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HB 7029

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1
2 An act relating to the repeal of administrative rules;
3 amending s. 120.536, F.S.; providing for repeal of
4 administrative rules upon the repeal of the law
5 implemented; creating s. 120.555, F.S.; providing a
6 process for summary repeal of administrative rules
7 that are no longer in effect; nullifying specific
8 administrative rules adopted by the Northwest Florida
9 Water Management District, Suwannee River Water
10 Management District, St. Johns River Water Management
11 District, Southwest Florida Water Management District,
12 South Florida Water Management District, the former
13 Department of Commerce, the former Department of
14 Health and Rehabilitative Services, Health Program
15 Office, the former Advisory Council on
16 Intergovernmental Relations, or the former Department
17 of Labor and Employment Security; directing the
18 Department of Health and the Department of Education
19 to initiate necessary rulemaking before the effective
20 date of specified rule nullifications; providing an
21 effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:

24
25 Section 1. Present subsections (2) and (3) of section
26 120.536, Florida Statutes, are renumbered as subsections (3) and
27 (4), respectively, and a new subsection (2) is added to that
28 section to read:

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29 | 120.536 Rulemaking authority; repeal; challenge.—
 30 | (2) Unless otherwise expressly provided by law:
 31 | (a) The repeal of one or more provisions of law
 32 | implemented by a rule that on its face implements only the
 33 | provision or provisions repealed and no other provision of law
 34 | nullifies the rule. Whenever notice of the nullification of a
 35 | rule under this subsection is received from the committee or
 36 | otherwise, the Department of State shall remove the rule from
 37 | the Florida Administrative Code as of the effective date of the
 38 | law effecting the nullification and update the historical notes
 39 | for the code to show the rule repealed by operation of law.
 40 | (b) The repeal of one or more provisions of law
 41 | implemented by a rule that on its face implements the provision
 42 | or provisions repealed and one or more other provisions of law
 43 | nullifies the rule or applicable portion of the rule to the
 44 | extent that it implements the repealed law. The agency having
 45 | authority to repeal or amend the rule shall, within 180 days
 46 | after the effective date of the repealing law, publish a notice
 47 | of rule development identifying all portions of rules affected
 48 | by the repealing law and if no notice is timely published the
 49 | operation of each rule implementing a repealed provision of law
 50 | shall be suspended until such notice is published.
 51 | (c) The repeal of one or more provisions of law that,
 52 | other than as provided in paragraph (a) or paragraph (b), causes
 53 | a rule or portion of a rule to be of uncertain enforceability
 54 | requires the Department of State to treat the rule as provided
 55 | by s. 120.555. A rule shall be considered to be of uncertain
 56 | enforceability under this paragraph if the division notifies the

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57 Department of State that a rule or a portion of the rule has
 58 been invalidated in a division proceeding based upon a repeal of
 59 law, or the committee gives written notification to the
 60 Department of State and the agency having power to amend or
 61 repeal the rule that a law has been repealed creating doubt
 62 about whether the rule is still in full force and effect.

63 Section 2. Section 120.555, Florida Statutes, is created
 64 to read:

65 120.555.—Summary removal of published rules no longer in
 66 force and effect.—When, as part of the continuous revision
 67 system authorized in s. 120.55(1)(a)1. or as otherwise provided
 68 by law, the Department of State is in doubt whether a rule
 69 published in the official version of the Florida Administrative
 70 Code is still in full force and effect, the procedure in this
 71 section shall be employed.

72 (1) The Department of State shall submit to the head of
 73 the agency with authority to repeal or amend the rule, if any,
 74 or if no such agency can be identified, to the Governor, a
 75 written request for a statement as to whether the rule is still
 76 in full force and effect. A copy of the request shall be
 77 promptly delivered to the committee and to the Attorney General.
 78 The Department of State shall publish a notice of the request
 79 together with a copy of the request in the Florida
 80 Administrative Weekly next available after delivery of the
 81 request to the head of the agency or the Governor.

82 (2) No later than 90 days after the date the notice
 83 required in subsection (1) is published, the agency or the
 84 Governor, notified pursuant to subsection (1), shall file a

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85 written response with the Department of State stating whether
86 the rule is in full force and effect and under the jurisdiction
87 of an agency with full authority to amend or repeal the rule.
88 Failure to respond timely under this subsection constitutes an
89 acknowledgement by the agency or the Governor that the rule is
90 no longer in effect and is subject to summary repeal under this
91 section.

92 (3) The Department of State shall publish a notice of the
93 agency's or Governor's timely response or the acknowledgement
94 determined under subsection (2) in the Florida Administrative
95 Weekly next available after receipt of the response or the
96 expiration of the response period, whichever occurs first.

97 (4) If the response states that the rule is no longer in
98 effect, or if no response is filed timely with the Department of
99 State, the notice required in subsection (3) shall also give
100 notice of the following:

101 (a) Based on the agency's or Governor's written response
102 or the acknowledgement determined under subsection (2), the rule
103 will be repealed summarily pursuant to this section and removed
104 from the Florida Administrative Code.

105 (b) Any objection to the summary repeal under this section
106 must be filed as a petition challenging a proposed rule under s.
107 120.56 and must be filed no later than 21 days after the date
108 the notice is published in the Florida Administrative Weekly.

109 (c) For purposes only of challenging a summary repeal
110 under this section, the agency with current authority to repeal
111 the rule under s. 120.54 shall be named as the respondent in the
112 petition and shall be the proper party in interest. In such

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113 circumstances, the Department of State shall not be named as a
114 party in a petition filed under paragraph (b) and this
115 paragraph.

116 (d) If no agency currently has authority to repeal the
117 rule under s. 120.54, the Department of State shall be named as
118 the respondent in a petition filed under paragraph (b) and this
119 paragraph. The Attorney General shall represent the Department
120 of State in all proceedings under this paragraph.

121 (5) Upon the expiration of the 21-day period to file an
122 objection to a notice of summary repeal published pursuant to
123 subsection (4), if no timely objection is filed, or, if a timely
124 objection is filed, on the date a decision finding the rule is
125 no longer in effect becomes final, the Department of State shall
126 update the Florida Administrative Code to remove the rule and
127 shall provide historical notes identifying the manner in which
128 the rule ceased to have effect, including the summary repeal
129 pursuant to this section.

130 Section 3. The following rules of the Northwest Florida
131 Water Management District are nullified and of no further force
132 or effect:

133 (1) Rule 40A-1.1020, Florida Administrative Code, relating
134 to General Procedures for Permit Applications.

135 (2) Rule 40A-1.1030, Florida Administrative Code, relating
136 to Contract Bidding Resolution of Protest.

137 (3) Rule 40A-1.1040, Florida Administrative Code, relating
138 to General Permits.

139 (4) Rule 40A-1.180, Florida Administrative Code, relating
140 to Procedures for Contracting for Professional Services.

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141 (5) Rule 40A-1.181, Florida Administrative Code, relating
142 to Contracting Bidding-Reservation of Right.

143 (6) Rule 40A-1.182, Florida Administrative Code, relating
144 to Contracting Bidding-Resolution of Protest.

145 (7) Rule 40A-2.311, Florida Administrative Code, relating
146 to Competing Applications.

147 (8) Rule 40A-3.038, Florida Administrative Code, relating
148 to Violations of Licensing Requirements.

149 (9) Rule 40A-4.061, Florida Administrative Code, relating
150 to Mitigation Banks.

151 (10) Rule 40A-4.143, Florida Administrative Code, relating
152 to Abandonment.

153 (11) Rule 40A-4.461, Florida Administrative Code, relating
154 to Inspection.

155 (12) Rule 40A-4.471, Florida Administrative Code, relating
156 to Abatement.

157 (13) Rule 40A-6.461, Florida Administrative Code, relating
158 to Inspections.

159 (14) Rule 40A-6.491, Florida Administrative Code, relating
160 to Unlawful Use.

161 (15) Rule 40A-44.143, Florida Administrative Code,
162 relating to Abandonment.

163 Section 4. The following rules of the Suwannee River Water
164 Management District are nullified and of no further force or
165 effect:

166 (1) Rule 40B-1.100, Florida Administrative Code, relating
167 to Uniform Rules of Procedure and Statement of District
168 Organization and Operation.

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- 169 (2) Rule 40B-1.510, Florida Administrative Code, relating
 170 to District Investigations and Probable Cause Determinations.
- 171 (3) Rule 40B-1.702, Florida Administrative Code, relating
 172 to Permits Required.
- 173 (4) Rule 40B-1.705, Florida Administrative Code, relating
 174 to Complaints.
- 175 (5) Rule 40B-1.801, Florida Administrative Code, relating
 176 to General provisions pertaining to procurement.
- 177 (6) Rule 40B-1.802, Florida Administrative Code, relating
 178 to Definitions.
- 179 (7) Rule 40B-1.804, Florida Administrative Code, relating
 180 to Certification and Competitive Selection for Professional
 181 Services.
- 182 (8) Rule 40B-1.805, Florida Administrative Code, relating
 183 to Competitive Negotiation.
- 184 (9) Rule 40B-1.808, Florida Administrative Code, relating
 185 to Applicability.
- 186 (10) Rule 40B-1.810, Florida Administrative Code, relating
 187 to Procurement of Commodities or Contractual Services.
- 188 (11) Rule 40B-1.811, Florida Administrative Code, relating
 189 to Prequalified Providers.
- 190 (12) Rule 40B-1.812, Florida Administrative Code, relating
 191 to Contract Bidding - Reservation of Rights.
- 192 (13) Rule 40B-1.813, Florida Administrative Code, relating
 193 to Contract Bidding - Resolution of Protests.
- 194 (14) Rule 40B-2.025, Florida Administrative Code, relating
 195 to Processing of Water Use Permit Applications.

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- 196 (15) Rule 40B-2.201, Florida Administrative Code, relating
197 to Permit Fees.
- 198 (16) Rule 40B-2.311, Florida Administrative Code, relating
199 to Competing Applications.
- 200 (17) Rule 40B-2.341, Florida Administrative Code, relating
201 to Revocation of Permits.
- 202 (18) Rule 40B-2.441, Florida Administrative Code, relating
203 to Temporary Water Use Permits.
- 204 (19) Rule 40B-2.781, Florida Administrative Code, relating
205 to Enforcement.
- 206 (20) Rule 40B-3.011, Florida Administrative Code, relating
207 to Policy and Purpose.
- 208 (21) Rule 40B-3.031, Florida Administrative Code, relating
209 to Implementation.
- 210 (22) Rule 40B-3.038, Florida Administrative Code, relating
211 to Violations of Licensing Requirements.
- 212 (23) Rule 40B-3.039, Florida Administrative Code, relating
213 to Penalties.
- 214 (24) Rule 40B-3.0391, Florida Administrative Code,
215 relating to Enforcement.
- 216 (25) Rule 40B-3.0511, Florida Administrative Code,
217 relating to Variances.
- 218 (26) Rule 40B-3.500, Florida Administrative Code, relating
219 to Scope of Part II.
- 220 (27) Rule 40B-3.507, Florida Administrative Code, relating
221 to Casing and Liner Pipe Standards.
- 222 (28) Rule 40B-3.525, Florida Administrative Code, relating
223 to Explosives.

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- 224 (29) Rule 40B-4.1050, Florida Administrative Code,
225 relating to Permit Fees.
- 226 (30) Rule 40B-5.0021, Florida Administrative Code,
227 relating to Definitions.
- 228 (31) Rule 40B-5.0051, Florida Administrative Code,
229 relating to Exemptions.
- 230 (32) Rule 40B-5.0121, Florida Administrative Code,
231 relating to Notice and Hearing Requirements.
- 232 (33) Rule 40B-5.0201, Florida Administrative Code,
233 relating to Permit Processing Fee.
- 234 (34) Rule 40B-5.0351, Florida Administrative Code,
235 relating to Transfer of Permits.
- 236 (35) Rule 40B-5.0751, Florida Administrative Code,
237 relating to Enforcement and Penalties.
- 238 (36) Rule 40B-5.0901, Florida Administrative Code,
239 relating to Forms and Instructions.
- 240 (37) Rule 40B-9.045, Florida Administrative Code, relating
241 to Acquisition Procedures-Condensation.
- 242 (38) Rule 40B-9.065, Florida Administrative Code, relating
243 to Disclosure of Beneficial Interest.
- 244 (39) Rule 40B-9.081, Florida Administrative Code, relating
245 to Disposition of Surplus Real Property.
- 246 (40) Rule 40B-21.031, Florida Administrative Code,
247 relating to Elements of the Plan.
- 248 (41) Rule 40B-21.291, Florida Administrative Code,
249 relating to Variances.
- 250 (42) Rule 40B-21.421, Florida Administrative Code,
251 relating to Compliance.

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252 (43) Rule 40B-21.511, Florida Administrative Code,
253 relating to General provisions pertaining to classification of
254 water users.

255 Section 5. The following rules of the St. Johns River
256 Water Management District are nullified and of no further force
257 or effect:

258 (1) Rule 40C-2.441, Florida Administrative Code, relating
259 to Temporary Permits.

260 (2) Rule 40C-3.038, Florida Administrative Code, relating
261 to Violations of Contractor Licensing Requirements.

262 (3) Rule 40C-3.039, Florida Administrative Code, relating
263 to Penalties.

264 (4) Rule 40C-3.040, Florida Administrative Code, relating
265 to Scope of Part I.

266 (5) Rule 40C-3.201, Florida Administrative Code, relating
267 to Permit Processing Fee.

268 (6) Rule 40C-3.321, Florida Administrative Code, relating
269 to Duration of Permits.

270 (7) Rule 40C-3.525, Florida Administrative Code, relating
271 to Explosives.

272 (8) Rule 40C-3.529, Florida Administrative Code, relating
273 to Flowing Wells.

274 (9) Rule 40C-3.532, Florida Administrative Code, relating
275 to Violations of Well Construction Standards.

276 (10) Rule 40C-4.011, Florida Administrative Code, relating
277 to Policy and Purpose.

278 (11) Rule 40C-4.201, Florida Administrative Code, relating
279 to Permit Processing Fee.

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- 280 (12) Rule 40C-4.351, Florida Administrative Code, relating
 281 to Transfer of Permits.
- 282 (13) Rule 40C-4.751, Florida Administrative Code, relating
 283 to Enforcement.
- 284 (14) Rule 40C-9.001, Florida Administrative Code, relating
 285 to Purpose.
- 286 (15) Rule 40C-9.031, Florida Administrative Code, relating
 287 to Selection of Lands - Five Year Plan Pursuant to Section
 288 373.199, Florida Statutes.
- 289 (16) Rule 40C-9.045, Florida Administrative Code, relating
 290 to Acquisition Procedures - Condemnation.
- 291 (17) Rule 40C-9.065, Florida Administrative Code, relating
 292 to Disclosure of Beneficial Interest.
- 293 (18) Rule 40C-9.071, Florida Administrative Code, relating
 294 to Use of Trust Funds.
- 295 (19) Rule 40C-9.081, Florida Administrative Code, relating
 296 to Disposition of Surplus Land.
- 297 (20) Rule 40C-9.115, Florida Administrative Code, relating
 298 to Land Management Review Team.
- 299 (21) Rule 40C-9.400, Florida Administrative Code, relating
 300 to Individuals Living on District Lands.
- 301 (22) Rule 40C-21.031, Florida Administrative Code,
 302 relating to Elements of the Plan.
- 303 (23) Rule 40C-24.001, Florida Administrative Code,
 304 relating to Policy and Purpose.
- 305 (24) Rule 40C-24.010, Florida Administrative Code,
 306 relating to Definitions.

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307 (25) Rule 40C-24.020, Florida Administrative Code,
308 relating to Incentive Program.

309 (26) Rule 40C-24.030, Florida Administrative Code,
310 relating to Incentive Program - Qualifying.

311 (27) Rule 40C-40.011, Florida Administrative Code,
312 relating to Policy and Purpose.

313 (28) Rule 40C-40.021, Florida Administrative Code,
314 relating to Definitions.

315 (29) Rule 40C-40.031, Florida Administrative Code,
316 relating to Implementation.

317 (30) Rule 40C-40.321, Florida Administrative Code,
318 relating to Duration of Permit.

319 (31) Rule 40C-40.381, Florida Administrative Code,
320 relating to Limiting Conditions.

321 (32) Rule 40C-40.900, Florida Administrative Code,
322 relating to Forms and Instructions.

323 (33) Rule 40C-42.071, Florida Administrative Code,
324 relating to Permit Processing Fee.

325 (34) Rule 40C-42.081, Florida Administrative Code,
326 relating to General Provisions.

327 (35) Rule 40C-44.081, Florida Administrative Code,
328 relating to Permit Processing Fee.

329 Section 6. The following rules of the Southwest Florida
330 Water Management District are nullified and of no further force
331 or effect:

332 (1) Rule 40D-1.902, Florida Administrative Code, relating
333 to District Investigations and Probable Cause Determinations.

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- 334 (2) Rule 40D-2.311, Florida Administrative Code, relating
 335 to Competing Applications.
- 336 (3) Rule 40D-2.511, Florida Administrative Code, relating
 337 to Declaration of Water Shortage.
- 338 (4) Rule 40D-3.011, Florida Administrative Code, relating
 339 to Policy and Purpose.
- 340 (5) Rule 40D-3.031, Florida Administrative Code, relating
 341 to Implementation.
- 342 (6) Rule 40D-3.038, Florida Administrative Code, relating
 343 to Violations of Contractor Licensing Requirements.
- 344 (7) Rule 40D-3.201, Florida Administrative Code, relating
 345 to Permit Processing Fee.
- 346 (8) Rule 40D-3.525, Florida Administrative Code, relating
 347 to Explosives.
- 348 (9) Rule 40D-3.529, Florida Administrative Code, relating
 349 to Flowing Wells.
- 350 (10) Rule 40D-4.031, Florida Administrative Code, relating
 351 to Implementation, Effective Date and Applicability.
- 352 (11) Rule 40D-4.054, Florida Administrative Code, relating
 353 to Alteration of Exempt Projects.
- 354 (12) Rule 40D-4.201, Florida Administrative Code, relating
 355 to Permit Processing Fee.
- 356 (13) Rule 40D-4.461, Florida Administrative Code, relating
 357 to Inspection.
- 358 (14) Rule 40D-40.011, Florida Administrative Code,
 359 relating to Policy and Purpose.
- 360 (15) Rule 40D-40.031, Florida Administrative Code,
 361 relating to Implementation, Effective Date and Applicability.

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362 (16) Rule 40D-400.201, Florida Administrative Code,
363 relating to Policy and Purpose.

364 (17) Rule 40D-9.101, Florida Administrative Code, relating
365 to Recreational Land Use Policy.

366 (18) Rule 40D-9.110, Florida Administrative Code, relating
367 to Scope and Applicability.

368 (19) Rule 40D-9.300, Florida Administrative Code, relating
369 to Trespass After Notice.

370 (20) Rule 40D-9.310, Florida Administrative Code, relating
371 to Penalties.

372 (21) Rule 40D-21.031, Florida Administrative Code,
373 relating to Elements of the Plan.

374 (22) Rule 40D-21.441, Florida Administrative Code,
375 relating to Public Supply Water Shortage Mitigation Plans.

376 Section 7. The following rules of the South Florida Water
377 Management District are nullified and of no further force or
378 effect:

379 (1) Rule 40E-0.103, Florida Administrative Code, relating
380 to Procedures for Processing Permit Applications.

381 (2) Rule 40E-0.105, Florida Administrative Code, relating
382 to Consideration of Intended Agency Decision on Permit
383 Applications.

384 (3) Rule 40E-1.100, Florida Administrative Code, relating
385 to Uniform Rules of Procedure and Statement of District
386 Organization and Operation.

387 (4) Rule 40E-1.1065, Florida Administrative Code, relating
388 to Misuse of Public Position.

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389 (5) Rule 40E-1.125, Florida Administrative Code, relating
390 to Public Information and Inspection of Records.

391 (6) Rule 40E-1.200, Florida Administrative Code, relating
392 to Procedures for Agendas and Scheduling of Meetings and
393 Workshops.

394 (7) Rule 40E-1.208, Florida Administrative Code, relating
395 to Procedure for Abstaining from Voting Conflicts of Interest.

396 (8) Rule 40E-1.300, Florida Administrative Code, relating
397 to Rulemaking Procedures.

398 (9) Rule 40E-1.400, Florida Administrative Code, relating
399 to Procedures Regarding Declaratory Statements.

400 (10) Rule 40E-1.500, Florida Administrative Code, relating
401 to Procedures for Proceedings Which Determine Substantial
402 Interests and Associated Mediation.

403 (11) Rule 40E-1.511, Florida Administrative Code, relating
404 to Point of Entry Into Proceedings.

405 (12) Rule 40E-1.520, Florida Administrative Code, relating
406 to Procedures Concerning Formal Proceedings.

407 (13) Rule 40E-1.521, Florida Administrative Code, relating
408 to Initiation of Formal Proceedings.

409 (14) Rule 40E-1.564, Florida Administrative Code, relating
410 to Exceptions to Recommended Order.

411 (15) Rule 40E-1.570, Florida Administrative Code, relating
412 to Procedures Concerning Informal Proceedings.

413 (16) Rule 40E-1.601, Florida Administrative Code, relating
414 to General provisions pertaining to administrative procedures
415 applicable to permitting decisions.

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416 (17) Rule 40E-1.608, Florida Administrative Code, relating
417 to Denial of Permits.

418 (18) Rule 40E-1.611, Florida Administrative Code, relating
419 to Emergency Action.

420 (19) Rule 40E-1.6115, Florida Administrative Code,
421 relating to Emergency Authorization.

422 (20) Rule 40E-2.441, Florida Administrative Code, relating
423 to Temporary Permits.

424 (21) Rule 40E-3.010, Florida Administrative Code, relating
425 to Review of Water Well Permit Applications.

426 (22) Rule 40E-3.0511, Florida Administrative Code,
427 relating to Exemptions and Variances for Well Construction
428 Permits.

429 (23) Rule 40E-4.311, Florida Administrative Code, relating
430 to Variances from Specified Review Criteria for Environmental
431 Resource Permits.

432 (24) Rule 40E-7.201, Florida Administrative Code, relating
433 to Policy and Purpose.

434 (25) Rule 40E-7.205, Florida Administrative Code, relating
435 to Competitive Selection for Professional Services.

436 (26) Rule 40E-7.300, Florida Administrative Code, relating
437 to Procedures Concerning Bid Protests of Solicitations or
438 Contract Awards.

439 (27) Rule 40E-7.401, Florida Administrative Code, relating
440 to District Transfer of Funds.

441 (28) Rule 40E-20.141, Florida Administrative Code,
442 relating to Request for Additional Information.

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- 443 (29) Rule 40E-20.341, Florida Administrative Code,
 444 relating to Revocation of General Water Use Permits.
- 445 (30) Rule 40E-20.391, Florida Administrative Code,
 446 relating to Publication.
- 447 (31) Rule 40E-21.031, Florida Administrative Code,
 448 relating to Elements of the Plan.
- 449 (32) Rule 40E-21.132, Florida Administrative Code,
 450 relating to Water Use Restrictions.
- 451 (33) Rule 40E-21.611, Florida Administrative Code,
 452 relating to Classification System.
- 453 (34) Rule 40E-22.082, Florida Administrative Code,
 454 relating to Minimum Flows.
- 455 (35) Rule 40E-22.112, Florida Administrative Code,
 456 relating to Permit Classification.
- 457 (36) Rule 40E-22.132, Florida Administrative Code,
 458 relating to Water Shortage Plan.
- 459 (37) Rule 40E-22.242, Florida Administrative Code,
 460 relating to Minimum Flow.
- 461 (38) Rule 40E-22.252, Florida Administrative Code,
 462 relating to Permit Classification.
- 463 (39) Rule 40E-22.272, Florida Administrative Code,
 464 relating to Water Use Restrictions.
- 465 (40) Rule 40E-23.011, Florida Administrative Code,
 466 relating to Policy and Purpose.
- 467 (41) Rule 40E-23.021, Florida Administrative Code,
 468 relating to Definitions.
- 469 (42) Rule 40E-23.023, Florida Administrative Code,
 470 relating to Boundaries.

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- 471 (43) Rule 40E-23.031, Florida Administrative Code,
472 relating to Implementation.
- 473 (44) Rule 40E-23.043, Florida Administrative Code,
474 relating to Application.
- 475 (45) Rule 40E-23.053, Florida Administrative Code,
476 relating to Criteria for Designation.
- 477 (46) Rule 40E-63.201, Florida Administrative Code,
478 relating to Scope.
- 479 (47) Rule 40E-63.211, Florida Administrative Code,
480 relating to Purpose.
- 481 (48) Rule 40E-63.212, Florida Administrative Code,
482 relating to Definitions.
- 483 (49) Rule 40E-63.223, Florida Administrative Code,
484 relating to Model to Quantify Annual Allocation of Replacement
485 Water.
- 486 (50) Rule 40E-63.225, Florida Administrative Code,
487 relating to Delivery of Average Annual Allocation of Replacement
488 Water.
- 489 Section 8. The following rules of the former Department of
490 Commerce are nullified and of no further force or effect:
- 491 (1) Rule 8K-1.001, Florida Administrative Code, relating
492 to Purpose.
- 493 (2) Rule 8K-1.002, Florida Administrative Code, relating
494 to Authority and Duties.
- 495 (3) Rule 8K-1.003, Florida Administrative Code, relating
496 to Members, Officers and Employees.
- 497 (4) Rule 8K-1.004, Florida Administrative Code, relating
498 to Meetings of the Board.

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499 (5) Rule 8K-1.005, Florida Administrative Code, relating
500 to Notice of Meeting.

501 (6) Rule 8K-1.006, Florida Administrative Code, relating
502 to Records; Public Information.

503 (7) Rule 8K-1.007, Florida Administrative Code, relating
504 to Business Address and Hours.

505 (8) Rule 8K-1.008, Florida Administrative Code, relating
506 to Seal.

507 (9) Rule 8K-2.001, Florida Administrative Code, relating
508 to Purpose.

509 (10) Rule 8K-2.002, Florida Administrative Code, relating
510 to Definitions.

511 (11) Rule 8K-2.003, Florida Administrative Code, relating
512 to Application Procedure.

513 (12) Rule 8K-2.004, Florida Administrative Code, relating
514 to Board Investments; Type and Conditions.

515 (13) Rule 8K-2.005, Florida Administrative Code, relating
516 to Community Support.

517 (14) Rule 8K-2.006, Florida Administrative Code, relating
518 to Accountability.

519 (15) Rule 8K-2.007, Florida Administrative Code, relating
520 to Misuse of Funds; Penalty; Appeal.

521 (16) Rule 8K-2.008, Florida Administrative Code, relating
522 to Local Impact Projects.

523 (17) Rule 8K-2.009, Florida Administrative Code, relating
524 to Certified Corporations.

525 (18) Rule 8K-2.010, Florida Administrative Code, relating
526 to Investment Agreements.

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527 (19) Rule 8M-1.001, Florida Administrative Code, relating
528 to Definitions.

529 (20) Rule 8M-1.002, Florida Administrative Code, relating
530 to Grant Applications.

531 (21) Rule 8M-1.003, Florida Administrative Code, relating
532 to Application Review.

533 (22) Rule 8M-1.004, Florida Administrative Code, relating
534 to Award of Grants.

535 (23) Rule 8M-2.001, Florida Administrative Code, relating
536 to Definitions.

537 (24) Rule 8M-2.002, Florida Administrative Code, relating
538 to Grant Applications.

539 (25) Rule 8M-2.003, Florida Administrative Code, relating
540 to Application Review.

541 (26) Rule 8M-2.004, Florida Administrative Code, relating
542 to Award of Grants.

543 (27) Rule 8M-3.001, Florida Administrative Code, relating
544 to Purpose.

545 (28) Rule 8M-3.002, Florida Administrative Code, relating
546 to Definitions.

547 (29) Rule 8M-3.003, Florida Administrative Code, relating
548 to Applications for Consideration.

549 (30) Rule 8M-3.004, Florida Administrative Code, relating
550 to Criteria for the Determination of Grant Award.

551
552 Note.—The rulemaking authority for Rules 8K-1.001
553 through 8K-1.008 and 8K-2.001 through 8K-2.010 was
554 abolished by section 3, chapter 2002-180, Laws of

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555 Florida. No agency appears to have clear authority to
556 repeal such rules.

557
558 Note.—Rules 8K-1.001 and 8K-1.002 implemented ss.
559 288.707, 288.709, and 288.7091, Florida Statutes,
560 which were repealed by section 487, chapter 2011-142,
561 Laws of Florida, leaving the rules out of conformity
562 with the law to be implemented.

563
564 Note.—Rules 8K-1.003, 8K-1.004, 8K-1.005, 8K-1.006,
565 and 8K-1.007 implemented s. 288.707, F.S., which was
566 repealed by section 487, chapter 2011-142, Laws of
567 Florida, leaving the rules out of conformity with the
568 law to be implemented.

569
570 Note.—Rule 8K-1.008 implemented s. 288.709(2), Florida
571 Statutes, which was repealed by section 487, chapter
572 2011-142, Laws of Florida, leaving the rule out of
573 conformity with the law to be implemented.

574
575 Note.—Rules 8K-2.001, 8K-2.006, and 8K-2.007
576 implemented s. 288.711, Florida Statutes, which was
577 repealed by section 24, chapter 2007-157, Laws of
578 Florida, leaving the rules out of conformity with the
579 law to be implemented.

580
581 Note.—Rule 8K-2.002 implemented s. 288.707, Florida
582 Statutes, which was repealed by section 487, chapter

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583 2011-142, Laws of Florida, and s. 288.711, Florida
 584 Statutes, which was repealed by section 24, chapter
 585 2007-157, Laws of Florida, leaving the rule out of
 586 conformity with the laws to be implemented.

587
 588 Note.—Rules 8K-2.003, 8K-2.004, 8K-2,009, and 8K-2.010
 589 implemented ss. 288.71 and 288.711, Florida Statutes,
 590 which were repealed by section 24, chapter 2007-157,
 591 Laws of Florida, and s. 288.7091, Florida Statutes,
 592 which was repealed by section 487, chapter 2011-142,
 593 Laws of Florida, leaving the rules out of conformity
 594 with the laws to be implemented.

595
 596 Note.—Rules 8K-2.005 and 8K-2.008 implemented ss.
 597 288.71 and 288.711, Florida Statutes, which were
 598 repealed by section 24, chapter 2007-157, Laws of
 599 Florida, leaving the rules out of conformity with the
 600 laws to be implemented.

601
 602 Note.—The rulemaking authority for Rules 8M-1.001
 603 through 8M-1.004 and 8M-2.001 through 8M-2.004 was
 604 abolished by section 154, chapter 96-320, Laws of
 605 Florida. No agency appears to have clear authority to
 606 repeal such rules.

607
 608 Note.—Rules 8M-1.001 through 8M-1.004 implemented
 609 chapters 91-157 and 91-272, Laws of Florida, which
 610 were implementing bills for the 1991 General

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611 Appropriations Act. When those laws expired July 1,
612 1992, the rules became out of conformity with the laws
613 to be implemented.

614
615 Note.—Rules 8M-2.001 through 8M-2.004 implemented s.
616 288.806, Florida Statutes, which was repealed by
617 section 154, chapter 96-320, Laws of Florida, leaving
618 the rules out of conformity with the laws to be
619 implemented.

620
621 Note.—The rulemaking authority for Rules 8M-3.001, 8M-
622 3.002, 8M-3.003, and 8M-3.004 was abolished by section
623 133, chapter 96-320, Laws of Florida. These specific
624 rules implemented s. 311.11, Florida Statutes, which
625 was revised extensively by section 49, chapter 97-278,
626 Laws of Florida, leaving the rules out of conformity
627 with the laws to be implemented. No agency appears to
628 have clear authority to repeal such rules.

629
630 Section 9. (1) Effective July 1, 2013, the following
631 rules of the former Department of Health and Rehabilitative
632 Services, Health Program Office, are nullified and of no further
633 force or effect:

634 (a) Rule 10D-116.001, Florida Administrative Code,
635 relating to Purpose.

636 (b) Rule 10D-116.002, Florida Administrative Code,
637 relating to Definitions.

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638 (c) Rule 10D-116.003, Florida Administrative Code,
639 relating to Department Responsibilities.

640 (d) Rule 10D-116.004, subsections (1), (2), and (3),
641 Florida Administrative Code, relating to Provider Hospital
642 Responsibilities.

643 (e) Rule 10D-116.005, Florida Administrative Code,
644 relating to Practice Parameters.

645 (f) Rule 10D-116.006, subsections (1), (2), and (3),
646 Florida Administrative Code, relating to Functions of Peer
647 Review Boards.

648 (2) Before the effective date of this section, the
649 Department of Health shall initiate rulemaking to readopt or
650 revise those portions of the rules which are necessary to
651 implement the affected statutes.

652
653 Note.—The rules in this section were adopted by the
654 former Department of Health and Rehabilitative
655 Services before the Type Two Transfer of
656 responsibility for public health matters to the
657 Department of Health by section 6, chapter 96-403,
658 Laws of Florida. Rules 10D-116.001, 10D-116.002, 10D-
659 116.003, 10D-116.004, 10D-116.005, 10D-116.006, and
660 10D-116.007 implemented s. 383.336, Florida Statutes,
661 amended by section 77, chapter 99-8, Laws of Florida,
662 to authorize rulemaking by the Department of Health.
663 The abolition of responsibility for public health
664 matters in the former Department of Health and
665 Rehabilitative Services creates uncertainty about the

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666 continued validity of these rules. Therefore, the
 667 Department of Health should readopt or revise those
 668 portions of the rules which remain necessary to
 669 implement the agency's statutory authority.

670
 671 Note.—Rules 10D-116.001, 10D-116.002(4), 10D-
 672 116.002(5), 10D-116.002(6), 10D-116.003, and 10D-
 673 116.004 reiterate or paraphrase provisions of s.
 674 383.336, Florida Statutes, and do not conform with the
 675 requirements of ss. 120.536(1) and 120.545(1)(c),
 676 Florida Statutes.

677
 678 Note.—Rules 10D-116.002(2) and 10D-116.004(3)
 679 interpret s. 383.336, Florida Statutes, with
 680 references to the former Department of Health and
 681 Rehabilitative Services or repealed statutes and do
 682 not conform with the specific law to be implemented.

683
 684 Section 10. The following rules of the former Department
 685 of Health and Rehabilitative Services, Health Program Office,
 686 are nullified and of no further force or effect:

687 (1) Rule 10D-116.004, subsection (4), Florida
 688 Administrative Code, relating to Provider Hospital
 689 Responsibilities, directing the making of reports to the Agency
 690 for Health Care Administration.

691 (2) Rule 10D-116.006, subsection (4), Florida
 692 Administrative Code, relating to Functions of Peer Review

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693 Boards, stating the results of a review will not serve as
694 evidence in certain proceedings.

695 (3) Rule 10D-116.007, Florida Administrative Code,
696 assigning certain responsibilities to Agency for Health Care
697 Administration.

698
699 Note.—Rules 10D-116.004(4), 10D-116.006(4), and 10D-
700 116.007 exceed the authority delegated in the specific
701 law to be implemented.

702
703 Section 11. (1) Effective July 1, 2013, the following
704 rules of the former Department of Health and Rehabilitative
705 Services, Health Program Office, are nullified and of no further
706 force or effect:

707 (a) Rule 10D-124.003, Florida Administrative Code,
708 relating to Payment of Scholarship Funds.

709 (b) Rule 10D-124.004, Florida Administrative Code,
710 relating to Placement of Nursing Scholars.

711 (2) Before the effective date of this section, the
712 Department of Health shall initiate rulemaking to readopt or
713 revise those portions of the rules which are necessary to
714 implement the affected statutes.

715
716 Note.—The rules in this section were adopted by the
717 former Department of Health and Rehabilitative
718 Services before the Type Two Transfer of
719 responsibility for public health matters to the
720 Department of Health by section 6, chapter 96-403,

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721 Laws of Florida. The abolition of responsibility for
722 public health matters in the former Department of
723 Health and Rehabilitative Services raises a question
724 about the continued validity of these rules. Rules
725 10D-124.003 and 10D-124.004 implemented s. 240.4028,
726 Florida Statutes, which was repealed by section 1058,
727 chapter 2002-387, Laws of Florida. Therefore, the
728 Department of Health should readopt or revise those
729 portions of the rules which remain necessary to
730 implement the agency's statutory authority.

731
732 Section 12. The following rules of the former Advisory
733 Council on Intergovernmental Relations are nullified and of no
734 further force or effect:

735 (1) Rule 37-1.001, Florida Administrative Code, relating
736 to General Authority.

737 (2) Rule 37-1.002, Florida Administrative Code, relating
738 to Composition of the Council.

739 (3) Rule 37-1.003, Florida Administrative Code, relating
740 to Council Officers.

741 (4) Rule 37-1.004, Florida Administrative Code, relating
742 to General Description of Council Organization and Operations.

743 (5) Rule 37-1.005, Florida Administrative Code, relating
744 to Council Functions and Duties.

745 (6) Rule 37-1.006, Florida Administrative Code, relating
746 to Council Recommendations.

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747 (7) Rule 37-1.007, Florida Administrative Code, relating
748 to General Information Concerning Council, Its Record and
749 Proceedings.

750 (8) Rule 37-2.001, Florida Administrative Code, relating
751 to Notice of Meeting.

752 (9) Rule 37-2.002, Florida Administrative Code, relating
753 to Scheduling of Meetings.

754 (10) Rule 37-2.003, Florida Administrative Code, relating
755 to Meetings, Hearings; Intergovernmental Cooperation.

756 (11) Rule 37-2.004, Florida Administrative Code, relating
757 to Agenda of Meetings and Workshops.

758 (12) Rule 37-2.005, Florida Administrative Code, relating
759 to Emergency Meetings.

760 (13) Rule 37-2.006, Florida Administrative Code, relating
761 to Model Rules Application.

762 (14) Rule 37-3.001, Florida Administrative Code, relating
763 to Commencement of Proceeding.

764 (15) Rule 37-3.002, Florida Administrative Code, relating
765 to Notice of Proceeding, and the Proposed Rules.

766 (16) Rule 37-3.003, Florida Administrative Code, relating
767 to Petitions to Initiate Rule Making Proceedings.

768 (17) Rule 37-3.004 Florida Administrative Code, relating
769 to Agency Action on Petitions to Initiate Rule Making
770 Proceedings.

771 (18) Rule 37-3.005, Florida Administrative Code, relating
772 to Rule Making Proceeding - Hearing.

773 (19) Rule 37-3.006, Florida Administrative Code, relating
774 to Description of Publication by Reference.

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775 (20) Rule 37-3.007, Florida Administrative Code, relating
776 to Emergency Rule Hearing.

777 (21) Rule 37-3.008, Florida Administrative Code, relating
778 to Model Rules Application.

779 (22) Rule 37-4.001, Florida Administrative Code, relating
780 to General provisions pertaining to petition for declaratory
781 statement.

782 (23) Rule 37-4.002, Florida Administrative Code, relating
783 to Purpose and Use of Declaratory Statement.

784 (24) Rule 37-4.003, Florida Administrative Code, relating
785 to Council Disposition.

786 (25) Rule 37-5.001, Florida Administrative Code, relating
787 to Members Present Shall Vote.

788 (26) Rule 37-5.002, Florida Administrative Code, relating
789 to Quorum; Majority Action.

790 (27) Rule 37-5.003, Florida Administrative Code, relating
791 to Voting.

792 (28) Rule 37-5.004, Florida Administrative Code, relating
793 to Change of Vote.

794 (29) Rule 37-5.005, Florida Administrative Code, relating
795 to Casting Vote for Another.

796 (30) Rule 37-5.006, Florida Administrative Code, relating
797 to Explanation of Vote.

798 (31) Rule 37-5.007, Florida Administrative Code, relating
799 to Motions; How Made, Withdrawn.

800 (32) Rule 37-5.008, Florida Administrative Code, relating
801 to Motions; Precedence.

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802 (33) Rule 37-5.009, Florida Administrative Code, relating
803 to Order of Questions.

804 (34) Rule 37-5.010, Florida Administrative Code, relating
805 to Motions; Disposition.

806 (35) Rule 37-5.011, Florida Administrative Code, relating
807 to Reconsideration: Generally.

808 (36) Rule 37-5.012, Florida Administrative Code, relating
809 to Motion to Lay on Table.

810 (37) Rule 37-5.013, Florida Administrative Code, relating
811 to Amendments; Manner of Consideration.

812 (38) Rule 37-5.014, Florida Administrative Code, relating
813 to Amendments; Adoption.

814 (39) Rule 37-5.015, Florida Administrative Code, relating
815 to Sequence of Amendments to Amendments.

816 (40) Rule 37-6.001, Florida Administrative Code, relating
817 to Interpretation of Rules.

818 (41) Rule 37-6.002, Florida Administrative Code, relating
819 to Waiver and Suspension of Rules.

820 (42) Rule 37-6.003, Florida Administrative Code, relating
821 to General provisions pertaining to construction of rules.

822

823 Note.—The rules in this section, comprising Title 37
824 of the Florida Administrative Code, were adopted by
825 the former Advisory Council on Intergovernmental
826 Relations, which was abolished by section 9, chapter
827 96-311, Laws of Florida. The rulemaking authority for
828 the above rules was abolished by section 9, chapter
829 96-311, Laws of Florida. The above rules variously

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830 implemented ss. 120.53 and 120.54, Florida Statutes,
831 which were extensively revised by sections 9 and 10,
832 chapter 96-159, Laws of Florida, eliminating certain
833 provisions implemented by such rules, and ss. 163.703,
834 163.704, 163.705, 163.7055, 163.706, 163.707, and
835 163.708, Florida Statutes, which were repealed by
836 section 9, chapter 96-311, Laws of Florida. The
837 substance of these statutes was reenacted as s. 11.70,
838 Florida Statutes, by section 1, chapter 96-311, Laws
839 of Florida, which was repealed by section 3, chapter
840 2011-34, Laws of Florida, leaving the rules out of
841 conformity with the law to be implemented. No agency
842 appears to have clear authority to repeal such rules.

843
844 Section 13. The following rules of the former Department
845 of Labor and Employment Security are nullified and of no further
846 force or effect:

847 (1) Rule 38I-40.002, Florida Administrative Code, relating
848 to Definitions.

849 (2) Rule 38I-40.003, Florida Administrative Code, relating
850 to Identification of State-Owned Buildings and the Building
851 Asbestos Contact Person for Each Building.

852 (3) Rule 38I-40.004, Florida Administrative Code, relating
853 to Review and Approval of Building Asbestos Surveys Completed
854 Prior to January 1, 1989.

855 (4) Rule 38I-40.005, Florida Administrative Code, relating
856 to Review and Approval of Current Operation and Maintenance
857 Plans Implemented Prior to January 1, 1989.

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858 (5) Rule 38I-40.006, Florida Administrative Code, relating
859 to Collection of Information Concerning Completed Asbestos
860 Abatement Work.

861 (6) Rule 38I-40.007, Florida Administrative Code, relating
862 to Standardization of Asbestos Management Activities.

863 (7) Rule 38I-40.008, Florida Administrative Code, relating
864 to Completion of Asbestos Surveys.

865 (8) Rule 38I-40.009, Florida Administrative Code, relating
866 to Preparation and Implementation of Asbestos Operation and
867 Maintenance Plans.

868 (9) Rule 38I-40.010, Florida Administrative Code, relating
869 to Agency Responsibilities for Management of Asbestos.

870 (10) Rule 38I-40.011, Florida Administrative Code,
871 relating to Building Asbestos Contact Person.

872 (11) Rule 38I-40.012, Florida Administrative Code,
873 relating to Asbestos Oversight Program Team.

874 (12) Rule 38I-40.013, Florida Administrative Code,
875 relating to Regional Asbestos Program Managers.

876 (13) Rule 38I-40.014, Florida Administrative Code,
877 relating to Training Requirements.

878 (14) Rule 38I-40.015, Florida Administrative Code,
879 relating to Safety and Health Requirements.

880 (15) Rule 38I-40.016, Florida Administrative Code,
881 relating to Standard Technical Specifications and Guides.

882
883 Note.—The rulemaking authority for the above rules was
884 abolished by section 35, chapter 2011-213, Laws of

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885 Florida. No agency appears to have clear authority to
 886 repeal such rules.

887
 888 Note.—Rules 38I-40.002 and 38I-40.003 implemented s.
 889 255.554, Florida Statutes, which was repealed by
 890 section 10, chapter 99-5, Laws of Florida, and ss.
 891 255.552 and 255.553, Florida Statutes, which were
 892 repealed by section 35, chapter 2011-213, Laws of
 893 Florida, leaving the rules out of conformity with the
 894 laws to be implemented.

895
 896 Note.—Rule 38I-40.004 implemented s. 255.554, Florida
 897 Statutes, which was repealed by section 10, chapter
 898 99-5, Laws of Florida, and ss. 255.552, 255.553, and
 899 255.556, Florida Statutes, which were repealed by
 900 section 35, chapter 2011-213, Laws of Florida, leaving
 901 the rule out of conformity with the laws to be
 902 implemented.

903
 904 Note.—Rules 38I-40.005, 38I-40.008, and 38I-40.009
 905 implemented ss. 255.552 and 255.557, Florida Statutes,
 906 which were repealed by section 35, chapter 2011-213,
 907 Laws of Florida, leaving the rules out of conformity
 908 with the laws to be implemented.

909
 910 Note.—Rule 38I-40.006 implemented s. 255.552, Florida
 911 Statutes, which was repealed by section 35, chapter

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912 2011-213, Laws of Florida, leaving the rule out of
913 conformity with the law to be implemented.

914
915 Note.—Rules 38I-40.007 and 38I-40.010 implemented ss.
916 255.552, 255.553, 255.555, 255.556, and 255.557,
917 Florida Statutes, which were repealed by section 35,
918 chapter 2011-213, Laws of Florida, leaving the rules
919 out of conformity with the laws to be implemented.

920
921 Note.—Rule 38I-40.011 implemented s. 255.554, Florida
922 Statutes, which was repealed by section 10, chapter
923 99-5, Laws of Florida, and ss. 255.552, 255.553,
924 255.555, and 255.557, Florida Statutes, which were
925 repealed by section 35, chapter 2011-213, Laws of
926 Florida, leaving the rule out of conformity with the
927 laws to be implemented.

928
929 Note.—Rule 38I-40.012 implemented s. 255.565, Florida
930 Statutes, which was repealed by section 15, chapter
931 2001-89, Laws of Florida, leaving the rule out of
932 conformity with the law to be implemented.

933
934 Note.—Rule 38I-40.013 implemented s. 255.554, Florida
935 Statutes, which was repealed by section 10, chapter
936 99-5, Laws of Florida, and ss. 255.552, 255.553,
937 255.557, 255.561, and 255.562, Florida Statutes, which
938 were repealed by section 35, chapter 2011-213, Laws of

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939 Florida, leaving the rule out of conformity with the
940 laws to be implemented.

941
942 Note.—Rule 38I-40.014 implemented s. 255.565, Florida
943 Statutes, which was repealed by section 15, chapter
944 2001-89, Laws of Florida, and s. 255.552, Florida
945 Statutes, which was repealed by section 35, chapter
946 2011-213, Laws of Florida, leaving the rule out of
947 conformity with the laws to be implemented.

948
949 Note.—Rule 38I-40.015 implemented s. 255.561, Florida
950 Statutes, which was repealed by section 35, chapter
951 2011-213, Laws of Florida, leaving the rule out of
952 conformity with the law to be implemented.

953
954 Note.—Rule 38I-40.016 implemented ss. 255.552,
955 255.553, 255.557, 255.558, 255.559, 255.56, 255.561,
956 and 255.562, Florida Statutes, which were repealed by
957 section 35, chapter 2011-213, Laws of Florida, leaving
958 the rule out of conformity with the laws to be
959 implemented.

960
961 Section 14. (1) Effective July 1, 2013, the following
962 rules of the former Department of Labor and Employment Security
963 are nullified and of no further force or effect:

964 (a) Rule 38J-1.001, Florida Administrative Code, relating
965 to Recovery From Third Parties.

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966 (b) Rule 38J-1.002, Florida Administrative Code, relating
967 to Definitions.

968 (c) Rule 38J-1.003, Florida Administrative Code, relating
969 to Right to Make Informed Choice.

970 (d) Rule 38J-1.004, Florida Administrative Code, relating
971 to Division Services - General.

972 (e) Rule 38J-1.005, Florida Administrative Code, relating
973 to Additional Requirements for Providing Certain Services.

974 (f) Rule 38J-1.006, Florida Administrative Code, relating
975 to Division Decisions and Appeal Procedures.

976 (g) Rule 38J-1.007, Florida Administrative Code, relating
977 to Case Closure due to individual's actions.

978 (h) Rule 38J-1.008, Florida Administrative Code, relating
979 to Destruction of Records.

980 (i) Rule 38J-1.009, Florida Administrative Code, relating
981 to Forms and Documents.

982 (2) Before the effective date of this section, the
983 Department of Education shall initiate rulemaking to readopt or
984 revise those portions of the rules which are necessary to
985 implement the affected statutes.

986
987 Note.—The rules in this section were adopted by the
988 former Department of Labor and Employment Security,
989 which was abolished by section 69, chapter 2002-194,
990 Laws of Florida. The Division of Vocational
991 Rehabilitation was placed under the Department of
992 Education by section 1, chapter 2002-22, Laws of
993 Florida, without a clear accompanying transfer of

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994 these rules, leaving the rules out of conformity with
995 the law to be implemented. While no agency appears to
996 have clear authority to repeal such rules, the laws
997 implemented remain under the jurisdiction of the
998 Department of Education. Therefore, the Department of
999 Education should readopt or revise those portions of
1000 the rules which remain necessary to implement the
1001 agency's statutory authority.

1003 Section 15. Upon this act becoming a law, its enactment
1004 and effective dates shall be noted in the Florida Administrative
1005 Code or the Florida Administrative Weekly or both, as
1006 appropriate with an appropriate notice that the rules listed in
1007 sections 3-14 of this act have been repealed by law. The
1008 administrative rules nullified by this act shall be treated as
1009 repealed for purposes of all future editions of the Florida
1010 Administrative Code. The provisions of sections 3-14 of this act
1011 serve no other purpose and shall not be codified in the Florida
1012 Statutes. This act does not alter rulemaking authority delegated
1013 or withdrawn by previous law.

1014 Section 16. This act shall take effect 60 days after
1015 becoming a law.