

Specific Authority 327.04, 327.46 FS. Law Implemented 327.46 FS. History--New 8-30-83, Formerly 16N-24.05, Amended 12-21-92, Formerly 16N-24.005, 62N-24.005, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ms. Tara Alford, Management Analyst, Boating and Waterways Section, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)410-0656, Extension 17169

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: The Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 16, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 25, 2005

DEPARTMENT OF FINANCIAL SERVICES

Office of Insurance Regulation

RULE TITLE: Organizational Structure of the Office
RULE NO.: 69N-121.003
PURPOSE, EFFECT AND SUMMARY: The rule establishes the organizational structure of the Office of Insurance Regulation, as required by Section 20.121(3)(b), F.S.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 20.121(3)(b) FS.

LAW IMPLEMENTED: 20.121(3)(b) FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

TIME AND DATE: 9:00 a.m., October 25, 2005, at a regular scheduled meeting of the Financial Services Commission

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kathy Terwilliger, Legal Services, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0330, e-mail: kathy.terwilliger@fldfs.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69N-121.003 Organizational Structure of the Office.

(1) Under the Commissioner of the Office are hereby established a chief of staff, a general counsel, and three deputy commissioners as follows:

(a) Deputy commissioner for business development and market research.

(b) Deputy commissioner for property and casualty, and

(c) Deputy commissioner for life and health and for specialty.

(2) The general counsel shall also serve as the agency clerk for the Office.

Specific Authority 20.121(3)(b) FS. Law Implemented 20.121(3)(b) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bob Prentiss, Legal Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Belinda Miller, Legal Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 7, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 9, 2005

**Section III
Notices of Changes, Corrections and
Withdrawals**

DEPARTMENT OF REVENUE

RULE NOS.:	RULE TITLES:
12A-19.071	Department of Revenue Electronic Database
12A-19.072	Certification of Service Address Databases

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made in accordance with subparagraph 120.54(3)(d)1., F.S., to proposed new Rules 12A-19.071 and 12A-19.072, F.A.C., published in the July 22, 2005, issue of the Florida Administrative Weekly (Vol. 31, No. 29, pp. 2586-2597).

In response to written comments received from the Joint Administrative Procedures Committee, dated August 24, 2005, paragraphs (c), (d), and (g) of subsection (1) and paragraph (b) of subsection (2) of Rule 12A-19.071, F.A.C., paragraph (a) of subsection (2) of Rule 12A-19.072, F.A.C., Form DR-700022, Local Communications Services Tax Notification of Jurisdiction Change, and the Guide for Address Change Requests have been changed.

Paragraphs (c), (d), and (g) of subsection (1) of Rule 12A-19.071, F.A.C., have been changed, so that, when adopted, those paragraphs will read as follows:

(c) Local taxing jurisdictions and communications services providers are provided with access codes to permit them to register as users of the database. Registered local taxing jurisdictions and communications services dealers have the capability of downloading databases of addresses assigned to each local taxing jurisdiction. A file of addresses in the format adopted by the Federation of Tax Administrators and the Multistate Tax Commission in accordance with the federal Mobile Telecommunications Sourcing Act is available.

(d) Upon request, the Department will allow other persons, such as third-party vendors of databases or billing services, to download the Address/Jurisdiction Database.

(g) To fulfill its statutory responsibility to maintain the database, when the Department notices apparent errors, such as an address that is assigned to multiple jurisdictions, the Department will initiate an objection to the database in accordance with the provisions of subsection (3) and will process the objection in the same manner in which other objections are processed.

Paragraph (b) of subsection (2) of Rule 12A-19.071, F.A.C., has been changed, so that, when adopted, that paragraph will read as follows:

(b) Local taxing jurisdictions must submit information requesting changes to the Address/Jurisdiction Database electronically following the on-line Guide for Address Change Requests (R. 08/26/05, hereby incorporated by reference). Only local taxing jurisdiction contact persons who are registered users of the Department's electronic change submission process can access the Guide for Address Change Requests. Authorized local jurisdiction contact persons may access the login screen for registered users at <http://geotax.state.fl.us/dorPubIdx.jsp>. Local taxing jurisdictions that do not have access to computers with Internet access should contact the Department to request authorization to submit changes through alternative electronic media. The information must also be submitted on Form DR-700022, Local Communications Services Tax Notification of Jurisdiction Change (incorporated by reference in Rule 12A-19.100, F.A.C.).

Paragraph (a) of subsection (2) of Rule 12A-19.072, F.A.C., has been changed, so that, when adopted, that paragraph will read as follows:

(2)(a) Application for certification must be made to the Department on Form DR-700012, Application for Certification of Communications Services Database (incorporated by reference in Rule 12A-19.100, F.A.C.), and in accordance with the instructions on the form. All applicable portions of the application must be completed. Communications services dealers and vendors that sell databases of addresses to dealers must submit the address databases for which certification is sought with their applications.

Page 2 of Form DR-700022, Instructions for Completing Form DR-700022, Local Communications Services Tax Notification of Jurisdiction Change, has been changed, so that, when adopted, the second paragraph of the "Who must use this form?" section, will read as follows:

Note: All jurisdiction change requests must be submitted via the Department of Revenue's Internet site at <http://geotax.state.fl.us>. Competent evidence for the jurisdiction change must be submitted with this form. Competent evidence to support a change to the Address/Jurisdiction Database is documentation establishing that the service addresses affected by the requested change or addition are located in the local taxing jurisdiction indicated on the request. Changes submitted online without filing this form and the proper attachments will not be considered. Local taxing jurisdictions that do not have access to computers with Internet access should contact the Department to request authorization to submit changes through alternative electronic media.

The first paragraph of Section 3.4, "Competent Evidence," of the "Guide for Address Change Requests: Procedures, Standards, Helpful Hints (How to Guide)" has been changed, so that, when adopted, that paragraph will read as follows:

To substantiate your requested database change, competent evidence must be compiled and forwarded to the DOR. This applies to all three types of changes listed in the previous section. Your competent evidence should be forwarded immediately after submitting your proposed database changes through the on-line system. Competent evidence to support a change to the Address/Jurisdiction Database is documentation establishing that the service addresses affected by the requested change or addition are located in the local taxing jurisdiction indicated on the request.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE NOS.:	RULE TITLES:
61G17-9.006	Probation
61G17-9.0065	Surrender of Seal and Cancellation of Digital Signature

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 31, No. 13, of the April

1, 2005, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee (JAPC). The Board, at its meeting held on July 12-13, 2005, voted to make changes to the rule to address the JAPC concerns. The changes are as follows:

1. In Rule 61G17-9.0065 subsection (1) shall read: "When a licensed surveyor and mapper's license has been revoked or suspended by the board, the licensee must surrender his or her seal to the executive director of the board and also provide a sworn, written affidavit to the executive director of the board confirming that the licensee's digital signature has been cancelled within thirty (30) days of the suspension or revocation of the licensee's license."

2. In Rule 61G17-9.0065 subsection (2) shall read: "The licensee must send his or her seal and the sworn, written affidavit confirming the cancellation of his or her digital signature to the executive director of the board at the following address: Florida Board of Professional Surveyors and Mappers, c/o Executive Director, 1940 North Monroe Street, Tallahassee, Florida 32399."

3. In Rule 61G17-9.0065, subsection (3) shall read: "A suspended licensee's seal shall be returned to him or her upon the expiration of the suspension period or reinstatement of licensure. A suspended licensee may also obtain another digital signature upon expiration of the suspension period or reinstatement of licensure."

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Knap, Executive Director, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, Florida 32399-0767

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.:	RULE TITLE:
61J1-4.009	Post Licensing Education for Registered Trainee Appraisers
NOTICE OF CHANGE	

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 31, No. 21, of the May 27, 2005, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee (JAPC). The Board, at its meeting, voted to make changes to the rule to address the JAPC concerns. The changes are as follows:

1. In subsection (4)(g), change the word "may" to "shall"

2. Subsection (7)(b) shall read: "Any registered trainee appraiser, licensed after July 1, 2003, who does not complete these Board prescribed post licensure educational requirements and the 3 hour Florida Real Estate Appraisal Law update prior

to the second renewal following initial registration and who does not prove that he or she failed to complete the post licensure education requirements as a result of a hardship, as defined by subsection (5) of this section, is void without further administrative action. Such person may qualify to practice as a registered trainee appraiser only by retaking the required education and complying with all other requirements of law to be registered as a registered trainee appraiser."

3. Subsection (8)(b) shall read: "Any registered trainee appraiser, licensed before July 1, 2003, who does not complete these Board prescribed post licensure educational requirements and the 3 hour Florida Real Estate Appraisal Law update prior to the second renewal following July 1, 2003, and who does not prove that he or she failed to complete the post licensure education requirements as a result of a hardship, as defined by subsection (5) of this section, is void without further administrative action. Such person may qualify to practice as a registered trainee appraiser only by retaking the required education and complying with all other requirements of law to be registered as a registered trainee appraiser."

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michael E. Murphy, Acting Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

FISH AND WILDLIFE CONSERVATION COMMISSION

Manatees	
RULE NO.:	RULE TITLE:
68C-22.001	Scope and Purpose
NOTICE OF CORRECTION	

The Fish and Wildlife Conservation Commission announces a correction to the Notice of Proposed Rulemaking that was published in the Florida Administrative Weekly on July 15, 2005, Vol. 31, No. 28.

The notice should have listed "the Commission" as the entry under the "Name of person who approved the proposed rule" instead of the Executive Director, as it was the Commission that approved the proposed rule on June 15, 2005. All other aspects of the Notice of Proposed Rulemaking are as published on July 15, 2005.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Scott Calleson, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)922-4330