities such as swimming, use of firearms, or use of boats or other vehicles, that will ensure conservation of freshwater fish populations while providing for realization of their potential aesthetic, recreational, and economic values.

SUBJECT AREA TO BE ADDRESSED: Requirements for taking and possessing freshwater fish.

SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.

LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 5 calendar days before the workshop/meeting by contacting the ADA Coordinator at (850) 488-6411. If you are hearing or speech impaired, please contact the agency by calling (850) 488-9542.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE: General Methods of Taking Freshwater Fish

RULE NO.: 68A-23.002

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2005, and to provide a forum for the public to provide input on proposed changes relating to general methods of taking freshwater fish.

SUBJECT AREA TO BE ADDRESSED: General methods of taking freshwater fish.

SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.

LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850) 488-9542.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE: Commercial Fishing Devices; Provision for Use in Certain Waters

RULE NO.: 68A-23.003

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2005, associated with commercial fishing devices.

SUBJECT AREA TO BE ADDRESSED: Commercial fishing devices to be used in fresh water.

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mr. Darrell L. Scovell, Division of Freshwater Fisheries, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-0331
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE: Bag Limits, Length Limits, Open Seasons: Freshwater Fish
 RULE NO.: 68A-23.005

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2005, associated with bag limits, length limits, and season dates in order to protect and ensure conservation of freshwater fish populations.

SUBJECT AREA TO BE ADDRESSED: Bag limits, length limits, and season dates for freshwater fish.

SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.

LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mr. Darrell L. Scovell, Division of Freshwater Fisheries, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-0331

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE: Introduction of Non-Native Aquatic Species in the Waters of the State; Provisions for Sale and Inspection of Fish for Bait or Propagation Purpose; Diseased Fish
 RULE NO.: 68A-23.008

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2005, to provide a forum for the public and to provide input on proposed changes relating to

importation, selling, possession or transporting of live aquatic species or hybrids, including those species that may be classified as prohibited or restricted.

SUBJECT AREA TO BE ADDRESSED: Importation, selling, possession or transporting of live aquatic species or hybrids.

SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.

LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mr. Darrell L. Scovell, Division of Freshwater Fisheries, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-0331

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Firesafety In Educational Facilities	69A-58
RULE TITLES:	RULE NOS.:
Administration	69A-58.001
Scope: Existing Facilities	69A-58.002
Definitions	69A-58.003
Firesafety Inspections	69A-58.004
Serious Life Safety Hazards	69A-58.005
Inspections In General	69A-58.006
Counties, Municipalities, and Special Districts	
Having Firesafety Responsibilities,	
Without Firesafety Inspectors	69A-58.007
Standards and Requirements for Buildings	69A-58.008
Florida Firesafety School Evaluation System	69A-58.009
Other Applicable Codes and Standards	69A-58.010

PURPOSE AND EFFECT: The purpose of the rule development proceedings is to update the firesafety codes and standards for educational facilities after experience in administering the rules currently in existence and after extensive and continued consultation with the Department of Education and representatives from various school boards and local fire officials. In addition, these rulemaking proceedings are intended to include a substantial re-write of Rule 69A-58.008, F.A.C., in new sections to provide better organization and more clarity to the rule subjects. The effect of the rule development proceedings will be to adopt changes which will result in the administration of Sections 633.01(7), 633.022, and 1013.12, Florida Statutes, relating to educational facilities, in a more efficient and economic manner.

SUBJECT AREA TO BE ADDRESSED: Firesafety in educational facilities.

SPECIFIC AUTHORITY: 633.01(7), 633.022, 1013.12 FS.

LAW IMPLEMENTED: 633.01(7), 633.022, 1013.12 FS.

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

TIME AND DATE: 9:00 a.m., January 11, 2005

PLACE: Leto Adult Center, 4409 West Sligh Avenue, Tampa, Florida

TIME AND DATE: 9:00 a.m., January 12, 2005

PLACE: Florida Atlantic University, Room 3, 1515 West Commercial Blvd., Fort Lauderdale, Florida 33309

TIME AND DATE: 9:00 a.m., January 14, 2005

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

Pursuant to the provisions of the Americans with Disabilities Act and Section 286.26, F.S., any person requiring special accommodations to participate in this program please advise the department at least 5 calendar days before the program by contacting: Millicent King, (850)413-3619, Fax (850)922-2553.

All persons intending to make suggestions and recommendations at the workshops are requested to bring the suggestions in writing and to file them with the Division of State Fire Marshal staff at the workshops. If possible, it would be beneficial to the Division of State Fire Marshal staff to have the suggestions and recommendations at least five working days prior to the workshop date. All such suggestions and recommendations should be mailed, faxed, or e-mailed to Jim Goodloe, Chief, Bureau of Fire Prevention at the above U.S. Mail, fax, or e-mail address.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY TEXT, IF AVAILABLE, IS: Jim Goodloe, Chief, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342, (850)413-3171, Fax (850)922-2553, e-mail: goodloej@dfs.state.fl.us

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

Section II Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Definition of Qualified Instructional Personnel
PURPOSE AND EFFECT: The purpose of the rule amendment is to include the option of using a High, Objective Uniform State System of Evaluation (HOUSSE) plan developed pursuant to the No Child Left Behind Act for meeting the

RULE NO.:

6A-1.0503

qualified teacher definition. Section 1012.05(6), Florida Statutes, requires that the flexibility of a HOUSSE plan be implemented.

SUMMARY: The proposed amendment will align the instructional personnel definition in Florida rule to the definition of highly qualified personnel in the NO Child Left Behind Act and will implement the requirements of Section 1012.05(6), F.S., for use of a High, Objective Uniform State System of Evaluation (HOUSSE) plan.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No 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 regulatory alternative, must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 1002.33(12), 1012.05, 1012.32, 1012.55(1), 1012.56(6) FS.

LAW IMPLEMENTED: 1002.33, 1012.05, 1012.32, 1012.39, 1012.55, 1012.56 FS.

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

TIME AND DATE: 1:00 p.m., January 18, 2005

PLACE: Dale Mabry Campus, Hillsborough Community College, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Beverly Gregory, Chief, Bureau of Educator Certification, Department of Education, 325 West Gaines Street, Room 201, Tallahassee, Florida 32399-0400, (850)245-0431

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.0503 Definition of Qualified Instructional Personnel.

A qualified instructional person is defined as an instructional staff member who meets one (1) of the following conditions:

(1) Holds a valid Florida educator's certificate with the appropriate coverage as provided for in the Course Code Directory as adopted by reference in Rule 6A-1.09441, F.A.C., or

(2) Is a selected noncertificated person employed under the provisions of Rule 6A-1.0502, F.A.C., or

(3) Holds a valid Florida educator's certificate with coverage other than that deemed appropriate by subsection (1) and has documented a highly qualified designation pursuant to 20 U.S.C. S. 7801(23), by a High, Objective, Uniform State System of Evaluation (HOUSSE) plan for the academic course assigned, or

~~(4)~~ Holds a valid Florida educator's certificate with coverage other than that deemed appropriate by subsection (1) and does not meet the requirements of subsection (3) and has been approved by the school board or charter school governing board to teach out-of-field after determination that a teacher