(b) Administrative costs charged to the entity for any action taken by the Office in response to noncompliance;

(c) Interest in the amount specified and levied by the Florida Hurricane Catastrophe Fund, Rule 19-8-013, Florida Administrative Code, for late payments;

(d) If information is initially submitted incorrect or incomplete, the company may be levied an administrative fine as set forth in Section 624.4211, Florida Statutes, notwithstanding a subsequent complete and accurate submission made prior to the reporting due date;

(e) An audit of company records relating the assessment;

(f) An examination being performed at the entity's expense to gather and report the required data; and

(g) Other administrative actions as allowed by statute.

(8) The penalties detailed in subsection (7) above will not be levied on a per policy basis.

Specific Authority 624.308(1), 624.4211, 215.555(6)(b) FS. Law Implemented 215.555(6)(b), 624.4211 FS. History–New .

NAME OF PERSON ORIGINATING PROPOSED RULE: Carol McBrier, Office of the Deputy Commissioner (Property and Casualty), Office of Insurance Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tom Streukens, Deputy Commissioner, Office of Insurance Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 6, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 5, 2006

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
5E-13	Mosquito Control Program Administration
RULE NO.:	RULE TITLE:
5E-13.032	Program Directors, Employment and Classification

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), F.S., published in Vol. 32, No. 17, April 28, 2006 issue of the Florida Administrative Weekly

WHEN AMENDED THE PROPOSED RULE WILL READ AS FOLLOWS:

5E-13.032 Program Directors, Employment and Classification.

(1) through (2) No change.

(3) Commissioners shall forward to the department their recommendation for the new director, along with that individual's written application, to obtain written confirmation of eligibility from ~~together with the individual's written application, for employment as mosquito control program director of~~ the department, pursuant to subsection 5E-13.032(4), F.A.C. ~~the applicant can be employed following passing an examination as required in subsection 5E-13.032(5), F.A.C.~~

(4) through (6) No change.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James Clauson, Bureau of Entomology and Pest Control, Division of Agricultural Environmental Services, 1203 Governors Square Blvd., Suite 300, Tallahassee, FL. 32301, telephone: (850)922-7011

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."

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.:	RULE TITLE:
59A-8.0095	Personnel

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 32, No. 12, March 24, 2006 issue of the Florida Administrative Weekly.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING ON THIS CORRECTED PROVISION WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

Paragraph (2)(b),(e) of the above proposed rule was inadvertently underlined in the Notice of Proposed Rulemaking and should have been struck through.

59A-8.0095 Personnel.

(2) Director of Nursing.

(b) If the administrator is not a physician or registered nurse, the director of nursing shall:

1. Establish service policies and procedures in compliance with Chapter ~~subsections~~ 64E-16~~.001(4), (5)~~, F.A.C., and state health statutes and administrative rules pursuant to Section 381.0011(4), F.S., which generally conform to recommended

Centers for Disease Control (CDC) and Occupational Safety and Health Agency (OSHA) guidelines for safety, universal precautions and infection control procedures;

2. through 4. No change.

(c) through (d) No change.

~~(e) If an individual serves as the director of nursing of more than one licensed agency, pursuant to Section 400.462(7), F.S., a designated alternate director of nursing must be available during designated business hours, at each additional agency, who has the responsibility and authority for the clinical operation. Available during designated business hours means being readily available on the premises or by telecommunications.~~

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anne Menard, Licensed Home Health Programs Unit, Bureau of Health Facility Regulation, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 34, Tallahassee, FL 32308, menarda@ahca.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE NOS.:	RULE TITLES:
60BB-8.203	Cross County Enrollment
60BB-8.204	Uniform Attendance Policy for Funding the VPK Program
60BB-8.301	Statewide Provider Agreement for the VPK Program
60BB-8.400	VPK Class Sizes; Blended Classes; Multi-Class Groups

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules published in the Vol. 32, No. 7, February 17, 2006, issue of the Florida Administrative Weekly, in accordance with subparagraph 120.54(3)(d)1., F.S. These changes are being made to address comments expressed at the Public Hearings held and comments made by the Joint Administrative Procedures Committee.

60BB-8.203 Cross County Enrollment.

Withdrawn.

Substantial Rewording of the Proposed Rule follows.

60BB-8.204 Uniform Attendance Policy for ~~the~~ Funding ~~of~~ the ~~Voluntary Prekindergarten~~ VPK Program.

(1) Payment for the VPK program. An early learning coalition, or contractor acting on behalf of the coalition, shall pay a private provider or public school for the VPK program in accordance with this rule.

(2) Payment for attendance. An instructional day on which a child attends the VPK program, either in whole or in part, is payable.

(3) Payment for absences.

(a) An instructional day from which a child is absent is payable if the child's absence is excused. If a child's absence is unexcused, the absence is payable, not to exceed three unexcused absences per calendar month.

(b) A child's absence is excused if the child does not attend the VPK program on an instructional day due to of one of the following reasons:

1. Illness or injury of the child or the child's family member which requires hospitalization or bed rest;

2. Physician or dentist appointment;

3. Infectious disease or parasitic infestation;

4. Funeral service, memorial service, or bereavement upon the death of the child's family member;

5. Life-threatening illness or injury of the child's family member;

6. Compliance with a court order (e.g, visitation, subpoena);

7. Special education or related services as defined in 20 U.S.C. § 1401 (2004) for the child's disability;

8. Observance of a religious holiday or service, or because the child's or parent's religion forbids secular activity on the instructional day;

9. Family vacation, not to exceed five excused absences per program year; or

10. Extraordinary circumstances beyond the control of the child and the child's parent.

(c) An excused absence is not payable unless the reason for the absence is documented in writing and the private provider or public school submits the documentation to the coalition or contractor.

1. A child's parent may document (e.g., parent's note) seven or fewer excused absences per calendar month.

2. Beyond seven excused absences, a person other than the child's parent must document the excused absence, the person must be unrelated to the child or the child's parent, and the documentation must show that the person has personal knowledge of the reason for the child's absence (e.g., letter from a physician).

(d) An absence is not payable for an instructional day before a child's first day of attendance or after the child's last day of attendance.

(e) Payment for a child shall be suspended if the child does not attend at least 1 instructional day during a calendar month. Payment for the child, including payment for absences accruing while payment is suspended, shall resume when the child subsequently attends the program. If a child does not resume attendance, an absence is not payable for an instructional day after the child's last day of attendance.

(4) Payment for temporary closures.

(a) A temporary closure is payable if a private provider or public school submits written documentation to the coalition or contractor which demonstrates that the closure is temporary and caused by circumstances beyond the provider's or school's control.

(b) Documentation of the circumstances causing a temporary closure is not required if the private provider's or public school's VPK site is located in a county in which government offices normally open to the public are closed by the county, state, or federal governments, or public schools are closed by the school district, because a state of emergency is declared to exist in the county by the county government, the Governor, or the President of the United States. Documentation is required if government offices remain open or a state of emergency is not declared to exist.

(c) A temporary closure is payable for the amount otherwise payable (as if each child enrolled in a private provider's or public school's VPK program attends the program), not to exceed 10 instructional days per closure. If circumstances cause more than one temporary closure, the closures are payable for a combined total of 10 instructional days.

(d) If the combined instructional days of one or more temporary closures extend beyond 10 instructional days, the private provider or public school shall revise its class schedule to restore each instructional day after the 10th instructional day. The revised schedule must not extend beyond the last day by which the VPK class is required to complete instruction. When revising its schedule, a private provider or public school is not required to change the instructional hours per instructional day or instructional days per week of the current class schedule.

(e) A temporary closure is not payable if the closure is caused by circumstances within a private provider's or public school's control. If a temporary closure is caused by circumstances within a private provider's or public school's control, the provider or school must revise its class schedule in accordance with paragraph (d).

(f) A temporary closure is not payable if a private provider or public school does not reopen and resume instruction after the closure. A coalition or contractor shall assist a child with reenrollment if the child's VPK program does not resume instruction after a temporary closure.

(g) If a child does not resume attendance in the VPK program after a temporary closure, notwithstanding paragraph (3)(d), the closure is payable, but the child's absence from an instructional day after the temporary closure is not payable.

(h) A private provider or public school, instead of requesting payment for a temporary closure, may revise its class schedule to restore the instructional days that the closure affects.

Specific Authority 1002.79(2) FS. Law Implemented 1002.71(6)(d) FS. History–New_____.

60BB-8.301 ~~Voluntary Prekindergarten Uniform~~ Statewide Provider Agreement for the VPK Program ~~Provider Agreement~~.

~~The Agency for Workforce Innovation has prescribed the use of a provider agreement, along with the following procedures, by early learning coalitions for registering private prekindergarten providers and public schools to deliver the VPK program:~~

(1)(a) ~~Agreement required.~~ An early learning ~~As part of the registration process for the VPK program, the~~ coalition, or contractor acting on behalf of the coalition, may not pay a private ~~shall require each~~ provider or public school for the VPK program, except under ~~to execute~~ a provider agreement with the coalition. A coalition must be a party to a provider agreement. If a coalition allows a contractor to sign a provider agreement on behalf of the coalition, the coalition remains a party to the agreement. A school district may sign a provider agreement on behalf of a public school in the district.

(b) A coalition or contractor shall keep a signed copy of a provider agreement in the coalition's or contractor's records on the private provider or public school.

(2)(a) A provider agreement shall contain ~~execute agreements with the~~ identical terms and conditions as Form AWI-VPK 20~~,~~ (Statewide Provider Agreement), dated June 9, 2006 ~~version date July 7, 2005~~, which is hereby incorporated by reference. Except~~, and may not alter, delete or change the terms and conditions, except~~ as provided in paragraph (b), a provider agreement may not omit, supplement, or amend the terms and conditions of Form AWI-VPK 20 ~~subsection (3) below~~. ~~This~~ Form AWI-VPK 20 may be obtained from the Office of Early Learning of the Agency for Workforce Innovation ~~is available~~ at the following ~~internet~~ address: Caldwell Building, 107 East Madison Street, MSC 140, Tallahassee, Florida 32399-4128, (850)921-3180, and at the following website: http://www.floridajobs.org/earlylearning. ~~www. floridajobs.org/earlylearning/documents/StatewideProviderAgreementFormAWI-VPK20.pdf. This Form may also be obtained by contacting the Early Learning Coalition that serves the Provider's county or by calling the Office of Early Learning at 1(866)357-3239~~.

~~(2) Funding. A coalition may not submit a provider's or school's enrollment to the Agency for Workforce Innovation for purposes of advance payment for services under the VPK program unless the provider or school has executed the provider agreement and the agreement is received by the coalition. In addition, a provider or school shall not be paid for services delivered before the executed agreement is submitted to the coalition.~~

(b)~~(3) Amendments.~~ A coalition may enter into a ~~Each amendment to the~~ provider agreement that omits, supplements, or amends the terms and conditions of Form AWI-VPK 20, if:

1. The coalition submits the agreement to the Office of Early Learning of the Agency for Workforce Innovation ~~(Form AWI-VPK-20 – Statewide Provider Agreement) must be provided~~ in writing, dated, and signed by ~~both~~ the coalition and the private provider or public school; and

2. The Deputy Director for Early Learning approves the agreement. ~~Each amendment must also be approved by the Agency for Workforce Innovation, Office of Early Learning.~~

Specific Authority 1002.79(2) FS. Law Implemented 1002.55(3)(g), 1002.61(7)(a), 1002.63(8)(a), 1002.75 FS. History–New _____.

60BB-8.400 VPK ~~Program~~ Class Sizes; Blended Classes; Multi-Class Groups ~~and Composition~~.

(1) Blended classes.

(a) A private ~~prekindergarten~~ provider or public school may organize a ~~its~~ VPK class ~~classes~~ as a blended class ~~classes~~, instructing children ~~teaching students~~ enrolled in the VPK program together with children ~~who are~~ not enrolled in the program.

(b) A blended class may include children of any age. A private provider or public school,~~;~~ however, may not organize a blended class in a ~~these~~ multi-age arrangement that prevents the provider or school from implementing a developmentally appropriate curriculum in accordance with Section 1002.67(2)(b) ~~arrangements must not conflict with the provider's or school's obligations under Sections 1002.55, 1002.61, and 1002.63~~, F.S.

(2) Minimum class size. A ~~Each~~ VPK class must be composed of at least four children ~~students~~ enrolled in the VPK program.

(a) An early learning coalition, or contractor acting on behalf of the coalition, may not issue ~~To receive~~ the initial prepayment ~~advance payment~~ for a VPK class unless~~,~~ at least four children in the class are enrolled in the VPK program ~~students must be enrolled for the class~~.

(b) A private provider or public school does not violate the minimum class size, if:

1. Fewer ~~fewer~~ than four children enrolled in the VPK program ~~students~~ attend a VPK class on a particular day; or~~.~~

2. After the initial prepayment is issued ~~advance payment for a class, the provider or school does not violate the minimum class size if~~ fewer than four children in a VPK class ~~students~~ remain enrolled in the VPK program ~~for the class~~ (e.g., withdrawals).

(c) If ~~However, if~~ a VPK ~~student's~~ class is composed of four or fewer children enrolled in the VPK program ~~students~~, the private provider or public school may not dismiss from the class a child enrolled in the program, ~~the student~~ unless:

1.~~(a)~~ The private provider or public school documents in writing the child's ~~student's~~ noncompliance with the ~~applicable~~ conduct or attendance policies of the provider or school district, as applicable; and

2.~~(b)~~ The private provider or public school submits ~~the~~ documentation of the child's noncompliance to the ~~early learning~~ coalition or contractor within 3 ~~the coalition's designee not more than three~~ business days after the child's dismissal ~~student is dismissed~~.

(3) Maximum class size. A ~~Each~~ VPK class may ~~must~~ not exceed 18 children ~~students~~ for a ~~the~~ school-year program or 10 children ~~students~~ for a ~~the~~ summer program. ~~Both~~ Children enrolled in the VPK program, and children not enrolled in the program, ~~students and Non-VPK students~~ are both counted toward the 18-child or ~~18-student and~~ 10-child maximum class size ~~10-student maximums~~. A VPK class may not exceed the maximum class size in enrollment or ~~in daily~~ attendance on a particular day.

(4) Multi-class group ~~groups~~. A private provider or public school may instruct ~~teach~~ two or more VPK classes as one group in a single classroom. ~~However, a provider or school must remain in compliance with the appropriate staff-to-children ratio, square footage per child, or other state or local requirements.~~ A ~~Each~~ VPK class within a multi-class group may not exceed the maximum class size described in subsection (3)~~:~~

(5) Compliance with other requirements. This rule does not allow a private provider or public school to exceed a staff-to-children ratio, square footage per child, licensing requirement under subsections 402.301-402.319, F.S., or other state or local requirement.

~~(a) May not exceed 18 students for the school year program or 10 students for the summer program;~~

~~(b) Must have a prekindergarten instructor for each class; and~~

~~(c) If the class has 11 or more students, must have a second adult instructor.~~

Specific Authority 1002.79(2) FS. Law Implemented 1002.55(3)(e), 1002.61(6),1002.63(7) FS. History–New _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums, and Mobile Homes

RULE NO.:	RULE TITLE:
61B-23.0021	Regular Elections; Vacancies Caused by Expiration of Term, Resignations, Death; Election Monitors

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)l., F.S., published in Vol. 32, No. 18, May 5, 2006, issue of the Florida Administrative Weekly.

NOTE: The add/delete coding shown on the following changes reflects changes from text as proposed rather than amendments from current Florida Administrative Code.

Subsection 61B-23.0021(4) is amended to read:

(4) The first notice of the date of the election, which is required to be mailed, electronically transmitted, or delivered not less than 60 days before a scheduled election, must contain the name and correct mailing address of the association. Failure ~~The failure~~ to ~~mail or deliver to the eligible voters at the addresses indicated in the official records the first~~ follow the procedures for giving the first notice of the date of the election ~~not less than 60 days before a scheduled election~~ shall require the association to conduct a new election, if the election has been conducted. Where the election has not occurred, the association shall mail, transmit, or deliver an amended first notice to the eligible voters, which shall explain the need for the amended notice, not less than 60 days before the scheduled election. If an amended notice cannot be mailed, transmitted or delivered not less than 60 days before the election, then the association must re-notice and reschedule the election ~~render any election so held null and void~~.

Subsection 61B-23.0021(7) is amended to read:

(7) Upon the timely request of a candidate as set forth in this paragraph, the association shall include, with the second notice of election described in subsection (8) below, a copy of an information sheet which may describe the candidate's background, education, and qualifications as well as other factors deemed relevant by the candidate. The information contained therein shall not exceed one side of the sheet which shall be no larger than 8 1/2 inches by 11 inches. Any candidate desiring the association to mail or personally deliver copies of an information sheet to the eligible voters must furnish the information sheet to the association not less than 35 days before the election. If two or more candidates consent in writing, the association may consolidate into a single side of a page the candidate information sheets submitted by those candidates. The failure of an association to mail, transmit or personally deliver a copy of a timely delivered information sheet of each eligible candidate to the eligible voters shall require the association to mail, transmit, or deliver an amended second notice, which shall explain the need for the amended notice and include the information within the time required by this rule. If an amended second notice cannot be timely mailed, transmitted or delivered, the association must re-notice and reschedule the election ~~render any election so held null and void~~. If the election has already been conducted, the association shall conduct a new election. No association shall edit, alter, or otherwise modify the content of the information sheet. The original copy provided by the candidate shall become part of the official records of the association.

Subsection 61B-23.0021(9) is amended to read:

(9) The written ballot shall indicate in alphabetical order by surname, each and every unit owner or other eligible person who desires to be a candidate for the board of administration and who gave written notice to the association not less than 40 days before a scheduled election, unless such person has, prior to the mailing of the ballot, withdrawn his candidacy in writing. The failure of the written ballot to indicate the name of each eligible person shall require the association to mail, transmit, or deliver an amended second notice, which shall explain the need for the amended notice and include a revised ballot with the names of all eligible persons within the time required by this rule. If an amended second notice cannot be timely mailed, transmitted or delivered, then the association must re-notice and reschedule the election ~~render any election so held null and void~~. If the election has already been held, under these circumstances the association shall conduct a new election. No ballot shall indicate which candidates are incumbents on the board. No write-in candidates shall be permitted. No ballot shall provide a space for the signature of or any other means of identifying a voter. Except where all voting interests in a condominium are not entitled to one whole vote, (fractional voting), or where all voting interests are not entitled to vote for every candidate (class voting), all ballot forms utilized by a condominium association, whether those mailed to voters or those cast at a meeting, shall be uniform in color and appearance. In the case of fractional voting, all ballot forms utilized for each fractional vote shall be uniform in color and appearance. And in class voting situations, within each separate class of voting interests all ballot forms shall be uniform in color and appearance.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.:	RULE TITLES:
61D-14.044	Identification of Program Storage Media, and Slot Machine Technical Requirements
61D-14.047	Facility Based Monitoring System and Computer Diagnostics
61D-14.074	Security Requirements, System Access, and Firewalls

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule referenced above in accordance with subparagraph 120.54(3)(d)1., Florida Statutes, published in Vol. 32, No. 17, April 28, 2006, issue of the Florida Administrative Weekly. The changes are in response to written comments received from interested parties in the pari-mutuel industry, and comments made at a public rule hearing on May 23, 2006.

61D-14.044 Identification of Program Storage Media, and Slot Machine Technical Requirements.

(1) through (2) No change.

(3) The control program shall authenticate all files that are critical to the accurate operation of the slot machine ("critical files") by employing a hashing algorithm with non-EPROM based slot machines; and a kobetron signature with EPROM

based slot machines which produces a "message digest" output of at least 128 bits at minimum, as certified by the licensed independent test laboratory. The message digest(s) shall be stored on a memory device within the slot machine. Message digests which reside on any other medium shall be encrypted, using a public/private key algorithm with a minimum of a 768 bit key or an equivalent encryption algorithm with similar security certified by the licensed independent test laboratory.

(4) The slot machine shall authenticate all critical files against the stored message digest(s), as required in (3), above. In the event of a failed authentication after the slot machine has been powered up, the slot machine shall immediately enter an error condition with a tower light signal activation and record the details including time and date of the error in the facility based monitoring system ~~a log~~. This error shall require supervisor intervention to clear. The slot machine shall display specific error information and shall not clear until the file authenticates, following the supervisor intervention, or the medium is replaced or corrected.

(5) through (7) No change.

(a) Have the ability to retain data for a minimum of thirty (30) days after power is removed from the slot machine. If a rechargeable battery is used, t~~T~~he battery used to retain power shall recharge itself to its full potential in a maximum of twenty-four (24) hours. The shelf life of the battery used shall be at least five (5) years;

(b) through (10) No change.

(11) Slot machines shall be capable of detecting and displaying error conditions and illuminating the tower light for each slot machine. Play of the slot machine shall cease, and the slot machine shall maintain an internal record if the error is for:

(a) Loss of communication with the facility based monitoring system for longer than 90 minutes;

(b) No change.

(c) ROM error, except that if the ROM error disables the tower light, the tower light illumination requirement does not have to be met;

(d) through (15) No change.

Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(c), (1)(d), (1)(e), (1)(f) FS. History–New _____.

61D-14.047 Facility Based Monitoring System and Computer Diagnostics.

(1) through (6)(a) No change.

(b) Encryption of accounting data communications.

(7) through (9) No change.

(10) The data contained in the facility based monitoring system shall be backed-up daily and the backup shall be sufficient to reconstruct the entire day's activity. The backup media shall be stored for a minimum of 120 days either off-site or secured on-site in an industry standard 2-hour fire and water resistant storage device. If the data is stored off-site, the slot machine licensee shall provide the division with the address and telephone number of the off-site storage location ~~saved to a back-up file that shall be updated no less than once every eight hours. The information shall be used in the event of a system wide failure when the facility based monitoring system cannot be restarted in any other way~~. The facility based monitoring system shall only be reloaded utilizing data contained in the most recent complete back-up that contains at least the following:

(a) through (12) No change.

(13) The facility based monitoring system shall not enable the slot machine(s) for play until the control program is authenticated following receipt of any ~~handpay reset or~~ error listed in Rule 61D-14.044(11), F.A.C.

(14) No change.

Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(d), (1)(e), (1)(i), 551.104(4)(f) FS. History–New _____.

61D-14.074 Security Requirements, System Access, and Firewalls.

(1) No change.

(2) Except as provided in this section, ~~T~~the facility based monitoring system shall not allow for remote access and all~~.~~ ~~All~~ access to the facility based monitoring system shall be conducted from within the slot machine licensee's facility. A slot machine licensee shall provide in its system of internal controls a method of providing limited remote access to the facility based monitoring system for a business or person licensed as a business occupational license pursuant to Section 551.107(2)(a)3., Florida Statutes, for performance of maintenance or diagnostics of the facility based monitoring system that cannot be performed by the slot machine licensee's on-site personnel. The system of internal controls for such remote access shall provide for the following:

(a) Designation of an officer required to sign for acknowledgement of internal controls in subsection 61D-14.058(4), F.A.C., who shall be responsible for determining the need for remote access to the facility based monitoring system;

(b) The device or method through which remote access is given shall be taken offline when remote access is not required;

(c) Limited access to any device or method used to establish remote access including:

1. A list of persons authorized to modify or enable such a device or method used to establish remote access; and

2. Storage of any such device or method in a secure location that is not readily accessible to any person other than those listed under subparagraph (c)1.; and

3. A log with separate entries for each person and the dates and times when the remote access is enabled, disabled or modified.

(d) Maintenance of a log of each time remote access is provided, enabled, disabled or modified with a separate entry for each of the following:

1. The specific reason for which remote access was provided to another person or entity;

2. The name and occupational license number of the employee who authorized remote access to be provided to another person or entity;

3. The name and occupational license number of the employee of the slot machine licensee who established a remote access connection to the person or entity, if such employee is different from the employee provided in subparagraph (d)2.;

4. The name and occupational license number of the person and entity with whom remote access is established. If remote access is provided to an employee of a business occupational licensee, the name and occupational license number of both the employee and the business entity shall be entered on the log;

5. The date and time that remote access is established; and

6. The date and time that remote access is terminated.

(e) A written report to be provided to the division in no less than 24 hours after the remote access has been completed which shall include:

1. The reason that remote access was provided, enabled, disabled or modified;

2. The name of the employee of the slot machine licensee that authorized the remote access;

3. The name of the slot machine employee who established the remote access on behalf of the slot machine licensee;

4. The name of the person and entity with whom remote access was established;

5. The date and time remote access was established and concluded; and

6. A narrative report that shall describe:

a. Each component of the facility based monitoring system that was accessed; and

b. Whether the remote access was successful in resolving the issue described in subparagraph (d)1.

(3) Automated ticket redemption machines are only to be used for the purpose of accepting, validating and providing payment for tickets inserted, or converting bills into smaller denominations. Automated ticket redemption machines shall not incorporate other functions. Automated ticket redemption machines shall use a communication protocol that shall not permit the automated ticket redemption machine to write directly to the system database and only process payments based on commands from the system. Automated ticket redemption machines shall meet the slot machine hardware requirements for security and player safety, as set forth in Rule 61D-14.022-044, F.A.C.

(4) through (10) No change.

(11) A business occupational licensee who provides maintenance or diagnostic services under this section for a slot machine licensee by remote access shall maintain a log each time remote access is provided by a slot machine licensee with a separate entry for each of the following:

(a) The specific slot machine licensee;

(b) The name and occupational license number of the employee of the slot machine licensee who requested remote access;

(c) The name and occupational license number of the employee of the slot machine licensee who established a remote access connection to the business occupational license, if such employee is different from the employee provided in paragraph (11)(b);

(d) The name and occupational license number of the employee of the business occupational license who provides services to the slot machine licensee by remote access;

(e) The date and time that remote access is established; and

(f) The date and time that remote access is terminated.

(12) A written report shall be provided by a business occupational licensee that performs maintenance or diagnostic services under (11) to the division at the division's office located at the slot machine licensee's facility to whom services were provided by remote access. The report shall be postmarked for no less than 24 hours after the remote access has been completed which shall include:

(a) The reason that remote access was provided;

(b) The name of the employee of the slot machine licensee that authorized the access;

(c) The name of the slot machine employee who established the remote access on behalf of the slot machine licensee;

(d) The name of the person and entity with whom remote access was established;

(e) The date and time remote access was established and concluded; and

(f) A narrative report that shall describe:

1. Each component of the facility based monitoring system that was accessed; and

2. Whether the remote access was successful in resolving the issue described in subparagraph (2)(d)1.

Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(d), (1)(g), (1)(i) FS. History–New _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.:	RULE TITLE:
61G3-19.011	Barbershop Requirements

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.32, No.13, of the March 31, 2006, 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 May 15, 2006, voted to make changes to the rule to address the JAPC concerns. The changes are as follows:

Rule 61G3-19.011(6) should read as follows: "The barber shop must have one or more shampoo bowls equipped with hot and cold running water. The shampoo bowls shall be located in the area where barbering services are performed."

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0783.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: RULE TITLE:
64B19-14.003 Reactivation of Retired Status Licenses

SECOND 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. 32, No. 10, of the March 10, 2006, issue of the Florida Administrative Weekly. The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. A Notice of Change was published for this rule in Vol. 32, No. 21, of the May 26, 2006 F.A.W. The following change was inadvertently omitted from the previous Notice of Change. The change is as follows:

1. Paragraph (2)(b) shall now read: "Paying the reactivation fee set out in Rule 64B19-12.006, F.A.C.;"

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan K. Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3255.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: RULE TITLE:
64B19-18.001 Qualifications to Evaluate and Treat Sex Offenders Under Qualified Practitioner" Status

CORRECTED NOTICE OF PUBLIC HEARING

The Board of Psychology hereby gives notice of a change in the date of the public hearing on the above-referenced proposed rule which published in Vol. 32, No. 13, of the March 31, 2006 F.A.W. The hearing has been rescheduled to Friday, July 28, 2006, at 2:00 p.m., or as soon thereafter as can be heard, at the Hyatt Regency Orlando International Airport, 9300 Airport Boulevard, Orlando, Florida 32827. Notice of the proposed rule was originally published in Vol. 32, No. 2, of the January 13, 2006, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan K. Love, Executive Director, Board of Physical Therapy Practice/MQA, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3255.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: RULE TITLE:
64B19-18.001 Qualifications to Evaluate and Treat Sex Offenders as a "Qualified Practitioner"

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. 32, No. 2, of the January 13, 2006, issue of the Florida Administrative Weekly. The changes are in response to public comments received on the rule. The Board discussed this rule at its telephone conference meeting held on June 16, 2006. The Board voted to change the rule to read as follows:

64B19-18.001 Qualifications to Evaluate and Treat Sex Offenders as a "Qualified Practitioner".

Prior to holding oneself out as a "Qualified Practitioner," eligible to evaluate and treat sex offenders, complete a "risk assessment" or prepare a "safety plan," as defined in Sections 947.005(9), (10), (11), and 948.001(6), (7), (8), Florida Statutes, a Florida licensed psychologist must:

(1) Possess 55 hours of education (based on the formula: one doctoral hour equals 10 education hours and one continuing education hour equals one education hour) in any combination of the following core areas:

(a) Theory and research regarding the etiology of sexual deviance;

(b) Theory and research regarding evaluation, risk assessment and treatment of sex offenders;

(c) Theory and research regarding evaluation, risk assessment and treatment of specialized populations of sex offenders (i.e., the female and developmentally delayed);

(d) Theory and research regarding physiological measures of sexual arousal;

(e) Safety planning/Family safety planning; and

(f) Legal and ethical issues in the evaluation and treatment of sex offenders.

(2) Possess 2,000 hours of supervised experience in the evaluation and treatment of sex offenders.

(3) Those licensees who are able to demonstrate 2,000 hours of practice and treatment of sex offenders during the five years immediately prior to January 1, 2006, shall be deemed to meet all the requirements of this rule.

Specific Authority 947.005(9), 948.001(6), 490.004(4) FS. Law Implemented 947.005(9), 948.001(6) FS. History–New_____.

The Board will be holding a public hearing on this rule on July 28, 2006, in Orlando, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan K. Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3255.

FLORIDA HOUSING FINANCE CORPORATION

RULE CHAPTER NO.: RULE CHAPTER TITLE:
67-38 Predevelopment Loan Program

NOTICE OF WITHDRAWAL

Notice is hereby given that the above Notice of Proposed Development regarding the above rule, as noticed in Vol. 32, No. 25, June 23, 2006, Florida Administrative Weekly, has been withdrawn.

Section IV
Emergency Rules

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."

STATE BOARD OF ADMINISTRATION

RULE NO.: RULE TITLE:
19ER06-04 (19-8.013) Revenue Bonds Issued Pursuant to Section 215.555(6), F.S.

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC, HEALTH, SAFETY OR WELFARE: On May 31, 2006, Emergency Rule 19ER06-2, (19-8.013) Revenue Bonds Issued Pursuant to Section 215.555(6), F.S. was approved for filing by the Governor and Cabinet and was filed and became effective. Subsequently, it was determined that an additional change was needed to provide that reimbursement premiums received in the Contract Years 2007-2008 and thereafter are available to secure the bonds issued on behalf of the Florida Hurricane Catastrophe Fund ("FHCF") by the Florida Hurricane Catastrophe Finance Corporation ("Corporation"). This emergency Rule 19ER06-4, includes all the changes made by emergency Rule 19ER06-2. The primary difference is that in this emergency rule, the following sentence in paragraph (4)(c)2. is amended:

Amounts collected in Contract Year 2006-2007 as part of the premium that are attributable to the rapid cash buildup factor, as permitted by Section 215.555(5)(b), F.S., may be used to pay for losses attributable to prior Contract Years.

REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES: Amending the sentence immediately above places the FHCF back into the position it has been since the time the rapid cash build-up was authorized in 2002, through May 10, 2006, when Rule 19-8.013, F.A.C., was amended to allow the rapid cash build-up portion of the reimbursement premiums to be used to pay past losses. The FHCF has never used a rapid cash build-up and has provided in all Reimbursement Contracts and in Rule 19-8.013, F.A.C. that reimbursement premiums (of which any rapid cash build-up would be a part) would not be used to pay losses from years prior to the year in which the premium is attributable. The tremendous losses during the 2004 and 2005 hurricane season prompted the FHCF to amend Rule 19-8.013, F.A.C. to allow for the use of the rapid cash build-up factor to be used to pay losses from years prior to the year in which the rapid cash build-up was attributable.

The FHCF is currently involved in issuing bonds to raise funds to pay past losses and emergency rule 19ER06-2 was filed to assist in this process. It was learned subsequent to the filing of this emergency rule that, due to federal tax reasons related to the bonding and to secure the bonds, an additional emergency rule was needed to amend the sentence, quoted above, that allowed the use of that portion of the reimbursement premiums attributable to the rapid cash build-up to be used to pay past losses.

All of the changes, except the amended sentence immediately above, were addressed during a regularly scheduled meeting of the FHCF Advisory Council on May 11, 2006. The meeting, which was open to the public, was noticed on the FHCF