

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC HEARING

The Department of Revenue announces a public hearing to which all persons are invited.

DATE AND TIME: September 29, 2009, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

SUBJECT MATTER TO BE CONSIDERED: Approval of the proposed amendments to Rule 12A-1.011, F.A.C. (Sales of Food Products for Human Consumption by Grocery Stores, Convenience Stores, and Supermarkets; Sales of Bakery Products by Bakeries, Pastry Shops, or Like Establishments; Drinking Water; Ice), Rule 12A-1.0115, F.A.C. (Sales of Food Products Served, Prepared, or Sold in or by Restaurants, Lunch Counters, Cafeterias, Caterers, Hotels, Taverns, or Other Like Places of Business and by Transportation Companies), Rule 12A-1.071, F.A.C. (Rentals, Leases, or License to Use Tangible Personal Property), and Rule 12A-1.097, F.A.C. (Public Use Forms). A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on October 12, 2007 (Vol. 33, No. 41, pp. 4739-4750). A Notice of Change was published in the Florida Administrative Weekly on December 28, 2007 (Vol. 33, No. 52, pp. 6183-6184). A Notice of Withdrawal of proposed Rule 12A-1.0011, F.A.C., and Rule 12A-1.005, F.A.C., was published in the Florida Administrative Weekly on January 23, 2009 (Vol. 35, No. 3, p. 328). A Notice of Public Hearing was published in the Florida Administrative Weekly on January 23, 2009 (Vol. 35, No. 3, pp. 328-336), for a second hearing on the proposed amendments. A Notice of Change to remove subsection (10) from proposed Rule 12A-1.011, F.A.C., was published in the Florida Administrative Weekly on June 19, 2009 (Vol. 35, No. 24, p. 2959). A Notice of Change, as published in the Florida Administrative

Weekly on July 31, 2009 (Vol. 35, No. 30, p. 3623), reflects the withdrawal for further consideration of the provisions of proposed subsection (3), Food Products Consumed in Places Where an Admission is Charged, of Rule 12A-1.0115, F.A.C. A Notice of Public Hearing was published in the Florida Administrative Weekly on August 7, 2009 (Vol. 35, No. 31, p. 3770), for a third hearing on the proposed amendments. In response to public comments received and made a part of the public hearing held on August 31, 2009, an additional Notice of Change is published in this edition of the Florida Administrative Weekly. This change will add clarifying provisions regarding the statutory exemption for drinking water and for the sale of food products in amusement parks and other places of business. This change will also withdraw for further consideration provisions applicable to caterers who prepare, furnish, or serve food products.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting Larry Green at (850) 922-4830. If you are hearing or speech impaired, please contact the Department by using the Florida Relay Service, which can be reached at (800) 955-8770 (voice) and (800) 955-8771 (TDD).