

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE CHAPTER NO.: RULE CHAPTER TITLE:

5E-1 Fertilizers

RULE NO.: RULE TITLE:

5E-1.003 Labels and Tags

PURPOSE AND EFFECT: The purpose of this rule modification is twofold. First is the clarification of existing verbiage, and second to establish labeling criteria for urban lawn or turf fertilizer products.

SUBJECT AREA TO BE ADDRESSED: Establishes labeling criteria for fertilizer products distributed in Florida.

SPECIFIC AUTHORITY: 576.181 FS.

LAW IMPLEMENTED: 576.021 FS.

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

DATE AND TIME: December 5, 2006, 1:00 p.m.

PLACE: Bob Crawford Agricultural Ctr., 615 E. Main Street, Bartow, Florida 33830

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Mr. Dale W. Dubberly, Chief, Bureau of Compliance Monitoring, Division of Agricultural Environmental Services, Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)488-8731

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE NO.: RULE TITLE:

5F-10.001 Standards

PURPOSE AND EFFECT: The purpose of the amending of Rule 5F-10.001, F.A.C., is to adopt the most recent version of the chemical and physical standards set forth in ASTM International for antifreeze (engine coolant) products and to alter the language so as to require all such products to conform to the ASTM International standards adopted in this section. The effect of the adoption of the most recent version of the standards is to maintain up-to-date nationally recognized standards. The purpose of altering the language is to eliminate any possible ambiguity regarding product quality specifications for non-glycol base engine coolants. The effect

of these changes will be to ensure that all antifreeze products sold or distributed in the State of Florida meet the ASTM International specifications adopted in this section.

SUBJECT AREA TO BE ADDRESSED: Proposed Rule 5F-10.001, F.A.C., will specify that the most recent Annual Book of ASTM International Standards is the accepted standard for implementation of Section 501.91, F.S. It will also specify needed rewording of the rule to address possible ambiguity regarding product quality specifications for non-glycol base engine coolants.

SPECIFIC AUTHORITY: 570.07(23), 501.921 FS.

LAW IMPLEMENTED: 501.913, 501.917, 501.921 FS.

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

DATE AND TIME: Tuesday, November 28, 2006, 1:00 p.m.

PLACE: Bureau of Petroleum Inspection's Conference Room, 3125 Conner Boulevard, Bldg. #1, Tallahassee, Florida 32399-1650

If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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 days before the workshop/meeting by contacting: Nancy Fischer, Environmental Manager, Bureau of Petroleum Inspection, 3125 Conner Blvd., Bldg. #1, Tallahassee, FL 32399-1650

Phone: (850)488-9740 If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Matthew D. Curran, Ph.D., Chief, Bureau of Petroleum Inspection, 3125 Conner Blvd., Bldg. #1, Tallahassee, FL 32399-1650, phone: (850)488-9740

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-10.001 Standards.

(1) The performance specifications and standards for all non-recycled glycol-base antifreeze products are hereby incorporated by reference: ASTM D 3306-0503, "Standard Specification for Glycol Base Engine Coolant for Automobile and Light Duty Service," (approved October 1, 2005).

(2) The performance specifications and standards for all recycled ~~glycol-base~~ antifreeze products are hereby incorporated by reference: ASTM D 6471-~~0603~~, "Standard Specification for Recycled Prediluted Aqueous Glycol Base Engine Coolant (50 Volume % Minimum) for Automobile and Light Duty Service," (approved June 1, 2006) and ASTM D 6472-~~0603~~, "Standard Specification for Recycled Glycol Base Engine Coolant Concentrate for Automobile and Light Duty Service," (approved May 1, 2006).

Specific Authority 570.07(23), 501.921 FS. Law Implemented 501.913, 501.917, 501.921 FS. History-New 10-6-93, Amended 7-5-95, 12-9-98, 6-25-00, 10-22-01, 12-9-02, 12-7-04,_____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6B-4.010 Instructional Personnel Assessment Systems

PURPOSE AND EFFECT: The purpose of the rule development is to review current practices and requirements for district instructional personnel assessment systems to determine amendments to be proposed that take account of applicable performance-based pay regimes. The effect of the amendment will be the development of district-based assessment systems that fulfill current requirements for assessment and performance-based pay.

SUBJECT MATTER TO BE ADDRESSED: Instructional personnel assessment systems.

SPECIFIC AUTHORITY: 1001.02, 1012.22, 1012.34 FS.

LAW IMPLEMENTED: 1012.22, 1012.34 FS., Ch. 2006-26, s. 3, Laws of Florida.

IF REQUESTED IN WRITING BY ANY AFFECTED PERSON AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A DATE, TIME AND PLACE TO BE ANNOUNCED IN THE FLORIDA ADMINISTRATIVE WEEKLY.

Requests for the rule development workshop should be addressed to Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pam Stewart, Deputy Chancellor, Educator Quality, Department of Education, 325 West Gaines Street, Room 514, Tallahassee, Florida 32399-0400

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

DEPARTMENT OF LAW ENFORCEMENT

Division of Criminal Justice Information Systems

RULE CHAPTER NO.: RULE CHAPTER TITLE:
11C-7 Criminal History Records;
 Expunction and Sealing Policy and
 Procedures
RULE NO.: RULE TITLE:
11C-7.008 Administrative Expunction
 Procedures

PURPOSE AND EFFECT: Implements new requirements for the administrative expunction of Florida criminal history arrest records that are made contrary to law or by mistake.

SUBJECT AREA TO BE ADDRESSED: Administrative expunction procedures.

SPECIFIC AUTHORITY: 943.051 FS.

LAW IMPLEMENTED: 943.051 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Martha Wright, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308, (850)410-7000

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

DEPARTMENT OF REVENUE

RULE NO.: RULE TITLE:
12-6.0015 Public Use Forms

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12-6.0015, F.A.C., is to: (1) adopt, by reference, changes to the form used by taxpayers to grant a representative authority to perform certain acts on behalf of the taxpayer and to receive and inspect confidential information from the Department; and (2) update information on how to obtain the form from the Department.

SUBJECT AREA TO BE ADDRESSED: The subject area of this rule development is the proposed adoption of changes to Form DR-835, Power of Attorney and Declaration of Representative.

SPECIFIC AUTHORITY: 213.06(1), 213.21(1) FS.

LAW IMPLEMENTED: 72.011, 120.54(5), 120.569, 120.57, 213.21 FS.

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

DATE AND TIME: November 27, 2006, 9:30 a.m.

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 proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Larry Green at (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS: Jamie Peate, Operations Analyst, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4726

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12-6.0015 Public Use Forms.

The following forms are employed by the Department in its dealings with the public. These forms are hereby incorporated by reference in this rule. Copies of these forms are available, without cost, by using one or more of the following methods: 1) downloading the form from the Department's Internet site at www.myflorida.com/dor/forms; or, 2) faxing a forms request to the Distribution Center at (850)922-2208; or, 3) calling the Distribution Center at (850)488-8422; or, 4) writing the Florida Department of Revenue, Distribution Center, 168A Blountstown Highway, Tallahassee, Florida 32304; or, 5) faxing the Distribution Center at (850)922-2208; or, 3) using a fax machine telephone handset to call the Department's automated Fax On Demand system at (850)922-3676; or, 4) visiting any local Department of Revenue Service Center to personally obtain a copy; or, 5) calling the Forms Request Line during regular office hours at (800)352-3671 (in Florida only) or (850)488-6800; or, 6) downloading selected forms from the Department's Internet site stated in the parentheses (www.myflorida.com/dor). Persons with hearing or speech impairments may call the Department's TDD at 1(800)367-8331.

Form Number	Title	Effective Date
DR-835	Power of Attorney and Declaration of Representative (R. 06/06 r. 01/00)	3/6/03

Specific Authority 213.06(1), 213.21(1) FS. Law Implemented 72.011, 120.54(5), 120.569, 120.57, 213.21 FS. History--New 3-6-03, Amended _____.

DEPARTMENT OF REVENUE

RULE NO.:	RULE TITLE:
12-22.007	Registration Information Sharing and Exchange Program

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12-22.007, F.A.C. (Registration Information Sharing and Exchange Program), is to: (1) provide that the scope of the rule is to provide guidelines regarding the Registration Information Sharing and Exchange Program (RISE Program) authorized under Section 213.0535, F.S.; (2) provide who in the Department to contact for information regarding the program; (3) update the data elements relating to the licensing or registration activity during each period that will be exchanged consistent with the data elements that are currently exchanged under the program; (4) incorporate, by reference, the agreements used by the Department in administering the program; (5) clarify that any employee authorized by the participating government agency is required to execute a certificate of familiarity with the confidentiality requirements of Section 213.053, F.S., by January 31 of year each; and (6) clarify that Level-one participants in the program are required to exchange the required data on a monthly or quarterly basis.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is the administration by the Department of the RISE Program and the incorporation, by reference, of the agreements executed between the participating government agency and the Department.

SPECIFIC AUTHORITY: 213.0535(4), 213.06(1) FS.

LAW IMPLEMENTED: 213.053(8)(j), 213.0535 FS.

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

DATE AND TIME: November 27, 2006, 9:30 a.m.

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 proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Larry Green at (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS: Gary Gray, Revenue Program Administrator, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4729

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12-22.007 Registration Information Sharing and Exchange Program.

(1)(a) The Registration Information Sharing and Exchange Program, or "RISE Program", is authorized under Section 213.0535, F.S., to allow government agencies who participate in the program to periodically exchange specified tax information with the Department. This rule provides guidelines regarding this program, section prescribes the data elements to be shared, in the Registration Information Sharing and Exchange Program and the frequency of sharing those data elements. This exchange of registration information between the Department, other state agencies, and units of local government is designed to improve the enforcement of specific state and local taxes, license, and permits.

(b) General information regarding the Registration Information Sharing and Exchange ("RISE") Program and specific questions regarding the status of any data supplied by the Department should be directed to may be obtained by contacting the General Tax Administration (GTA) RISE Coordinator, Compliance Enforcement Process Manager's Office, 4070 Esplanade Esplanade Way, Room 315N 335U, Tallahassee, Florida 32399-5139 or by telephone, (850)487-2544 or by visiting the Department's Internet site at <http://www.myflorida.com/dor/governments/rise.html> the address shown inside the parenthesis (<http://myflorida.com/dor/governments/rise.html>).

(c) Specific questions regarding the status of any data supplied by the Department of Revenue should be directed to the RISE Coordinator, General Tax Administration, Compliance Support Process, 4070 Esplanade Way, Room 335U, Tallahassee, Florida 32399-5139 or by telephone at (850)487-2544.

(2) RISE Agreements and Information Subject to Sharing.

(a) Level-one Participants. To participate in the Level-one RISE Program, each government agency is required to enter into an agreement with the Department to share information with With regard to the taxes, licenses, and permits enumerated in Section 213.0535(4)(a), F.S., participants in this category exchange and share data regarding new registrants, new filers, or initial reporters, permittees, or licensees. The agreement, including attachments, specifies the data elements relating to the licensing or registration activity during each period that will be exchanged and the frequency of exchange of the information. The information subject to such exchange includes:

1. Registrant's, licensee's, or taxpayer's name (name of business and owner);
2. Business mailing address, including zip code;
3. Business location address, including zip code;
4. Telephone number (business and owner);
- 5.4. Federal employer identification number or Social Security number (where authorized under the Federal Privacy and Confidentiality Act);

6.5. Business type kind code (NAICS or SIC code);

7.6. County code (as provided by the Department);

8.7. Applicable state or local license or registration number and any other unique identifying number;

9.8. Business opening date; and

9. Telephone number, if available.

10. Indication whether new or re-issuance (not renewals or address changes).

(b) Level-two Participants. To participate in the Level-one RISE Program, each government agency is required to enter into an agreement with the Department to share information with With regard to the taxes enumerated in Section 213.0535(4)(b), F.S., participants in this category share and exchange data as specified in paragraph (a). The agreement, including attachments, specifies the data elements relating to the licensing or registration activity during each period that will be exchanged and the frequency of exchange of the information. In addition to the data shared by Level-one participants, Level-two participants shall exchange data relating to tax payment history, audit assessments, and registration cancellations of sales and use tax, tourist development tax, tourist impact tax, municipal resort tax, and/or convention development tax dealers engaging in transient rentals.

(c) The Department hereby incorporates the following agreements used in the administration of the RISE Program:

1. Registration and Information Sharing and Exchange Program – Level-One Agreement (R. 10/06);

2. Registration and Information Sharing and Exchange Program – Level-Two Agreement (R. 10/06);

3. RISE Attachment B (R. 10/06); and

4. RISE Attachment C. Program Participant Certification for Access to Confidential State Tax Information (R. 10/06).

(d) Each government agency participating in the RISE Program is required to transmit its shared data to the Department within 20 days after the close of the reporting period, using the format specified in RISE Attachment B of the executed RISE agreement.

(e) Section 213.053(8)(j), F.S., provides that the Department may provide the information authorized under Section 213.0535, F.S., to eligible participants and certified public accountants for such participants in the RISE Program. As a part of the Level-One RISE Agreement, or the Level Two Agreement, each authorized employee of the participating government agency is required to execute a certification of familiarity with the confidentiality requirements of Section 213.053, F.S., and Rule Chapter 12-22, F.A.C., by January 31 of each year. Any person who becomes an authorized employee subsequent to January 31 must execute a separate certification of familiarity with the confidentiality requirements. Executed certifications must be forwarded to the RISE Coordinator within 15 business days of the date of hire or the date of change in employment status.

(3)(a) Methods for Transmitting Data. The Department provides for the transmission of data between eligible participants of the RISE program. When submitting data to the Department, the participant is required to indicate the format in which the data is provided to the Department. Data is transmitted to the eligible participant by the Department in the same format as the format in which the participant provides data to the Department.

(b) Eligible participants who are required to transmit information under the RISE program and who are unable to make a timely exchange, because of system failure, incomplete data, or other reasons that are beyond the participant's control, should contact the General Tax Administration RISE Coordinator, General Tax Administration, Compliance Support Process, 4070 Esplanade Way, Room 335U, Tallahassee, Florida 32399-5139 or by telephone at (850)487-2544.

(4) Frequency of Exchange.

(a) Units of state and local government that are Level-one participants are required to exchange, on a monthly or quarterly basis, the data enumerated in paragraph (2)(a) of this rule for each new registrant, new filer, or initial reporter, permittee, or licensee with respect to the taxes, licenses, or permits specified in Section 213.0535(4), F.S. Each RISE participant is required to select either a monthly or quarterly reporting period and to notify the Department of its selection.

(b) The Department of Revenue and local officials who are Level-two participants are required to comply with the monthly or quarterly exchange requirements imposed on Level-one participants. Additionally, Level-two participants are required to exchange, on a quarterly basis, information as provided in paragraph (2)(b) of this rule. Audit assessments and registration cancellation information will be exchanged on a quarterly basis. Tax payment history information will be exchanged only upon a written request.

(c) Any requests for tax information outside of the monthly or quarterly exchange provided in this rule should be addressed to the General Tax Administration RISE Coordinator, General Tax Administration, Compliance Support Process, 4070 Esplanade Way, Room 335U, Tallahassee, Florida 32399-5139 or by telephone at (850)487-2544.

Specific Authority 213.0535(4), 213.06(1) FS. Law Implemented 213.053(8)(j), 213.0535 FS. History—New 3-17-93, Amended 4-2-00, _____.

DEPARTMENT OF REVENUE

RULE NO.: 12-26.008
RULE TITLE: Public Use Forms

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12-26.008, F.A.C., is to (1) adopt, by reference, changes to forms used by the Department in the processing of applications for refunds; and (2) update information on how to obtain the forms from the Department.

SUBJECT AREA TO BE ADDRESSED: The subject area of this rule development is the proposed adoption of changes to the forms used by the Department in the processing of applications for refunds.

SPECIFIC AUTHORITY: 213.06(1) FS.

LAW IMPLEMENTED: 72.011, 199.183, 199.185, 199.218(5), 201.11, 202.125, 202.23, 206.41, 206.64, 206.8745, 206.97, 206.9815, 206.9875, 206.9941, 206.9942, 212.02(15)(a), (19), 212.05(1)(a)1.b., 212.06(5)(a)1., (7), 212.07(1), 212.08(2)(j), (5)(f), (g), (h), (q), (7), 212.09, 212.11(4), (5), 212.12(6)(a), (c), 212.13(1), (2), 212.12(4), 212.17(1), (2), (3), 212.183, 213.255(2), (3), (4), (12), 213.34, 215.26, 220.725, 220.727, 624.5092, 681.104 FS.

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

DATE AND TIME: November 27, 2006, 9:30 a.m.

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 proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Larry Green at (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD). THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS: Jamie Peate, Operations Analyst, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4726.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12-26.008 Public Use Forms.

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

(b) These forms are available, without cost, by one or more of the following methods: 1) downloading the form from the Department's Internet site at www.myflorida.com/dor/forms; or, 2) faxing a forms request to the Distribution Center at (850)922-2208; or, 3) calling the Distribution Center at (850)488-8422; or, 4) writing the Florida Department of Revenue, Distribution Center, 168A Blountstown Highway, Tallahassee, Florida 32304; or, 5) 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 (in Florida only) or (850)488-6800; or, 5)

downloading selected forms from the Department's Internet site stated in the parentheses (www.myflorida.com/dor). Persons with hearing or speech impairments may call the Department's TDD at 1(800)367-8331.

Form Number	Title	Effective Date
(2) DR-26	Application for Refund (R. 10/06 06/03)	____ 09/04
(3) DR-26I	Application for Refund- Intangible Personal Property Tax (R. 07/06 06/03)	____ 09/04
(4) DR-26S	Application for Refund- Sales and Use Tax (R. 07/06 01/03)	____ 09/04
(5) DR-370026	Mutual Agreement to Audit or Verify Refund Claim (R. 02/06 07/02)	____ 09/04

Specific Authority 213.06(1) FS. Law Implemented 72.011, 199.183, 199.185, 199.218(5), 201.11, 202.125, 202.23, 206.41, 206.64, 206.8745, 206.97, 206.9815, 206.9875, 206.9941, 206.9942, 212.02(15)(a), (19), 212.05(1)(a)1.b., 212.06(5)(a)1., (7), 212.07(1), 212.08(2)(j), (5)(f), (g), (h), (q), (7), 212.09, 212.11(4), (5), 212.12(6)(a), (c), 212.13(1), (2), 212.12(4), 212.17(1), (2), (3), 212.183, 213.255(2), (3), (4), (12), 213.34, 215.26, 220.725, 220.727, 624.5092, 681.104 FS. History--New 11-14-91, Amended 4-18-93, 10-4-01, 9-28-04,_____.

DEPARTMENT OF REVENUE

Sales and Use Tax

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

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.

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

DATE AND TIME: November 27, 2006, 9:30 a.m.

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 proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Larry Green at (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS: Jamie Peate, Operations Analyst, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (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. 01/07 01/06)	____ 04/06
(b) DR-7N	Instructions for Consolidated Sales and Use Tax Return (R. 01/07 01/06)	____ 04/06
(6)(a) DR-15	Sales and Use Tax Return (R. 01/07 01/06)	____ 04/06
(b) DR-15CS	Sales and Use Tax Return (R. 01/07 01/06)	____ 04/06
(c) DR-15CSN	DR-15 Sales and Use Tax – Instructions (R. 01/07 01/06)	____ 04/06

- (d) DR-15EZ Sales and Use Tax Return
(R. 01/07 01/06) _____ 04/06
- (e) DR-15EZCSN DR-15EZ Sales and Use
Tax Return – Instructions
(R. 01/07 01/06) _____ 04/06
- (f) DR-15EZN Instructions for 2007
2006 DR-15EZ Sales
and Use Tax Returns
(R. 01/07 01/06) _____ 04/06
- (g) No change.
- (h) DR-15MO Florida Tax on Purchases
(R. 02/06 09/04) _____ 06/05
- (i) DR-15N Instructions for 2007
2006 DR-15 Sales and
Use Tax Returns
(R. 01/07 01/06) _____ 04/06
- (j) DR-15ZC Application for Florida
Enterprise Zone Jobs
Credit for Sales Tax
Effective June 7, 2006
January 1, 2003
(R. 06/06 01/03) _____ 05/03
- (k) DR-15ZCN Instructions for
Completing the Sales
and Use Tax Return,
form DR-15, when
taking the Enterprise
Zone Jobs Tax Credit
under New Law
(R. 06/06 01/03) _____ 05/03
- (l) through (m) No change.
- (7) through (8) No change.
- (9) DR-18 Application for
Amusement Machine
Certificate
(R. 03/06 01/05) _____ 06/05
- (10) DR-26RP Florida Neighborhood
Revitalization Program
(R. 01/06 04/01) _____ 06/01
- (11) 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, 6-28-05, 5-1-06, _____.

DEPARTMENT OF REVENUE

Sales and Use Tax

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

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.

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

DATE AND TIME: November 27, 2006, 9:30 a.m.

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 proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Larry Green at (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS: Jamie Peate, Operations Analyst, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4726

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, as provided in this rule chapter, and the solid waste fees, as provided in Rule Chapter 12A-12, F.A.C. These forms are hereby incorporated by reference in this rule.

(b) No change.

Form Number	Title	Effective Date
(2) DR-15SWCS	Solid Waste and Surcharge Return (DR-15SW)(R. <u>01/07</u> <u>01/06</u>)	_____ <u>07/06</u>
(3) DR-15SWN	Instructions for DR-15SW Solid Waste and Surcharge Returns (R. <u>01/07</u> <u>01/06</u>)	_____ <u>07/06</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, 6-28-05, 7-25-06,_____.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NOS.:	RULE TITLES:
12A-19.030	Communications Services Tax Direct Pay Permits
12A-19.100	Public Use Forms

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-19.030, F.A.C., (Communications Services Tax Direct Pay Permits), is to: (1) require a permit holder whose permit will expire to file an application for renewal of the permit with the Department; (2) require that direct pay permit holders whose communications services tax certificate of registration has been canceled must surrender their direct pay permit to the Department; (3) clarify that permit holders must issue a copy of their permit to the dealer in lieu of paying the communications services taxes identified on the permit; and (4) clarify how the amount of tax due by permit holders is to be paid to the Department.

The purpose of the proposed amendments to Rule 12A-19.100, F.A.C. (Public Use Forms) is to: (1) adopt, by reference, the new form used by permit holders to renew their direct pay permit; (2) 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 (3) adopt, by reference, revisions to Form DR-700016, Communications Services Tax Return.

SUBJECT AREA TO BE ADDRESSED: The subject of this workshop is: (1) the proposed guidelines regarding communications services tax direct pay permits; and (2) the adoption, by reference of a new form and revisions to forms currently 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), (e), (i), (j), 202.27(7) FS.

LAW IMPLEMENTED: 202.11(3), (10), (11), 202.12(1), (3), 202.13(2), 202.15, 202.151, 202.16(2), (4), 202.17(6), 202.19(1), (7), 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:

DATE AND TIME: November 27, 2006, 9:30 a.m.

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 the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least 48 hours before such proceeding by contacting Larry Green at (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS: Gary Gray, Revenue Program Administrator I, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4729

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12A-19.030 Communications Services Tax Direct Pay Permits.

(1) Persons who purchase communications services may apply for a communications services tax direct pay permit from the Department to assume the obligation of self-accruing and remitting to the state the tax due on their purchases of communications services when:

(a) The majority of the communications services purchased for use by a person are for communications that originate outside of Florida and terminate within Florida; or

(b) The taxable status of sales of communications services will be known only upon use.

(2) For purposes of this rule, the term "person" means a single legal entity and does not mean a group or combination of affiliated entities or entities controlled by one (1) person or group of persons.

(3)(a) To request a Communications Services Tax Direct Pay Permit, a person must file Form DR-700030, Application for Self-Accrual Authority/Direct Pay Permit Communications Services Tax (incorporated by reference in Rule 12A-19.100, F.A.C.), with the Department, in the manner provided on the form.

(b) Each permit holder must hold a valid dealer's Communications Services Tax Certificate of Registration (Form DR-700014) issued by the Department. Persons that are not registered with the Department for the communications services tax must file an Application to Collect and/or Report Tax in Florida (Form DR-1) with the Department. If Form DR-700030, Application for Self-Accrual Authority/Direct Pay Permit Communications Services Tax accompanies Form DR-1, then Form DR-700020, Notification of Method Employed to Determine Taxing Jurisdiction (Communications Services Tax) (incorporated by reference in Rule 12A-19.100, F.A.C.), is only required to be filed if an applicant will be responsible for collecting and remitting local communications services taxes on sales of communications services.

(4)(a) The effective date of a Communications Services Tax Direct Pay Permit is the postmark date of the application or, when delivered by means other than the United States Postal Service, the date the application is received by the Department.

(b) The Department will specify on each communications services tax direct pay permit the specific taxes for which the Dealer is authorized to self-accrue and remit tax directly to the Department. When a direct pay permit authorizes self-accrual of any local communications services taxes, each service address that a direct pay permit applies to will be identified.

(c)1. A communications services tax direct pay permit expires five (5) years from the effective date. The expiration date shall be the end of the month preceding five years from the effective date, if the effective date is on or before the 15th of the month. The expiration date shall be the end of the month that is five (5) years from the effective date, if the effective date is after the 15th of the month. The Department will provide a Renewal Notice and Application for Self-Accrual Authority/Direct Pay Permit – Communications Services Tax (Form DR-700032, incorporated by reference in Rule 12A-19.100, F.A.C.) renewal notice to a permit holder sixty (60) days prior to the expiration date of a permit. Holders of a communications services tax direct pay permit whose certificate will expire must complete Form DR-700032 prior to expiration of their current direct pay permit. Persons that fail to receive Form DR-700032 a renewal notice or who that need more information regarding the notice may contact the Department at Account Management Central Registration, Florida Department of Revenue, P. O. Box 6480, Tallahassee, Florida 32314-6480.

2. When the registration of a permit holder has been canceled, and the permit holder no longer holds a valid dealer's Communications Services Tax Certificate of Registration, the permit holder must surrender the permit to the Department for cancellation. To surrender a permit, the permit holder must forward the permit to Account Management, Florida Department of Revenue, P. O. Box 6480, Tallahassee, Florida 32314-6480.

~~3.2.~~ Upon expiration of the purchasing customer's communications services tax direct pay permit, a dealer is required to collect and remit the applicable communications services tax from that customer.

(5) COMMUNICATIONS SERVICES TAX DIRECT PAY PERMIT FOR INTERSTATE COMMUNICATIONS SERVICES.

(a) Persons issued a direct pay permit under the provisions of this subsection will receive Form DR-700031, Communications Services Tax Direct Pay Permit. Permit holders must provide a copy of Form DR-700031 to the communications services dealer to purchase communications services identified on the permit tax-exempt at the time of purchase.

(b) Permit holders are required to pay each calendar year to the Department an amount not to exceed the following:

1. \$100,000 in communications services taxes, imposed under Sections 202.12 and 203.01(1)(a)2., F.S., on all charges for interstate communications services that originate outside Florida and terminate inside Florida that are billed to a single entity; or

2. \$100,000 in communications services taxes, imposed under Sections 202.12 and 203.01(1)(a)2., F.S., on all charges for interstate communications services that originate outside Florida and terminate inside Florida that are billed to a single entity and \$25,000 in local communications services tax, imposed under Section 202.19(1), F.S., on charges for interstate communications services that originate outside Florida and terminate inside Florida that are billed to each individual service address identified on a permit in any municipality or county imposing a local communications services tax.

(c) The filing of the returns for the taxes identified on a direct pay permit must be made on a monthly basis, and the tax may be remitted in one ~~(4)~~ of the following manners:

1. The tax due may be prorated throughout the calendar year;

2. The tax due, based on a permit holder's purchases, may be paid to the Department as the applicable tax is accrued; or

3. The total amount of the tax due, not to exceed the amount of the partial exemption authorized under the permit, may be paid in full as a single payment with the first return of each calendar year, ~~followed by returns indicating that no tax is due in subsequent months.~~ Subsequent returns must be filed indicating that that no tax is due with the return.

(d) A return must be filed by a direct pay permit holder even if no tax is due.

(e) A permit holder must pay its tax obligation to the Department using electronic funds transfer, as required by Section 202.30(1), F.S., and Rule Chapter 12-24, F.A.C., and must submit its return using electronic data interchange, as required by Section 202.30(2), F.S., and Rule Chapter 12-24, F.A.C.

(f) In the calendar year of issuance, any amounts of communications services taxes paid by a permit holder to its provider(s) after the effective date of a direct pay permit will be included in ~~credited against~~ the total amount of communications services tax due to the Department for that calendar year. When ~~in~~ remitting the remaining amounts ~~required to be paid~~ to the Department, the amount paid directly to communications services provider(s) after the effective date of a permit may be deducted from the total amount due to the Department. In the event that a permit holder has paid to its provider(s) ~~after the effective date of a direct pay permit~~ an amount that exceeds ~~results in total payments in excess of~~ the amount of tax allowed ~~required~~ by the ~~a~~ permit, the ~~a~~ permit holder must obtain the applicable refund or credit from its provider(s).

(g) Communications services taxes and local communications services taxes are due and must be paid to the selling dealer or directly to the Department on all charges for intrastate communications services and charges for interstate communications services that originate inside Florida and terminate outside Florida.

(6) COMMUNICATIONS SERVICES TAX DIRECT PAY PERMIT FOR TAX DUE UPON DETERMINATION OF USE.

(a) Persons that are issued a direct pay permit under the provisions of this subsection will receive Form DR-700031, Communications Services Tax Direct Pay Permit. Permit holders must provide a copy of Form DR-700031 to the communications services dealer to purchase communications services identified on the permit tax-exempt at the time of purchase.

(b) Permit holders are required to file tax returns on a monthly basis and pay to the Department the amount of the state communications services tax, imposed under Sections

202.12 and 203.01(1)(a)2., F.S., and the amount of local communications services taxes, imposed under Section 202.19, F.S., due upon the determination of the use of such communications services.

(7) In the event that an original communications services tax direct pay permit is lost or destroyed, a permit holder may request a replacement ~~by visiting any local Department of Revenue Service Center to personally obtain a copy or~~ by contacting the Department at (800)352-3671 ~~(in Florida only)~~ or (850)488-6800. Persons with hearing or speech impairments may call the Department's TDD; at (800)367-8331. Written requests should be addressed to Account Management Central Registration, Florida Department of Revenue, P. O. Box 6480, Tallahassee, Florida 32314-6480.

(8) through (9) No change.

Specific Authority 202.26(3)(e), (i), 202.27(7)(6) FS. Law Implemented 202.12(3), 202.16(4), 202.19(7)(8), 202.27(7)(6)(b), 202.30, 202.34(3) FS. History—New 1-31-02, Amended 4-17-03,_____.

Cross-Reference: Rules 12A-19.010 and 12A-19.060, F.A.C.

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
01/07	January 2007 –
06/06	June 2006 – December 2006
01/06	January 2006 – May 2006
11/05	November 2005 – December 2005
06/05	June 2005 – October 2005
01/05	January 2005 – May 2005
11/04	November 2004 – December 2004
10/04	October 2004
06/04	June 2004 – September 2004
01/04	January 2004 – May 2004
12/03	December 2003
11/03	November 2003
10/03	October 2003
06/03	June 2003 – September 2003
03/03	March 2003 – May 2003
01/03	January 2003 – February 2003
12/02	December 2002
11/02	November 2002
10/02	October 2002
01/02	January 2002 – September 2002
12/01	October 2001 – December 2001

SERVICE BILLING DATES
January 1, 2007 –
June 1, 2006 – December 31, 2006
January 1, 2006 – May 31, 2006
November 1, 2005 – December 31, 2005
June 1, 2005 – October 31, 2005
January 1, 2005 – May 31, 2005
November 1, 2004 – December 31, 2004
October 1, 2004 – October 31, 2004
June 1, 2004 – September 30, 2004
January 1, 2004 – May 31, 2004
December 1, 2003 – December 31, 2003
November 1, 2003 – November 30, 2003
October 1, 2003 – October 31, 2003
June 1, 2003 – September 30, 2003
March 1, 2003 – May 31, 2003
January 1, 2003 – February 28, 2003
December 1, 2002 – December 31, 2002
November 1, 2002 – November 30, 2002
October 1, 2002 – October 31, 2002
January 1, 2002 – September 30, 2002
October 1, 2001 – December 31, 2001

Form Number	Title	Effective Date
(3) No change.		
(4)(a) DR-700016	<u>Florida Communications Services Tax Return</u> <u>(R. 01/07)</u>	_____
(b) DR-700016	<u>Florida Communications Services Tax Return</u> <u>(R. 06/06)</u>	_____
(a) through (s) renumbered (c) through (u) No change.		
(5) through (11) No change.		
(12)(a) DR-700030	Application for Self-Accrual Authority/Direct Pay Permit Communications Services Tax <u>(R. 06/06)</u> N. 07/04	_____ <u>04/03</u>
(b) DR-700032	<u>Renewal Notice and Application for Self-Accrual Authority/Direct Pay Permit – Communications Services Tax (R. _____)</u>	_____

Specific Authority 202.151, 202.16(2), 202.26(3)(a), (c), (d), ~~(e), (j), 202.27(7)~~ FS. Law Implemented 202.11(3), (10), (11), 202.12(1), ~~(3), 202.13(2), 202.151, 202.16(2), (4), 202.17(6), 202.19(1), (7), 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, 6-28-05, 11-14-05, 7-16-05, _____.

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NO.: 12B-5.150
 RULE TITLE: Public Use Forms

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12B-5.150, F.A.C. (Public Use Forms), is to adopt, by reference, changes to forms used by the Department in the administration of the taxes imposed on fuels and pollutants

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 the taxes imposed on fuels and pollutants.

SPECIFIC AUTHORITY: 206.14(1), 206.59(1), 213.06(1) FS.
 LAW IMPLEMENTED: 206.02, 206.021, 206.022, 206.025, 206.026, 206.027, 206.028, 206.05, 206.055, 206.095, 206.404, 206.43, 206.86, 206.877, 206.90, 206.91, 206.92, 206.9931, 206.9943 FS.

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

DATE AND TIME: November 27, 2006, 9:30 a.m.

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 proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Larry Green at (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS: Jamie Peate, Operations Analyst, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4726

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12B-5.150 Public Use Forms.

(1)(a) The following public use forms and instructions are utilized by the Department and are hereby incorporated by reference in this rule.

(b) Copies may be obtained, without cost, by one (1) or more of the following methods: 1) downloading the form from the Department's Internet site at www.myflorida.com/dor/forms/; or, 2) faxing a forms request to the Distribution Center at (850)922-2208; or 3) calling the Distribution Center at (850)488-8422; or, 4) writing the Florida Department of Revenue, Distribution Center, 168A Blountstown Highway, Tallahassee, Florida 32304; or, 5) visiting any local Department of Revenue Service Center to personally obtain a copy. Persons with hearing or speech impairments may call the Department's TDD at (800)367-8331.

Form Number	Title	Effective Date
(1) through (12) renumbered (2) through (13) No change.		
(14)(13) DR-182	Florida Air Carrier Fuel Tax Return <u>(R. 01/07 01/06)</u>	_____ <u>05/06</u>
(14) through (16) renumbered (15) through (17) No change.		
(18)(17) DR-191	Application for Aviation Fuel Refund – Air Carriers <u>(R. 07/06 03/06)</u>	_____ <u>05/06</u>
(18) through (19) renumbered (19) through (20) No change.		
(21)(20) DR-309631	Terminal Supplier Fuel Tax Return <u>(R. 01/07 01/06)</u>	_____ <u>05/06</u>

(22) (24) DR-309631N	Instructions for Filing Terminal Supplier Fuel Tax Return (R. <u>01/07 01/06</u>)	_____ 05/06	(33) (32) DR-309637	Petroleum Carrier Information Return (R. <u>01/07 01/06</u>)	_____ 05/06
(23) (22) DR-309632	Wholesaler/Importer Fuel Tax Return (R. <u>01/07 01/06</u>)	_____ 05/06	(34) (33) DR-309637N	Instructions for Filing Petroleum Carrier Information Return (R. <u>01/07 01/06</u>)	_____ 05/06
(24) (23) DR-309632N	Instructions for Filing Wholesaler/Importer Fuel Tax Return (R. <u>01/07 01/06</u>)	_____ 05/06	(35) (34) DR-309638	Exporter Fuel Tax Return (R. <u>01/07 01/06</u>)	_____ 05/06
(25) (24) DR-309633	Mass Transit System Provider Fuel Tax Return (R. <u>01/07 01/06</u>)	_____ 05/06	(36) (35) DR-309638N	Instructions for Filing Exporter Fuel Tax Return (R. <u>01/07 01/06</u>)	_____ 05/06
(26) (25) DR-309633N	Instructions for Filing Mass Transit System Provider Fuel Tax Return (R. <u>01/07 01/06</u>)	_____ 05/06	(37) (36) DR-309639	Application for Return of Tax Paid on Undyed Diesel Used for Off-Road or Other Exempt Purposes (with Instructions) (R. <u>07/06 04/06</u>)	_____ 05/06
(27) (26) DR-309634	Local Government User of Diesel Fuel Tax Return (R. <u>01/07 01/06</u>)	_____ 05/06	(38) (37) No change.		
(28) (27) DR-309634N	Instructions for Filing Local Government User of Diesel Fuel Tax Return (R. <u>01/07 01/06</u>)	_____ 05/06	(39) (38) DR-309645	2006 Refundable Portion of Local Option and SCETS Tax (R. <u>06/06 01/06</u>)	_____ 05/06
(29) (28) DR-309635	Blender/Retailer of Alternative Fuel Tax Return (R. <u>01/07 01/06</u>)	_____ 05/06	(40) (39) No change.		
(30) (29) DR-309635N	Instructions for Filing Blender/Retailer of Alternative Fuel Tax Return (R. <u>01/07 01/06</u>)	_____ 05/06	Specific Authority 206.14(1), 206.59(1), 213.06(1) FS. Law Implemented 206.02, 206.021, 206.022, 206.025, 206.026, 206.027, 206.028, 206.05, 206.055, 206.095, 206.404, 206.43, 206.86, 206.877, 206.90, 206.91, 206.92, 206.9931, 206.9943 FS. History—New 11-21-96, Amended 10-27-98, 5-1-06,_____.		
(31) (30) DR-309636	Terminal Operator Information Return (R. <u>01/07 01/06</u>)	_____ 05/06	DEPARTMENT OF REVENUE		
(32) (31) DR-309636N	Instructions for Filing Terminal Operator Information Return (R. <u>01/07 01/06</u>)	_____ 05/06	Miscellaneous Tax		
			RULE NO.: RULE TITLE:		
			12B-8.003 Tax Statement; Overpayments		
			PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12B-8.003, F.A.C. (Tax Statement; Overpayments), is to adopt, by reference, changes to forms used by the Department in the administration of the insurance premium tax.		

SUBJECT AREA TO BE ADDRESSED: The subject area of this rule development is the proposed adoption of changes to forms used by the Department in the administration of the insurance premium tax.

SPECIFIC AUTHORITY: 213.06(1) FS.

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

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

DATE AND TIME: November 27, 2006, 9:30 a.m.

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 proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Larry Green at (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD). **THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS:** Jamie Peate, Operations Analyst, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4726

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
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(5)(a) DR-907	Florida Insurance Premium Installment Payment (R. <u>01/07</u> 01/06)	<u>06/06</u>
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(b) DR-907N	Information for Filing Insurance Premium Installment Payment (Form DR-907) (R. <u>01/07</u> 01/06)	<u>06/06</u>
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(6)(a) DR-908	Insurance Premium Taxes and Fees Return for Calendar Year <u>2006</u> 2005 (R. <u>01/07</u>)	
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(b) DR-908N	Instructions for Preparing Form DR-908 Florida Insurance Premium Taxes and Fees Return (R. <u>01/07</u> 01/06)	<u>06/06</u>
(7) DR-350900	<u>2006</u> 2005 Insurance Premium Tax Information for Schedules XII and XIII, DR-908 (R. <u>01/07</u> 01/06)	<u>06/06</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, 6-28-05, 6-20-06.

DEPARTMENT OF REVENUE

Corporate Income Tax

RULE NOS.:	RULE TITLES:
12C-1.0187	Credits for Contributions to Nonprofit Scholarship Funding Organizations
12C-1.0191	Capital Investment Tax Credit Program
12C-1.051	Forms

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12C-1.0187, F.A.C. (Credits for Contributions to Nonprofit Scholarship Funding Organizations), is to incorporate changes to Section 220.187, F.S., as amended by Section 2, Chapter 2006-75, L.O.F., which provides for rescindments of the tax credit for contributions to nonprofit scholarship organizations and removes the limitation on the amount of donation that may be contributed by an entity to such organizations. The proposed amendments remove language that specifically disallowed a rescindment of an allocated credit and provides guidance on the rescindment process and when such rescindments of credit will be approved by the Department. The proposed amendments also provide that, in lieu of a specific threshold requiring taxpayers to file an application for credit against the corporate income tax online, taxpayers who are required to file returns and remit payments by electronic means pursuant to Section 213.755, F.S., and Rule Chapter 12-24, F.A.C., will be required to file the applications online via the Department's online Internet site.

The purpose of the proposed amendments to Rule 12C-1.0191, F.A.C. (Capital Investment Tax Credit Program), is to provide information and the requirements of the approval process for a new qualifying project that is located in an enterprise zone and brownfield area, as provided in Section 220.191(1)(h)3., F.S.,

created by Section 1, Chapter 2006-55, L.O.F., for purposes of the capital investment tax credit applied against the corporate income tax.

The purpose of the proposed amendments to Rule 12C-1.051, F.A.C. (Forms), is to adopt, by reference, new forms and changes to the forms used by the Department in the administration of the corporate income tax and to remove obsolete forms no longer used by the Department.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is: (1) the proposed guidelines for rescinding a previously approved tax credit allocation for contributions to nonprofit scholarship funding organizations authorized pursuant to Section 220.187, F.S.; (2) the proposed guidelines for obtaining approval for a new qualifying project under s. 220.191(1)(h)3., F.S., for purposes of the capital investment tax credit applied against the corporate income tax; and (3) the proposed adoption of new forms and changes to forms used by the Department in the administration of the corporate income tax and the repeal of forms no longer used by the Department.

SPECIFIC AUTHORITY: 213.06(1), 220.187, 220.191(7), 220.51 FS.

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

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

DATE AND TIME: November 27, 2006, 9:30 a.m.

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 proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Larry Green at (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

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

(1) An application for Corporate Income Tax Credit for Contributions to Nonprofit Scholarship Funding Organizations (SFOs) (Form F-1160, incorporated by reference in Rule 12C-1.051, F.A.C.) must be filed with the Department to receive such credit.

(a) Taxpayers required to file returns and remit payments by electronic means pursuant to Section 213.755, F.S., and Rule Chapter 12-24, F.A.C., that paid \$30,000 or more in corporate income tax in the state fiscal year prior to application must apply online via the Department's Internet site at www.myflorida.com/dor. When the application for credit has been completed and submitted electronically, a confirmation screen will provide a confirmation number and will confirm receipt of the electronic application for credit.

(b) Taxpayers who are not required to file returns and remit payments by electronic means pursuant to Section 213.755, F.S., and Rule Chapter 12-24, F.A.C., that paid less than \$30,000 in corporate income tax in the state fiscal year prior to application are encouraged to apply online via the Department's Internet site at www.myflorida.com/dor. However, such taxpayers a taxpayer that paid less than \$30,000 in corporate income tax in the state fiscal year prior to application may apply for an allocation of credit by filing mailing a paper version of Form F-1160 with the Department to: Florida Department of Revenue, Revenue Accounting—CIT SFO Credit, 5050 W. Tennessee Street, Building I, Tallahassee, FL 32399-0100.

(c) No change.

(2) through (3) No change.

(4) A taxpayer is required to make a separate application for each SFO scholarship funding organization it intends to support or any carry forward credit it would like to use. Any credit, including carry forward credits, allocated to a taxpayer cannot be rescinded by the taxpayer or returned to the Department for reallocation to another taxpayer.

(5) through (6) No change.

(7) Effective for tax years beginning on or after January 1, 2006, a taxpayer may apply to the Department for rescindment of all or part of a previously approved credit allocation for a contribution to an SFO, or a credit carryforward. The rescindment will be approved unless: (1) the taxpayer has had more than one approved rescindment of this credit within the last three (3) tax years; (2) the previously approved credit allocation amount to be rescinded has been claimed as a credit on a previously filed Florida corporate income tax return; or (3) the allocation year is closed for all taxpayers. The allocation for a particular year is closed for all taxpayers at the end of the subsequent calendar year. For example, the allocation year beginning January 1, 2006, closes for all taxpayers on December 31, 2007, regardless whether the

annual allotment has been reached, because there are no more tax years remaining open that began in calendar year 2006 as of December 31, 2007.

(a) An Application for Rescindment of Corporate Income Tax Credit for Contributions to Nonprofit Scholarship Funding Organizations (SFOs) (Form F-1161, incorporated by reference in Rule 12C-1.051, F.A.C.) must be filed with the Department to rescind all or part of a previously approved credit allocation or credit carryforward allocation.

(b)1. Taxpayers required to file returns and remit payments by electronic means pursuant to Section 213.755, F.S., and Rule Chapter 12-24, F.A.C., must apply for rescindment of all or part of a previously approved credit allocation for a contribution to an SFO, or a credit carryforward, online via the Department's Internet site at www.myflorida.com/dor. When the application for rescindment has been completed and submitted electronically, a confirmation screen will provide a confirmation number and will confirm receipt of the electronic application for rescindment.

2. Taxpayers who are not required to file returns and remit payments by electronic means pursuant to Section 213.755, F.S., and Rule Chapter 12-24, F.A.C., are encouraged to apply for the rescindment of a credit allocation for a contribution to an SFO by applying online via the Department's Internet site. However, such taxpayers may apply for a rescindment by filing a paper version of Form F-1161 with the Department.

(c) The Department will send written correspondence to each rescindment applicant within ten working days of receipt of the application for rescindment regarding the amount of the rescindment or the reason the rescindment could not be approved.

(d) If the approval of a rescindment reopens the credit allocation for a year in which the annual allotment had previously been reached, the Department will notify each SFO that additional credit is available for allocation for that year.

(8)(7) No change.

Specific Authority 213.06(1), 220.187, 220.51 FS. Law Implemented 213.05, 213.35, 213.755, 220.03(1), 220.131, 220.187, 220.44 FS. History—New 3-15-04, Amended.

12C-1.0191 Capital Investment Tax Credit Program.

(1) Qualifying projects defined in Section 220.191(1)(h)1. and 2., F.S.

(a)(1) Section 220.191, F.S., requires an application process for the capital investment tax credit, which includes review and recommendation by Enterprise Florida (EFI), and a certification from the Office of Tourism, Trade, and Economic Development (OTTED). Once the applicant has been recommended by EFI and certified by OTTED, the applicant is required to reach a written agreement with the Florida Department of Revenue (Department) on how the taxable income from the qualifying project is to be determined or

calculated. The Department adopts a Technical Assistance Advisement (TAA), which the applicant requests from the Department, as the method for entering into such written agreement. When requesting the TAA, the applicant is required to ~~should~~ follow the guidelines provided in Rule 12-11.003, F.A.C., and in addition, to include how the applicant proposes they propose to determine the taxable income generated by or arising out of the qualifying project.

1.(a) In situations where the applicant is using a separate corporate entity to account for the activities of the qualifying project, the taxable income generated by that entity as reported on the return filed pursuant to Section 220.22(1), F.S., will be used to determine the amount of income tax due, and the subsequent amount of the credit that will be available for use. If the applicant has other activities not related to the project reported on this return, a pro forma attachment will be required to separately account for the taxable income generated by the project, the resulting amount of tax due, and the subsequent amount of the credit that will be available for use.

2.(b) Where the activities of the qualifying project are included within preexisting multiple corporate structures, such as several affiliates or divisions, or the activities of the project are included within a corporation or corporations that are included in ~~filing~~ a consolidated income tax return filed pursuant to Section 220.131, F.S., the applicant will be required to separately account for, using a "pro forma" format, the qualifying project's taxable income, the amount of income tax due, and subsequent credit. This pro-forma attachment will indicate separately all revenues, expenses, either direct or indirect, and any other adjustments made in the determination of the project's annual taxable income, and the subsequent annual amount of the Capital Investment Tax Credit that may be claimed on ~~in~~ the Florida corporate income tax return. This computation requires the qualifying project's annual taxable income to be determined by generally accepted accounting principles (GAAP) and; to conform to the provisions contained in Florida Corporate Income Tax Law under Chapter 220, F.S.

3.(c) In situations where the activities of the project are included within other types of corporate structures, the applicant will be required to separately account for, using a "pro forma" format, the qualifying project's taxable income, the amount of income tax due, and subsequent credit. This pro-forma attachment will indicate separately all revenues, expenses, either direct or indirect, and any other adjustments made in the determination of the project's annual taxable income, and the subsequent annual amount of the Capital Investment Tax Credit that may be claimed on ~~in~~ the Florida corporate income tax return. This computation requires the qualifying project's annual taxable income to be determined by generally accepted accounting principles (GAAP) and; to conform to the provisions contained in Florida Corporate Income Tax Law under Chapter 220, F.S.

(b)(2) The maximum annual amount of Capital Investment Tax Credit is limited to 5 percent of the certified eligible capital costs of the qualifying project, for a period not to exceed 20 years, beginning with the commencement of the project's operations. The tax credit may not be carried forward or backward. The sum of all capital investment tax credits cannot exceed 100 percent of the eligible capital costs of the project.

(2) Qualifying projects defined in Section 220.191(1)(h)3., F.S.

(a) Section 220.191, F.S., requires an application process for the capital investment tax credit, which includes review and recommendation by Enterprise Florida (EFI) and a certification from the Office of Tourism, Trade, and Economic Development (OTTED). The maximum annual amount of Capital Investment Tax Credit is limited to the lesser of \$15 million or 5 percent of the certified eligible capital costs of the qualifying project, for a period not to exceed 20 years, beginning with the commencement of the project's operations. If the tax credit is not fully used in any one year, the unused amount may be carried forward for a period not to exceed 20 years after the commencement of operations of the project. The tax credit may be used in whole or in part by the qualifying business or by any corporation that is a member of that qualifying business' affiliated group of corporations, is a related entity taxable as a cooperative under subchapter T of the Internal Revenue Code, or, if the qualifying business is an entity taxable as a cooperative under subchapter T of the Internal Revenue Code, is related to the qualifying business. The sum of all capital investment tax credits cannot exceed 100 percent of the eligible capital costs of the project.

(b) When the capital investment tax credit is used in whole or in part by a member of the qualifying business's affiliated group or by a related entity that is taxable as a cooperative under subchapter T of the Internal Revenue Code, the qualifying business and the entities claiming the qualifying business's tax credit must attach a schedule reconciling the amount of capital investment tax credit claimed by each entity. The name, federal identification number, and amount of capital investment tax credit claimed by each entity must be included in the schedule.

(3) A copy of the OTTED certification, EFI documents, and, as appropriate, any "pro forma" attachment required by the written agreement to provide the calculations used in the determination of the annual taxable income generated by or arising out of the qualifying project, is required to ~~should~~ be included with the Florida Corporate Income Tax Return (Form ~~form~~ F-1120) when filing for, and claiming the Capital Investment Tax Credit.

(4) A taxpayer that claims the capital investment tax credit against the insurance premium tax may not claim credit for the same qualifying project against the corporate income

tax. For qualifying projects defined in Section 220.191(1)(h)3., F.S., the capital investment tax credit may only be applied against corporate income tax.

(5) No change.

Specific Authority 213.06(1), 220.191(7), 220.51 FS. Law Implemented 220.191 FS. History—New 8-4-05, Amended.

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) No change.		
(3) F-851	Corporate Income/ Franchise and Emergency Excise Tax Affiliation Schedule (R. <u>01/07</u> 01/06)	<u>04/06</u>
(4)(a) F-1065	Florida Partnership Information Return (R. <u>01/07</u> 01/06)	<u>04/06</u>
(b) F-1065N	Instructions for Preparing Form F-1065 Florida Partnership Information Return (R. <u>01/07</u> 01/05)	<u>04/06</u>
(5) F-1120A	Florida Corporate Short Form Income Tax Return (R. <u>01/07</u> 01/06)	<u>04/06</u>
(6)(a) F-1120	Florida Corporate Income/Franchise and Emergency Excise Tax Return (R. <u>01/07</u> 01/05)	<u>04/06</u>
(b) F-1120N	F-1120 Instructions – Corporate Income/ Franchise and Emergency Excise Tax Return for taxable years beginning on or after January 1, <u>2006</u> 2005 (R. <u>01/07</u> 01/06)	<u>04/06</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, <u>2007</u> 2006		Income Tax Credit for Contributions to Nonprofit Scholarship Funding Organizations (SFOs) (R. <u>10/06</u> 07/04)	
(8)(a) F-1120X	Amended Florida Corporate Income/ Franchise and Emergency Excise Tax Return (R. <u>01/07</u> 01/06)	<u>04/06</u>		
			(b) F-1161	Application for Rescindment of Corporate Income Tax Credit for Contributions to Nonprofit Scholarship Funding Organizations (SFOs) (R. <u>07/06</u>)
(b) F-1120XN	Instructions for Preparing Form F-1120X Amended Florida Corporate Income/Franchise and Emergency Excise Tax Return (R. <u>01/07</u> 01/06)	<u>04/06</u>		
			(14)(15) No change.	
(9) No change.			(15)(16) F-7004	Florida Tentative Income/Franchise and/or Emergency Excise Tax Return and Application for Extension of Time to File Return (R. <u>01/07</u> 01/06)
(10)(a) F-1156Z	Florida Enterprise Zone Jobs Credit Certificate of Eligibility for Corporate Income Tax (R. <u>07/06</u> 07/05)	<u>04/06</u>		
(b) F-1156ZN	Instructions for Completing Form F-1156Z Florida Enterprise Zone Jobs Credit Certificate of Eligibility for Corporate Income Tax (R. <u>07/06</u> 07/05)	<u>04/06</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, 9-24-04, 6-28-05, 5-1-06, _____.	
(11)(a) F-1158	Enterprise Zone Property Tax Credit (R. <u>01/00</u>)	<u>08/02</u>		
(b) F-1158N	Instructions for Form F-1158 Enterprise Zone Property Tax Credit (R. <u>01/00</u>)	<u>08/02</u>		
(11)(12)(a) F-1158Z	Enterprise Zone Property Tax Credit —Effective July 1, 1995 (R. <u>01/07</u> 01/03)	<u>06/03</u>		
(b) F-1158ZN	Instructions for Form F-1158Z (Effective July 1, 1995) Enterprise Zone Property Tax Credit (R. <u>01/07</u> 01/03)	<u>06/03</u>		
(12)(13) No change.				
(13)(a)(14) F-1160	Application for Corporate			

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF CORRECTIONS

RULE NO.:	RULE TITLE:
33-208.101	Employee Grooming, Uniform and Clothing Requirements

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to limit the styles of beards that are authorized and to provide that employees shall notify in writing their supervisors prior to either growing facial hair or removing previously authorized facial hair.

SUBJECT AREA TO BE ADDRESSED: Employee uniform and clothing requirements.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Dorothy M. Ridgway or Sherry Toothman, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-208.101 Employee Grooming, Uniform and Clothing Requirements.

(1) No change.

(2) In addition to the standards set forth in subsection (1), all male employees shall comply with the following grooming standards:

(a) No change.

(b) Facial hair for staff is authorized as follows: Staff shall be permitted to wear a neatly trimmed 1/4 inch beard, unless the wearing of facial hair would interfere with the performance of assigned duties.

1. Staff must notify the correctional office chief or, in the case of non-uniformed staff, their immediate supervisor, in writing, of their intention to grow authorized facial hair. Conversely, staff must also notify the correctional officer chief or, in the case of non-uniformed staff, their immediate supervisor, in writing, of their intent to shave previously authorized facial hair;

2. Any authorized facial hair as described below in subparagraph (2)(b)5. shall not exceed 1/4 inch in length;

3. The wearing of authorized facial hair must not interfere with the performance of assigned duties;

4. Staff must obtain a new staff photo ID within one-week of the completion of growing or shaving of authorized facial hair;

5. Authorized facial hair is defined as:

a. A moustache that does not protrude below the top of the upper lip or past the corner of the mouth on the side; or

b. A full-face beard; or

c. A goatee with or without a moustache.

6. The growing of variations of the above, i.e. chin curtain, soul patch, handlebar moustache, mutton chops, and other similar styles are not authorized.

(3) through (7) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History--New 2-27-85, Amended 6-19-85, Formerly 33-4.07, Amended 3-6-88, 8-15-89, 2-12-91, 10-13-91, 4-19-98, 12-7-98, Formerly 33-4.007, Amended 10-5-99, 3-21-00, 12-18-00, 4-30-02, 2-20-03, 6-26-03, 10-27-03, 12-28-03, 12-12-04, 9-11-06,_____.

DEPARTMENT OF CORRECTIONS

RULE NO.:

33-208.401

RULE TITLE:

Personal Vehicle Damage

Reimbursement Claims

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify that employees using a personal vehicle while on duty must have automobile insurance to include property or collision coverage in order to seek reimbursement for a deductible claim when the vehicle is damaged while on duty and provide that the deductible reimbursement shall not exceed six hundred dollars.

SUBJECT AREA TO BE ADDRESSED: employee claims for personal vehicle damage

SPECIFIC AUTHORITY: 944.0611 FS.

LAW IMPLEMENTED: 944.0611 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: Dorothy M. Ridgway, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-208.401 Personal Vehicle Damage Reimbursement Claims.

(1) No change.

(2) Responsibilities.

(a) No change.

(b) To qualify to be reimbursed for any deductible claim, the claimant shall have in effect, prior to any accident under which a deductible reimbursement is sought, an automobile insurance policy issued by an insurance company authorized to operate by Florida law. Such policy shall be inclusive of property damage or collision coverage upon his or her vehicle for which he or she seeks to claim reimbursement of a deductible amount. The Department shall not be required to pay any deductible reimbursement in excess of six hundred dollars (\$600).

(c)(b) To request reimbursement for damage to his or her personal vehicle, an employee must submit the following documentation to his or her immediate supervisor within 30 days following the incident.

1. through 5. No change.

Specific Authority 944.0611 FS. Law Implemented 944.0611 FS. History--New 3-17-96, Amended 11-16-97, Formerly 33-4.014, Amended.

DEPARTMENT OF MANAGEMENT SERVICES

Division of State Purchasing

RULE NOS.:	RULE TITLES:
60A-1.002	Purchase of Commodities or Contractual Services
60A-1.012	Purchasing Categories and Adjustments Thereto
60A-1.043	Request for Quotes
60A-1.048	Renewal and Extension

PURPOSE AND EFFECT: To amend 60A-1, Florida Administrative Code, to update the rule that addresses purchasing categories and adjustments thereto. Also, as to all of the above-mentioned rules and forms, to clarify these rules and incorporate additional information regarding current practices and procedures related to purchases made by state offices.

SUBJECT AREA TO BE ADDRESSED: Artistic services; determining amounts for purposes of applying purchasing categories; requests for quotes; contract extensions; General Contract Conditions; and General Instructions to Respondents.

SPECIFIC AUTHORITY: 287.042(3), 287.042(12) FS.

LAW IMPLEMENTED: 287.017, 287.042, 287.056, 287.057, 287.058 FS.

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

DATE AND TIME: December 4, 2006, 9:00 a.m.

PLACE: Department of Management Services, 4050 Esplanade Way, Room 101, Tallahassee, Florida 32399-0950

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony W. Garcia, Department of Management Services, 4050 Esplanade Way, Suite 360, Tallahassee, Florida 32399-0950, (850)488-8440, garciaa@dms.state.fl.us

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NOS.:	RULE TITLES:
61-24.009	Grounds for Disciplinary Proceedings
61-24.010	Disciplinary Guidelines

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments is to provide accurate statutory references for disciplinary authority and procedures.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed by these rules is the grounds for disciplinary proceedings and disciplinary guidelines of athlete agents.

SPECIFIC AUTHORITY: 468.457 FS.

LAW IMPLEMENTED: Chapter 468, Part IX, 455.227 FS.

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

DATE AND TIME: Friday, December 1, 2006, 2:30 p.m. – 4:00 p.m.

PLACE: Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 North Monroe Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND TO OBTAIN A COPY OF THE PRELIMINARY DRAFT IS: Tiffany A. Harrington, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-0062

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before the hearing by contacting Jennifer A. Tschetter at (850)488-0062. If you are hearing or speech impaired, please contact the Commission office using the Florida Dual Party Relay System which can be reached at 1(800)955-8700 (Voice) or 1(800)955-8771 (TTD).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.:	RULE TITLE:
61J2-10.025	Advertising

PURPOSE AND EFFECT: The Board proposes the rule amendment to remove “and phone number” of the brokerage firm from advertising requirements.

SUBJECT AREA TO BE ADDRESSED: Advertising.

SPECIFIC AUTHORITY: 475.05, 475.25(1)(c) FS.

LAW IMPLEMENTED: 475.01, 475.25, 475.42, 475.4511 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 N. Robinson Street, Suite N801, Orlando, Florida 32801

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-10.029 RULE TITLE: Advance Fee Accounting and Reporting Procedures

PURPOSE AND EFFECT: The Commission proposes the rule repeal as Section 475.452, Florida Statutes, no longer exists.

SUBJECT AREA TO BE ADDRESSED: Advance fee accounting and reporting procedures.

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 475.452(1),(2),(3) 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-302.530 RULE TITLE: Table: Surface Water Quality Criteria

PURPOSE AND EFFECT: Surface water quality criteria for fecal coliform bacteria are intended to protect the public health, safety and welfare. Coliform bacteria serve as indicator organisms that can help identify contamination of waters by human pathogens. Florida's fecal coliform criteria for surface waters has differed from recommended Federal criteria. The Department proposes to make Florida's criteria consistent with the Federal criteria.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment will revise the surface water quality criteria for fecal coliform bacteria to be consistent with recommended Federal criteria.

SPECIFIC AUTHORITY: 403.061, 403.062, 403.087, 403.504, 403.704, 403.804 FS.

LAW IMPLEMENTED: 403.021, 403.061, 403.087, 403.088, 403.141, 403.161, 403.182, 403.502, 403.702, 403.708 FS.

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

DATE AND TIME: November 28, 2006 (Tuesday), 1:00 p.m.

PLACE: Department of Environmental Protection, Central District Office, 3319 Maguire Boulevard, Suite 232, Conference Room A and B, Orlando, Florida

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 48 hours before the workshop/meeting by contacting: Eric Shaw at (850)245-8429. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Eric Shaw, Division of Water Resource Management, Mail Station 3560, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8429, email: Eric.Shaw@dep.state.fl.us, or facsimile (850)205-8429

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-302.800 RULE TITLE: Site Specific Alternative Criteria

PURPOSE AND EFFECT: On March 29, 2006, the Orange County Water Reclamation Division submitted a petition to initiate rulemaking to establish a Site Specific Alternative Criterion (SSAC) for pH of not greater than 8.5 standard units in the Orange County Eastern Water Reclamation Facility wetlands discharge system. The water body is classified as Class III waters with a designated use of "Recreation, Propagation and Maintenance of a Healthy, Well-Balanced Population of Fish and Wildlife." The proposed site specific alternative criterion for pH is designed to protect this designated use.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment will revise the surface water quality criterion for pH in the Orange County Eastern Water Reclamation Facility wetlands discharge system.

SPECIFIC AUTHORITY: 403.061, 403.062, 403.087, 403.504, 403.704, 403.804, 403.805 FS.

LAW IMPLEMENTED: 403.021, 403.061, 403.087, 403.088, 403.141, 403.161, 403.201, 403.502 FS.

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

DATE AND TIME: November 28, 2006 (Tuesday), 10:00 a.m.

PLACE: Florida Department of Environmental Protection, Central District Office, 3319 Maguire Boulevard, Suite 232, Conference Room A and B, Orlando, Florida

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 48 hours before the workshop/meeting by contacting Eric Shaw at (850)245-8429. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Eric Shaw, Division of Water Resource Management, Mail Station 3560, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8429, email: Eric.Shaw@dep.state.fl.us, or facsimile (850)205-8429

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

DEPARTMENT OF JUVENILE JUSTICE

Detention Services

RULE CHAPTER NO.: RULE CHAPTER TITLE:

63G-1 Detention Cost Sharing

RULE NOS.: RULE TITLES:

63G-1.005 Fiscally Constrained Counties

63G-1.007 Quarterly Reporting

63G-1.008 Annual Reconciliation

63G-1.009 Dispute Resolution and Collection

PURPOSE AND EFFECT: The proposed rule amendments revise the methodology by which fiscally constrained counties are proportionately assessed for predisposition detention care when costs exceed the legislative appropriation. Amendments are also required to modify the timing of quarterly reporting and reconciliation.

SUBJECT AREA TO BE ADDRESSED: Standards and procedures for apportioning and collecting counties' responsibility for pretrial secure detention costs.

SPECIFIC AUTHORITY: 20.316, 985.405, 985.2155 FS.

LAW IMPLEMENTED: 985.2155 FS.

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

DATE AND TIME: Friday, December 1, 2006, 10:00 a.m. – 12:00 Noon

PLACE: DJJ Headquarters, Knight Building, Room 108, 2737 Centerview Dr., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Beth Davis, Chief, Department of Juvenile Justice Bureau of Finance and Accounting, 2737 Centerview Dr., Ste. 208, Tallahassee, FL 32399-3100; Tel. (850)921-2045

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

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: RULE TITLE:

64B12-8.008 Probable Cause Panel

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the number of members on a probable cause panel.

SUBJECT AREA TO BE ADDRESSED: Members on a probable cause panel.

SPECIFIC AUTHORITY: 456.073(4), 484.005 FS.

LAW IMPLEMENTED: 456.073(3) 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: Sue Foster, Executive Director, Board of Opticianry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: RULE TITLE:

64B12-9.001 Examination for Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the five parts of the examination for licensure.

SUBJECT AREA TO BE ADDRESSED: Examination for licensure.

SPECIFIC AUTHORITY: 456.017(1),(5), 484.005 FS.

LAW IMPLEMENTED: 456.017(1),(5) 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: Sue Foster, Executive Director, Board of Opticianry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: 64B12-9.0016
 RULE TITLE: Demonstrating Knowledge of Laws and Rules for Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and add new language to clarify the determination of eligibility of individuals licensed in another state.

SUBJECT AREA TO BE ADDRESSED: Eligibility of individuals licensed in another state.

SPECIFIC AUTHORITY: 484.005 FS.

LAW IMPLEMENTED: 484.007(1)(d)2. 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: Sue Foster, Executive Director, Board of Opticianry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-13.001
 RULE TITLE: Continuing Education for Biennial Renewal

PURPOSE AND EFFECT: The purpose and effect of the amendment is to update the rule to comply with new legislation regarding continuing education requirements relating to HIV/AIDS and domestic violence.

SUBJECT AREA TO BE ADDRESSED: Continuing Education for Biennial Renewal.

SPECIFIC AUTHORITY: 459.005, 459.008(4) FS.

LAW IMPLEMENTED: 456.013(5), (6), (7), 459.008, 459.008(4) 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: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B15-13.001 Continuing Education for Biennial Renewal.

(1)(a) Every person licensed pursuant to Chapter 459, F.S., except those licensed as physician assistants pursuant to Section 459.022, F.S., shall be required to complete forty (40) hours of continuing medical education courses approved by the Board in the twenty-four (24) months preceding each biennial renewal period as established by the Department. Five of the continuing medical education hours for renewal shall include a Seven of the continuing medical education hours required for renewal shall be one hour HIV/AIDS course, one hour Domestic Violence, one hour Risk Management Course, one hour Florida Laws and Rules, one hour on the laws regarding the use and abuses of controlled substances, and two hours Prevention of Medical Errors Course. The completion of the seven required continuing medical education hours set forth above shall be obtained as set forth in paragraph (3)(b) of this rule.

(b) No change.

(c) A licensee shall complete a two (2) hour Domestic Violence Course as part of every third biennial renewal of licensure.

(d) A licensee shall complete a one (1) hour HIV/AIDS course no later than upon first biennial renewal of licensure.

(2) No change.

(3)(a) No change.

(b) The continuing medical education found in paragraph 64B15-13.001(1)(a), F.A.C., with regard to Risk Management, Florida Laws and Rules, controlled substances and the prevention of medical errors shall be obtained by the completion of live, participatory attendance courses. However, the continuing medical education found in paragraphs 64B15-13.001(1)(c) and (d)(a), F.A.C., with regard to HIV/AIDS and, domestic violence, or the alternative end-of-life/palliative care as set forth in subsection (7) of this rule may be obtained by the completion of non-live/participatory attendance.

(c) through (e) No change.

(4) through (6) No change.

~~(7) In lieu of the domestic violence course or the HIV/AIDS course, a licensee may complete a course in end of life care and palliative health care if the licensee has completed an approved domestic violence course in the immediately preceding biennium.~~

~~(8) All applicants for an initial license, reactivation or reinstatement of their license who obtained the required domestic violence, end of life and palliative health care, or HIV/AIDS course for initial licensure, reactivation or reinstatement within six (6) months immediately preceding licensure renewal may use the same domestic violence, end of life palliative health care, or HIV/AIDS hours obtained for initial licensure, reactivation or reinstatement to meet the requirements for licensure renewal.~~

Specific Authority 459.005, 459.008(4) FS. Law Implemented 456.013(5), (6), (7), 459.008, 459.008(4) FS. History—New 10-23-79, Amended 1-29-86, Formerly 21R-13.01, Amended 12-5-89, 4-8-91, 2-16-92, Formerly 21R-13.001, Amended 1-10-94, Formerly 61F9-13.001, Amended 10-25-95, Formerly 59W-13.001, Amended 1-19-98, 6-3-98, 4-14-99, 5-26-02, 5-10-04, 7-27-04, 2-9-05, 2-14-06, _____.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: RULE TITLE:

64B19-11.005 Supervised Experience Requirements

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Supervised Experience Requirements.

SPECIFIC AUTHORITY: 490.004(4) FS.

LAW IMPLEMENTED: 490.005(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: Susan Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: RULE TITLE:

64B19-12.002 Application and Examination Fee for Licenser by Examination; Review Fee

PURPOSE AND EFFECT: The Board proposes to decrease the laws and fees examination fee to \$75.00.

SUBJECT AREA TO BE ADDRESSED: The reduction of the laws and fees examination fee from \$200.00 to \$75.00.

SPECIFIC AUTHORITY: 456.013(2), 491.004(4), 490.005(1)(a) FS.

LAW IMPLEMENTED: 456.013(2), 456.017, 490.005(1)(a) 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: Susan Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B19-12.002 Application and Examination Fee for Licensure by Examination; Review Fee.

(1) through (2) No change.

(3) In addition to the application fee specified above, each applicant for certification for examination shall submit a laws and rules examination fee of \$75.00 ~~\$200.00~~.

(4) through (5) No change.

Specific Authority 456.013(2), 490.004(4), 490.005(1)(a) FS. Law Implemented 456.013(2), 456.017, 490.005(1)(a) FS. History—New 2-22-82, Amended 7-2-84, Formerly 21U-12.02, Amended 11-21-88, 8-12-90, 1-16-92, Formerly 21U-12.002, Amended 10-12-93, 6-14-94, Formerly 61F13-12.002, Amended 1-7-96, 6-26-97, Formerly 59AA-12.002, Amended 12-3-98, 6-28-00, 8-8-01, 2-12-04, 10-31-05, _____.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: RULE TITLE:

64B19-12.003 Reexamination Fee

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Reexamination Fee.

SPECIFIC AUTHORITY: 456.017(2), 490.004(4) FS.

LAW IMPLEMENTED: 456.017(1)(c), (2) 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: Susan Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3253
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-17.004 RULE TITLE: Citations

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 456.077 FS.

LAW IMPLEMENTED: 456.072(4), 456.077 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: Susan Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-18.008 RULE TITLE: Board Approval of Specialty
Certifying Bodies

PURPOSE AND EFFECT: The Board proposes to promulgate this rule to implement new legislation.

SUBJECT AREA TO BE ADDRESSED: Board Approval of Specialty Certifying Bodies.

SPECIFIC AUTHORITY: 490.0149 FS.

LAW IMPLEMENTED: 490.0149 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: Susan Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: 64E-2.032 RULE TITLE: Certificate of Public Convenience
and Necessity

PURPOSE AND EFFECT: Announce workshop to open discussion with the EMS community regarding rule promulgation.

SUBJECT AREA TO BE ADDRESSED: Certificate of Public Convenience and Necessity.

SPECIFIC AUTHORITY: 401.35 FS.

LAW IMPLEMENTED: 401.23, 401.25, 401.251, 401.252, 401.33, 401.35, 401.411, 401.414, 401.421 FS.

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

DATE AND TIME: December 5, 2006, 1:30 p.m – 4:30 p.m.

PLACE: Hillsborough County Emergency Management Emergency Operations Center Building, 2711 East Hannah Ave., Tampa, FL 33610

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 48 hours before the workshop/meeting by contacting: Alexander Macy: Fax: (850)488-2512 or Email: alexander_macy@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Alexander Macy: Fax: (850)488-2512 or Email: alexander_macy@doh.state.fl.us

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-4.203 RULE TITLE: Personal Care of a Disabled Family
Member

PURPOSE AND EFFECT: The proposed rule amendment is required to comply with federal regulations issued by the Department of Health and Human Services, Administration for Children and Families, to implement the Temporary Assistance for Needy Families (TANF) provisions of the Deficit Reduction Act of 2005. The rule amendment will clarify when a parent or caretaker relative who is totally responsible for the care of a disabled family member is exempt, in accordance

with 45 CFR 261.2(n)(2)(i), from mandatory work participation and the time limit under the TANF/Temporary Cash Assistance (TCA) program.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment will provide clarification, in accordance with 45 CFR 261.2(n)(2)(i), that full-time school attendance by a disabled family member will be considered an "alternative care arrangement" and as such, a parent or caretaker relative will not receive a time limit or work exemption.

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.105 FS.

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

DATE AND TIME: December 5, 2006, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 100, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Lonna Cichon, Government Operations Consultant II, TANF/Food Stamp Policy, Economic Self-Sufficiency, 1317 Winewood Blvd., Bldg. 3, Room 406, Tallahassee, Florida 32399-0700, telephone 488-8004

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

RULE CHAPTER NO.: RULE CHAPTER TITLE:

65G-1 Application for Services

PURPOSE AND EFFECT: During the 2006 legislative session (Ch. 2006-227, Laws of Florida), Section 393.065, Florida Statutes, was amended to direct the Agency for Persons with Disabilities to place children with developmental disabilities who are in the child welfare system at the top of the waitlist for Home and Community-Based Services (HCBS) Medicaid waiver after persons deemed to be in a crisis status who shall have the highest priority. The purpose of the proposed rule development is, therefore, to provide a procedure and criteria for enrolling such children on a HCBS waiver.

SUBJECT AREA TO BE ADDRESSED: Enrollment of children in the child welfare system on the Florida Supported Living or Developmental Disabilities Home and Community-Based Medicaid waivers.

SPECIFIC AUTHORITY: 393.501(1), 393.065 FS.

LAW IMPLEMENTED: 20.197(3), 393.065 FS.

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

DATE AND TIME: Thursday, November 30, 2006, 1:00 p.m.

PLACE: Agency for Persons with Disabilities, Rm. 301, 4030 Esplanade Way, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Terri McGarrity, Senior Management Analyst Supervisor, Division of Operations, Suite 360, 4030 Esplanade Way, Tallahassee, Florida, 32399-0950; e-mail: terri_mcgarrity@apd.state.fl.us

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

RULE CHAPTER NO.: RULE CHAPTER TITLE:

65G-2 Licensure of Residential Facilities

PURPOSE AND EFFECT: The purpose of this rule revision is to update and make substantive revisions to the rules regulating the licensure of residential facilities serving persons with developmental disabilities.

SUBJECT AREA TO BE ADDRESSED: The regulation of foster care facilities, group home facilities, residential habilitation centers, and comprehensive transitional education programs housing persons with developmental disabilities.

SPECIFIC AUTHORITY: 393.501, 393.067 FS.

LAW IMPLEMENTED: 393.063, 393.067, 393.0673, 393.0655, 393.0657, 393.13, 393.501, 393.135, 393.506 FS.

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

DATE AND TIME: Tuesday, December 5, 2006, 10:00 a.m.

PLACE: Agency for Persons with Disabilities, 4030 Esplanade Way, Room 301C, Tallahassee, Florida

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 4 days before the workshop/meeting by contacting: Vicki McCrary, (850)921-3061. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Vicki McCrary, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399, vicki_mccrary@apd.state.fl.us

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

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE NOS.:	RULE CHAPTER TITLE:
66B-1.003	Definitions
66B-1.004	Policy
66B-1.005	Funds Allocation
66B-1.006	Application Process
66B-1.008	Project Eligibility
66B-1.015	Small-Scale Derelict Vessel Removal Projects

PURPOSE AND EFFECT: The purpose of the proposed rule development is to include the following provisions in the program rule: update and correctly identify the eligible waterways of the District; Update and correctly identify the required forms for the grant application process; and further define the funding eligibility for the small-scale derelict vessel removal.

The effect of the rule development is to implement changes in the administration of the District's Waterways Assistance Program that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

SUBJECT AREA TO BE ADDRESSED: Cooperative Assistance Program rule sections: Definitions, Funds Allocation, Application Process, and Small-Scale Derelict Vessel Removal Projects.

SPECIFIC AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3) FS.

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

DATE AND TIME: November 16, 2006, 11:00 a.m.

PLACE: The District Office, 1314 Marcinski Road, Jupiter, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number: (561)627-3386

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

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE NOS.:	RULE CHAPTER TITLE:
66B-2.003	Definitions
66B-2.004	Policy
66B-2.005	Funds Allocation

66B-2.006	Application Process
66B-2.015	Small-Scale Derelict Vessel Removal Projects

PURPOSE AND EFFECT: The purpose of the proposed rule development is to include the following provisions in the program rule: Update and correctly identify the eligible waterways and projects of the District; Update and correctly identify the required forms for the grant application process; and further define the funding eligibility for small-scale derelict vessel removal.

The effect of the rule development is to implement changes in the administration of the District's Waterways Assistance Program that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

SUBJECT AREA TO BE ADDRESSED: Waterways Assistance Program rule sections: Definitions, Funds Allocation, Application Process, Emergency Applications, Small-scale Spoil Island Restoration and Enhancement Projects, Small-Scale Derelict Vessel Removal Projects.

SPECIFIC AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3) FS.

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

DATE AND TIME: November 16, 2006, 11:00 a.m.

PLACE: The District Office, 1314 Marcinski Road, Jupiter, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, telephone number: (561)627-3386

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

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NO.:	RULE TITLE:
69O-125.003	Unfair Discrimination Because of Travel Plans

PURPOSE AND EFFECT: To implement the provisions of recent legislation regarding potentially discriminatory treatment of individuals traveling.

SUBJECT AREA TO BE ADDRESSED: Limitations on when an insurer may refuse to issue, renew, or have a different rate for an individual who has previously or plans to travel.

SPECIFIC AUTHORITY: 626.9611 FS.

LAW IMPLEMENTED: 626.951, 626.9521, 626.9541(1)(g) FS.

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

DATE AND TIME: December 1, 2006, 9:30 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Tracie Lambright, Life and Health Product Review, Office of Insurance Regulation, E-mail: Tracie.Lambright@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tracie Lambright, Life and Health Product Review, Office of Insurance Regulation, E-mail: Tracie.Lambright@fldfs.com

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

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NO.:	RULE TITLE:
69O-138.002	Financial, Rate, and Market Conduct Examination Reimbursement Expenses

PURPOSE AND EFFECT: The amendment states that the daily exam fee for market conduct employees is that which is published in the NAIC Market Conduct Examiners Handbook. SUBJECT AREA TO BE ADDRESSED: Examination Reimbursement.

SPECIFIC AUTHORITY: 624.308(1) FS.

LAW IMPLEMENTED: 624.307(1), 624.316, 624.3161, 624.320 FS.

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

DATE AND TIME: November 28, 2006, 1:00 p.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Sam Binnun, Director, Market Investigations, Office of Insurance Regulation, E-mail: Sam.Binnun@fldfs.

com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sam Binnun, Director, Market Investigations, Office of Insurance Regulation, E-mail: Sam.Binnun@fldfs.com.

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

Section II Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-1.09401	Student Performance Standards

PURPOSE AND EFFECT: The purpose of the rule amendment is to adopt the revised K-12 reading and language arts standards. The effect will be standards for reading which are in alignment with the current expectations for grades K-12.

SUMMARY: The reading and language arts academic standards have been revised and updated to maintain rigor, relevance, and articulation among grade levels.

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

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

SPECIFIC AUTHORITY: 1001.02 FS.

LAW IMPLEMENTED: 1001.03 FS.

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

DATE AND TIME: December 12, 2006, 8:30 a.m.

PLACE: 400 South Monroe Street, Room LL03, The Capitol, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Chancellor Cheri Pierson-Yecke, K-12 Public Schools, 325 West Gaines Street, Room 514, Tallahassee, Florida, (850)245-0509

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09401 Student Performance Standards.

(1) Standards to benchmark student achievement serve as guides to best practices for local curriculum designers to help schools implement school improvement strategies to raise student achievement. Beginning with the 2007-2008 school