

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Elections

RULE TITLE: Certification Requirements for Supervisors of Elections

RULE NO.: 1S-2.0115

PURPOSE AND EFFECT: The primary purpose of the proposed new rule is to establish the certifications requirements for supervisors of elections necessary to obtain the special qualification salary set forth in section 75 of Chapter 2005-277, Laws of Florida.

SUBJECT AREA TO BE ADDRESSED: Certification requirements for special qualification salaries for supervisors of elections.

SPECIFIC AUTHORITY: 145.09 FS.

LAW IMPLEMENTED: 145.09 FS.

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

TIME AND DATE: 11:00 a.m., Wednesday, August 17, 2005
 PLACE: Heritage Hall, R. A. Gray Building, Florida Department of State, Tallahassee, Florida

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Nancy Whitfield, (850)245-6262, at least three (3) business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Maria Matthews, Division of Elections/Office of General Counsel, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399, (850)245-6536, e-mail: mimatthews@dos.state.fl.us

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

DEPARTMENT OF STATE

Division of Elections

RULE TITLE: Statewide Voter Registration Application

RULE NO.: 1S-2.040

PURPOSE AND EFFECT: The primary purpose of the proposed new rule is to provide for the content, form and use of a statewide and uniform voter registration application consistent with the requirements of Chapter 2005-277, Laws of Florida, and Chapter 2005-278, Laws of Florida.

SUBJECT AREA TO BE ADDRESSED: Content, form and use of a uniform statewide voter registration application for registration and update of registration.

SPECIFIC AUTHORITY: 97.012(1), 97.052 FS.

LAW IMPLEMENTED: 97.051, 97.052, 98.077 FS.

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

TIME AND DATE: 9:30 a.m., Wednesday, August 17, 2005
 PLACE: Heritage Hall, R. A. Gray Building, Florida Department of State, Tallahassee, Florida

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Nancy Whitfield, (850)245-6262, at least three (3) business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Maria Matthews, Division of Elections/Office of General Counsel, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399, (850)245-6536, e-mail: mimatthews@dos.state.fl.us

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

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE TITLE: Conveyances Subject to Tax

RULE NO.: 12B-4.013

PURPOSE AND EFFECT: The purpose of this Notice of Proposed Rule Development is to conform subsections 12B-4.013(7),(8), and (10), F.A.C., (Conveyances Subject to Tax) with the recent ruling of the Florida Supreme Court in *Crescent Miami Center, LLC v. Department of Revenue*.

The effect of this action on subsections (7),(8), and (10) of this rule is to ensure that the Department's rules conform to existing statutes and case law.

SUBJECT AREA TO BE ADDRESSED: The subject area addressed is the application of Documentary Stamp Tax to certain transfers of real property.

SPECIFIC AUTHORITY: 201.11, 213.06(1) FS.

LAW IMPLEMENTED: 201.01, 201.02 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.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: If you are hearing or speech impaired, please 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 AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Parramore, Revenue Program Administrator, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, (850)922-4709, e-mail: parramoj@dor.state.fl.us

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

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."

DEPARTMENT OF CORRECTIONS

RULE TITLE: RULE NO.:

Medical Consultations by 33-401.601
Non-Department Providers

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide clarification as to the responsibility for payment of costs to have inmates examined by non-department medical providers.

SUBJECT AREA TO BE ADDRESSED: Medical Consultations.

SPECIFIC AUTHORITY: 20.315, 944.09, 945.091 FS.

LAW IMPLEMENTED: 944.09, 945.091 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:

33-401.601 Medical Consultations by Non-Department Providers.

(1) through (2) No change.

(3) All non-department provider consultation and evaluation costs, including security and transport costs and costs resulting from the evaluation or preparation for the evaluation, shall be made at the expense of the requestor inmate and at no expense whatsoever to the Department of Corrections.

(4) through (5) No change.

(6) Requests for Consultations outside the Institution.

(a) No change.

(b) After reaching agreement with the requestor representative of the inmate, the Sheriff should contact the Secretary or his designee to make the necessary transport arrangements. The Secretary or his designee shall confirm that the Sheriff has determined to his satisfaction that the request is valid and the date and place the consultation is to be held. The Sheriff must agree to secure the inmate, keep him in custody at

all times, and return him to the institution from which he obtained custody at no expense to the Department of Corrections.

(c) through (8) No change.

Specific Authority 20.315, 944.09, 945.091 FS. Law Implemented 944.09, 945.091 FS. History--New 4-6-05, Amended _____.

DEPARTMENT OF CORRECTIONS

RULE TITLE: RULE NO.:

Visiting Schedule 33-601.722

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to facilitate the visitor registration process by eliminating the problem of early arrivals blocking the entranceways to visitor parking areas.

SUBJECT AREA TO BE ADDRESSED: Visitor Parking.

SPECIFIC AUTHORITY: 20.315, 944.09, 944.23 FS.

LAW IMPLEMENTED: 944.09, 944.23 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:

33-601.722 Visiting Schedule.

(1) Regular visitors shall be allowed to visit between 9:00 a.m. and 3:00 p.m. Eastern Standard Time (EST) – 8:00 a.m. and 2:00 p.m. Central Standard Time (CST) each Saturday and Sunday.

(a) Institutions shall initiate the visiting registration process at 8:15 a.m. (EST) and 7:15 a.m. (CST). To better facilitate the registration process, visitors will be allowed to park in designated spaces no earlier than 7:30 a.m. (EST) and 6:30 a.m. (CST).

(b) through (3) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History--New 11-18-01, Formerly 33-601.708, Amended 5-5-05, _____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Procedural 40D-1

RULE TITLES: RULE NOS.:

Limiting Conditions 40D-1.6105

Forms and Instructions 40D-1.659

PURPOSE AND EFFECT: Effective February 1, 2005, the water use permit transfer rules were amended to require that a purchaser of the ownership or legal control of permitted water withdrawal facilities or the land on which the facilities are located must apply to transfer the water use permit to the purchaser within 45 days of the purchase. Otherwise, the permit becomes null and void.

Due to concerns raised by the public after adoption of the rule amendments, the rules are proposed to be amended to remove the provision that makes the permit void if the transfer is not requested within 45 days of a sale. The effect of the amendment will be that the permit continues in effect after the 45-day period is up, but if the buyer uses the withdrawal facilities the buyer is in violation of District rules and the permit, just as they were prior to the 45-day amendment.

Several District rules addressing water use permit transfers, as well as the form used to request a transfer of a permit, Form No. LEG-R002.01 (2/05), include this transfer provision. Each of these rules and the form are proposed to be amended to remove the provisions stating that the permit is null and void if the transfer is not requested within 45 days of a sale.

SUBJECT AREA TO BE ADDRESSED: The District's rules and form that address transfers of water use permits.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.149, 373.171 FS.

LAW IMPLEMENTED: 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.339, 373.413, 373.414, 373.416, 373.419, 373.421 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 District does not discriminate on the basis of disability. Anyone requiring reasonable accommodation should contact: Dianne Lee, (352)796-7211, Ext. 4658, TDD only 1(800)231-6103.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Karen A. Lloyd, Assistant General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Consumption Use of Water	40D-2

RULE TITLES:	RULE NOS.:
Publications Incorporated by Reference	40D-2.091
Revocation and Cancellation of Permits	40D-2.341
Transfer of Permits	40D-2.351
Standard Permit Conditions	40D-2.381

PURPOSE AND EFFECT: Effective February 1, 2005, the water use permit transfer rules were amended to require that a purchaser of the ownership or legal control of permitted water withdrawal facilities or the land on which the facilities are located must apply to transfer the water use permit to the purchaser within 45 days of the purchase. Otherwise, the permit becomes null and void.

Due to concerns raised by the public after adoption of the rule amendments, the rules are proposed to be amended to remove the provision that makes the permit void if the transfer is not requested within 45 days of a sale. The effect of the amendment will be that the permit continues in effect after the 45-day period is up, but if the buyer uses the withdrawal facilities the buyer is in violation of District rules and the permit, just as they were prior to the 45-day amendment.

Several District rules addressing water use permit transfers, as well as the form used to request a transfer of a permit, Form No. LEG-R002.01 (2/05), include this transfer provision. Each of these rules and the form are proposed to be amended to remove the provisions stating that the permit is null and void if the transfer is not requested within 45 days of a sale.

SUBJECT AREA TO BE ADDRESSED: The District's rules and form that address transfers of water use permits.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.149, 373.171, 373.216, 373.249 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 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 District does not discriminate on the basis of disability. Anyone requiring reasonable accommodation should contact: Dianne Lee, (352)796-7211, Ext. 4658, TDD only 1(800)231-6103.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Karen A. Lloyd, Assistant General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE TITLE: Certificate of Need Penalties
 RULE NO.: 59C-1.021

PURPOSE AND EFFECT: The agency is proposing to amend the rule that outlines assessment of administrative fines for noncompliance with conditions placed on a Certificate of Need (CON) and Certificate of Need Exemption. The amendment adds a formula to be used in calculating the dollar amount of the fine for indigent care.

SUBJECT AREA TO BE ADDRESSED: Revisions to the rule that relates to assessment of administrative fines for failure to comply with conditions placed on a Certificate of Need (CON) and Certificate of Need Exemption.

SPECIFIC AUTHORITY: 408.034(6), 408.15(8) FS.

LAW IMPLEMENTED: 408.040(1)(b),(d),(2)(a), 408.061(6), 408.08(2), 408.044 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. (EST), August 9, 2005

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Rommel Bain, Certificate of Need, 2727 Mahan Drive, Building 1, MS 28, Tallahassee, Florida 32308

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59C-1.021 Certificate of Need Penalties.

(1) through (3) No change.

(a) Facilities failing to comply with any conditions or failing to provide the Certificate of Need office with a report on its compliance with conditions set forth on the Certificate of Need or exemption, will be assessed a fine, not to exceed \$1,000 per failure per day. In assessing the penalty the agency shall take into account the degree of noncompliance. Fines for non-compliance with an indigent care condition will be accessed using the following formula unless the facility profited from that non-compliance in an amount that exceeded the fine amount calculated for any given reporting year:

CAGP = condition agreed to by Certificate of Need or Certificate of Need Exemption holder

ACTP = actual percentage provided during reporting year

FAMT = dollar amount of the fine

FAMT = \$365,000 x (CAGP - ACTP) / CAGP

Indigent care includes charity care and Medicaid. Charity care is defined, for purposes of condition compliance, as the portion of the hospital charges reported to the Agency for Health Care Administration for which there is no compensation, other than restricted or unrestricted revenues provided to a hospital by local governments or tax districts regardless of the method of payment, for care provided to a patient whose family income for the twelve months preceding the determination is less than or equal to 200 percent of the federal poverty level unless the amount of hospital charges due from the patient exceed 25 percent of the annual family income. However, in no case shall the hospital charges for a patient whose family income exceed four times the federal poverty level for a family of four be considered charity.

(b) No change.

(4) No change.

Specific Authority 408.15(8), 408.034(6)(~~5~~) FS. Law Implemented 408.040(1)(b),(d),(2)(a), 408.061(6), 408.08(2), 408.044 FS. History--New 7-25-89, Amended 12-13-04, Formerly 10-5.021, Amended _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Early Intervention Services
 RULE NO.: 59G-4.085

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference update July 2005 to the Florida Medicaid Early Intervention Services Coverage and Limitations Handbook, October 2003. The update includes allowing Infants and Toddlers Developmental Specialists (ITDS) to enroll as professional early intervention services providers; no longer allowing therapy and audiology assistants to enroll as paraprofessional early intervention services providers; allowing an interdisciplinary screening to be performed by one professional provider; and eliminating travel as part of the reimbursement for a home visit session. The effect will be to incorporate by reference in the rule update July 2005 to the Florida Medicaid Early Intervention Services Coverage and Limitations Handbook.

SUBJECT AREA TO BE ADDRESSED: Early Intervention Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 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., Monday, August 8, 2005

PLACE: Agency for Health Care Administration, 2727 Mahan Blvd., Bldg. 3, Conference Room B, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Deb Vine, Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)922-7307

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.085 Early Intervention Services.

(1) No change.

(2) All Early Intervention Services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Early Intervention Services Coverage and Limitations Handbook, October 2003, updated July 2005, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated by reference in Rule 59G-4.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908 FS. History—New 2-1-94, Amended 4-30-00, 8-9-04.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Developmental Disabilities Waiver Provider Rate Table

RULE NO.: 59G-13.081

PURPOSE AND EFFECT: The purpose of this rule is to incorporate by reference the DD provider rate table. The effect will be to incorporate the DD provider rate table into rule. The rate table is available in hard copy from Karen Henderson, (805)414-9756, Agency for Health Care Administration or from the Medicaid fiscal agent at <http://floridamedicaid.acs-inc.com>. Click on Provider Support, click on Handbooks and scroll down to Developmental Services Provider Rate Table.

SUBJECT AREA TO BE ADDRESSED: Developmental Disabilities Waiver Provider Rate Table.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908 FS.

IF REQUESTED IN WRITING WITHIN 14 DAYS 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. – 11:00 a.m., Tuesday, August 9, 2005

PLACE: Conference Room “D”, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Karen Henderson, Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)414-9756

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-13.081 Developmental Disabilities Waiver Provider Rate Table.

(1) This rule applies to all Developmental Disabilities waiver services providers enrolled in the Medicaid program.

(2) All Developmental Disabilities waiver services providers enrolled in the Medicaid program must be in compliance with the Developmental Disabilities Waiver Provider Rate Table, October 2005, which is incorporated by reference. The rate table is available from the Medicaid fiscal agent.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE TITLE: Electronic Transmission of Plans, Specifications, Reports, and Seals

RULE NO.: 61G10-11.011

PURPOSE AND EFFECT: The Board proposes the development of a new rule to address electronic transmission of plans, specifications, reports, and seals.

SUBJECT AREA TO BE ADDRESSED: Electronic Transmissions.

SPECIFIC AUTHORITY: 481.306 FS.

LAW IMPLEMENTED: 481.321 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Juanita Chastain, Executive Director, Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Inactive Registration

RULE NO.: 61J1-2.005

PURPOSE AND EFFECT: The purpose of the proposed rule is to bring the rule into compliance with the current Departmental procedures.

SUBJECT AREA TO BE ADDRESSED: Inactive Registration.

SPECIFIC AUTHORITY: 475.614, 475.619 FS.
LAW IMPLEMENTED: 475.613(2), 475.618, 475.619 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: Elizabeth P. Vieira, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

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 Physical Therapy Practice

RULE TITLE: Biennial Renewal and Inactive Status; Delinquency; Reactivation; and Change of Status Fees
RULE NO.: 64B17-2.005

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

SUBJECT AREA TO BE ADDRESSED: Licensure fees.

SPECIFIC AUTHORITY: 486.025, 486.085 FS.

LAW IMPLEMENTED: 456.036(4), 486.085, 486.108(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Physical Therapy Practice/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

**Section II
Proposed Rules**

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE TITLES:	RULE NOS.:
Assignment of Service Addresses to Local Taxing Jurisdictions; Liability for Errors; Avoidance of Liability Through Use of Specified Methods; Reduction in Collection Allowance for Failure to Use Specified Methods	12A-19.070
Department of Revenue Electronic Database	12A-19.071
Certification of Service Address Databases	12A-19.072
Use of Enhanced Zip Code Method to Assign Service Addresses to Local Taxing Jurisdictions	12A-19.073
Public Use Forms	12A-19.100

PURPOSE AND EFFECT: The purpose of the proposed creation of Rules 12A-19.070, 12A-19.071, 12A-19.072, and 12A-19.073, F.A.C., is to implement the provisions of Sections 202.22 (relating to the determination of local tax situs and the electronic database), 202.23 (relating to refunds or credits), 202.28 (relating to collection allowances), 202.34 (relating to record-keeping), and 202.35 (relating to the powers of the department in dealing with delinquencies), F.S.

The purposes of the proposed creation of Rules 12A-19.070, 12A-19.071, 12A-19.072, and 12A-19.073, F.A.C., respectively, are to: provide guidance on the collection of the local communications services tax, the availability and criteria for receiving hold harmless protection and a higher collection allowance; provide guidance and procedures on maintaining, updating, and objecting to the Communications Services Tax Address/Jurisdiction Database; provide guidance and procedures on applying to the Department to obtain certification of a database for purposes of receiving hold harmless protection and a higher collection allowance; and provide guidance on the use of enhanced zip code methodologies for purposes of receiving hold harmless protection and a higher collection allowance.

The purpose of amending Rule 12A-19.100, F.A.C., is to incorporate, by reference, forms used by the Department, local taxing jurisdictions, and substantially affected persons in connection with the Communications Services Tax Address/Jurisdiction Database.

SUMMARY: The proposed creation of Rule 12A-19.070, F.A.C., Assignment of Service Addresses to Local Taxing Jurisdictions; Liability for Errors; Avoidance of Liability Through Use of Specified Methods; Reduction in Collection Allowance for Failure to Use Specified Methods provides for the following: 1) the requirement that communications services dealers assign customer service addresses to local taxing jurisdictions; 2) the use of one or more specified