

Specific Authority 456.079, 468.365(4) FS. Law Implemented 456.072, 468.365 FS. History--New 4-29-85, Formerly 21M-37.01, 21M-37.001, Amended 1-3-94, Formerly 61F6-37.001, 59R-74.001, 64B8-74.001, Amended 5-5-02, 12-5-04, 5-15-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Respiratory Care
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Respiratory Care
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 14, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 15, 2006

Section III
Notices of Changes, Corrections and Withdrawals

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

RULE NOS.:	RULE TITLES:
25-17.0832	Firm Capacity and Energy Contracts
25-17.200	Application and Scope
25-17.210	Definitions
25-17.220	Qualifying Criteria
25-17.230	The Utility's Obligation to Purchase and Sell
25-17.240	Negotiated Contracts
25-17.250	Standard Offer Contracts
25-17.260	Subscription Limits
25-17.270	Changes in Environmental and Governmental Regulations
25-17.280	Tradable Renewable Energy Credits (TREC's)
25-17.290	Imputed Debt Equivalent Adjustments
25-17.300	Reporting
25-17.310	Dispute Resolution

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. 41, October 13, 2006 issue of the Florida Administrative Weekly.

Docket No. 060555-EI

Strike the rule text as published and replace with the following:

PART III UTILITIES' OBLIGATIONS WITH REGARD TO COGENERATORS AND SMALL POWER PRODUCERS

25-17.0832 Firm Capacity and Energy Contracts.

(1) through (3) No change.

(4) Standard Offer Contracts.

(a) Upon petition by a utility or pursuant to a Commission action, each public utility shall submit for Commission approval a tariff or tariffs and a standard offer contract or contracts for the purchase of firm capacity and energy from small qualifying facilities. In lieu of a separately negotiated contract, standard offer contracts are available to the following types of qualifying facilities:

~~1. A small power producer or other qualifying facility using renewable or non-fossil fuel where the primary energy source in British Thermal Units (BTUs) is at least 75 percent biomass, waste, solar or other renewable resource;~~

~~2. A qualifying facilityies, as defined by subsection 25-17.080(3), F.A.C., with a design capacity of 100 kW or less; or~~

~~3. A municipal solid waste facility as defined by Rule 25-17.091, F.A.C.~~

(b) through (8)(c) No change.

Specific Authority 350.127, 366.05(1) FS. Law Implemented 366.051, 366.81 FS. History--New 10-25-90, Amended 1-7-97, 5-18-03,_____.

PART IV UTILITIES' OBLIGATIONS WITH REGARD TO RENEWABLE GENERATING FACILITIES

25-17.200 Application and Scope.

The purpose of these rules is to promote the development of renewable energy; protect the economic viability of Florida's existing renewable energy facilities; diversify the types of fuel used to generate electricity in Florida; lessen Florida's dependence on natural gas and fuel oil for the production of electricity; minimize the volatility of fuel costs; encourage investment within the state; improve environmental conditions; and, at the same time, minimize the costs of power supply to electric utilities and their customers. Unless otherwise stated, these rules apply to all investor-owned utilities.

Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 366.051, 366.81, 366.91, 366.92 FS. History--New _____.

25-17.210 Definitions.

For purposes of these rules:

(1) "Renewable Generating Facility" means an electrical generating unit or group of units at a single site, interconnected for synchronous operation and delivery of electricity to an electric utility, where the primary energy in British Thermal Units (BTUs) used for the production of electricity is from one or more of the following sources: hydrogen produced from sources other than fossil fuels, biomass, solar energy,

geothermal energy, wind energy, ocean energy, hydroelectric power, or waste heat from a commercial or industrial manufacturing process.

(2) "Biomass" means a fuel source that is comprised of, but not limited to, combustible residues or gases from forest products manufacturing, agricultural and orchard crops, waste products from livestock and poultry operations and food processing, urban wood waste, municipal solid waste, municipal liquid waste treatment operations, and landfill gas.

(3) "Full Avoided Costs," as defined in Section 366.051, Florida Statutes, means the incremental costs to the purchasing utility of the electric energy or capacity, or both, which, but for the purchase from a renewable generating facility, such utility would generate itself or purchase from another source.

(4) "Investor-owned utility" shall have the same meaning as Section 366.02(1), Florida Statutes.

(5) "Electric utility" shall have the same meaning as Section 366.02(2), Florida Statutes.

Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 366.051, 366.81, 366.91, 366.92 FS. History–New _____.

25-17.220 Qualifying Criteria.

For purposes of these rules, a renewable generating facility shall be deemed a qualifying facility pursuant to subsection 25-17.080(1), F.A.C., and shall have all the rights, privileges, and responsibilities specified in Rules 25-17.082 through 25-17.091, F.A.C.

Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 366.051, 366.81, 366.91, 366.92 FS. History–New _____.

25-17.230 The Utility's Obligation to Purchase and Sell.

(1) Each investor-owned utility shall purchase electricity produced and sold by renewable generating facilities at rates that have been agreed upon by the utility and renewable generating facility or at the utility's published tariff. Each investor-owned utility shall file a tariff or tariffs and a standard offer contract or contracts for the purchase of energy or capacity, or both, from renewable generating facilities that reflects the provisions set forth in these rules.

(2) Each investor-owned utility's tariff or standard offer contract shall specify the metering requirements for billing purposes in accordance with subsections 25-17.082(2) and (3), F.A.C.

(3) Each investor-owned utility shall interconnect with any renewable generating facility in accordance with Rule 25-17.087, F.A.C.

(4) Each investor-owned utility shall sell energy to renewable generating facilities in accordance with Rule 25-17.084, F.A.C.

(5) Each investor-owned utility shall provide, upon request by a renewable generating facility, transmission service to wheel as-available energy or firm energy and capacity

produced by the renewable generating facility from the renewable generating facility to another electric utility in accordance with Rule 25-17.0889, F.A.C.

Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 366.051, 366.81, 366.91, 366.92 FS. History–New _____.

25-17.240 Negotiated Contracts.

(1) Investor-owned utilities and renewable generating facilities are encouraged to negotiate contracts for the purchase of firm capacity and energy to avoid or defer construction of planned utility generating units and provide fuel diversity, fuel price stability, and energy security.

(2) Negotiated contracts will be considered prudent for cost recovery purposes if it is demonstrated by the investor-owned utility that the purchase of firm capacity and energy from the renewable generating facility pursuant to the rates, terms, and other conditions of the contract can reasonably be expected to contribute towards the deferral or avoidance of additional capacity construction or other capacity-related costs by the purchasing utility and provide fuel diversity, fuel price stability, and energy security at a cost to the utility's ratepayers which does not exceed full avoided costs, giving consideration to the characteristics of the capacity and energy to be delivered by the renewable generating facility under the contract.

Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 366.051, 366.81, 366.91, 366.92 FS. History–New _____.

25-17.250 Standard Offer Contracts.

(1) Standard Offer Contract. In addition to the requirements contained in Rules 25-17.082 through 25-17.091, F.A.C., each investor owned utility shall, by April 1 of each year, file with the Commission a standard offer contract or contracts for the purchase of firm capacity and energy from renewable generating facilities and small qualifying facilities with a design capacity of 100 kW or less. A separate standard offer contract shall be based on the next avoidable fossil fueled generating unit of each technology type identified in the utility's Ten-Year Site Plan filed pursuant to Rule 25-22.071, F.A.C. Each standard offer contract based on each of the utility's avoidable units shall be consistent with the requirements of subsections 25-17.0832(4), (5) and (6), F.A.C., except as modified by this rule. Each investor-owned utility with no planned generating unit identified in its Ten-Year Site Plan shall submit a standard offer based on avoiding or deferring a planned purchase.

(2) Continuous Offers.

(a) In order to ensure that each utility continuously offers a purchase contract to producers of renewable energy, each standard offer contract shall remain open until:

1. A request for proposals (RFP) pursuant to Rule 25-22.082, F.A.C., is issued for the utility's planned generating unit; or

2. The utility files a petition for a need determination or commences construction for generating units not subject to Rule 25-22.082, F.A.C.

3. The generating unit upon which the standard offer contract was based is no longer part of the utility's generation plan, as evidenced by a petition to that effect filed with the Commission or by the utility's most recent Ten Year Site Plan.

(b) Before a standard contract offering is closed, the utility shall file a petition for approval of a new standard offer contract based on the next unit of the same generating technology, if any, in its Ten-Year Site Plan. If no generating unit of the same technology is in the utility's Ten-Year Site Plan, the utility shall notify the Director of the Division of Economic Regulation prior to closing a standard offer.

(3) Term. At the election of the renewable generating facility, the term of each standard offer contract shall be for a minimum of 10 years from the in-service date of the avoided unit up to a maximum of the life of the avoided unit.

(4) Capacity Payments Options. In addition to the capacity payment options contained in paragraph 25-17.0832(4)(g), F.A.C., and subject to the provisions of paragraphs 25-17.0832(3)(a) through (d), F.A.C., a renewable generating facility may elect a payment stream for the capital component of the utility's avoided unit, including front-end loaded capacity payments, that best meets the financing requirements of the renewable generating facility. Early capacity payments consisting of the capital component of the avoided unit may, at the election of the renewable generating facility, commence any time after the actual in-service date of the renewable generating facility and before the anticipated in-service date of the utility's avoided unit. Regardless of the payment stream elected by the renewable generating facility, the cumulative present value of capital cost payments made to the renewable generating facility over the term of the contract shall not exceed the cumulative present value of the capital cost payments which would have been made to the renewable generating facility had such payments been made pursuant to subparagraph 25-17.0832(4)(g)1., F.A.C. Fixed operation and maintenance expense shall be calculated in conformance with subsection 25-17.0832(6), F.A.C.

(5) Content. Unless otherwise modified by these rules, the contents of each standard offer contract shall be in accordance with subsection 25-17.0832(4), F.A.C.

(6) Fixed Energy Payments. In order to facilitate third-party financing of renewable generating facilities and provide fuel price stability to electric ratepayers, upon request by a renewable generating facility, each investor-owned utility shall provide for the following fixed energy payment options:

(a) As-available energy payments. As-available energy payments made prior to the in-service date of the avoided unit shall be based on the utility's year-by-year projection of system incremental fuel costs, prior to hourly economy energy sales to other utilities, based on normal weather and fuel market

conditions plus a fuel market volatility risk premium mutually agreed upon by the utility and the renewable generating facility.

(b) Firm energy payments. Subsequent to the determination of full avoided cost and subject to the provisions of paragraphs 25-17.0832(3)(a) through (d), F.A.C., a portion of the base energy costs associated with the avoided unit, mutually agreed upon by the utility and renewable energy generator, shall be fixed and amortized on a present value basis over the term of the contract starting, at the election of the renewable generating facility, as early as the in-service date of the renewable generating facility. "Base energy costs associated with the avoided unit" means the energy costs of the avoided unit to the extent the unit would have been operated.

Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 366.051, 366.81, 366.91, 366.92 FS. History--New .

25-17.260 Subscription Limits.

There shall be no preset subscription limits for the purchase of capacity and energy from renewable generating facilities. To the extent that the purchase of capacity and energy from a renewable generating facility is not needed for reliability or will increase costs to the general body of ratepayers above full avoided cost, the utility shall petition the Commission for relief. In any such proceeding, the Commission shall determine the need for power and the utility's full avoided cost, including strategic benefits such as fuel diversity and energy security, that are in the best interests of the general body of ratepayers.

Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 366.051, 366.81, 366.91, 366.92 FS. History--New .

25-17.270 Changes in Environmental and Governmental Regulations.

All contracts for the purchase of capacity and energy from a renewable generating facility shall include a provision to reopen the contract, at the election of either party, limited to changes affecting the utility's full avoided costs of the unit on which the contract is based as a result of new environmental and other regulatory requirements enacted during the term of the contract.

Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 366.051, 366.81, 366.91, 366.92 FS. History--New .

25-17.280 Tradable Renewable Energy Credits (TREC)s.

Tradable renewable energy credits and tax credits shall remain the exclusive property of the renewable generating facility. A utility shall not reduce its payment of full avoided costs or place any other conditions upon such government incentives in a negotiated or standard offer contract, unless agreed to by the renewable generating facility.

Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 366.051, 366.81, 366.91, 366.92 FS. History--New .

25-17.290 Imputed Debt Equivalent Adjustments.

An investor-owned utility shall not impose any imputed debt equivalent adjustments (equity adjustments) to reduce the avoided costs paid to a renewable generating facility unless the utility has demonstrated the need for the adjustment and obtained the prior approval of the Commission.

Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 366.051, 366.81, 366.91, 366.92 FS. History–New _____.

25-17.300 Reporting.

Each electric utility shall report, by April first of each year, the following information, actual and projected:

(1) The total megawatts and percentage of each utility’s total capacity mix comprised of renewable generating capacity.

(2) The total megawatt-hours and percentage of each utility’s net energy for load and fuel mix of energy purchased from renewable generation.

(3) The total megawatts and megawatt-hours of self-service generation by renewable generation.

Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 366.04(5), 366.05(7) FS. History–New _____.

25-17.310 Dispute Resolution.

(1) The purpose of this rule is to establish an expedited process for resolution of disputes between renewable generating facilities and investor-owned utilities.

(2) To be considered for an expedited proceeding, the companies involved in the dispute must have attempted to resolve their dispute either through negotiation or by seeking mediation from an independent third party or Commission staff.

(3) Subject to subsection (2) of this rule, any party negotiating an agreement under this Part may, at any point in the negotiation, petition the Commission to resolve any differences arising in the course of the negotiation. The petition shall contain, at a minimum:

(a) An overview of the issues discussed and resolved by the parties;

(b) The unresolved issues;

(c) The position of each of the parties with respect to each unresolved issue;

(d) All relevant documentation concerning each unresolved issue.

(4) A party petitioning the Commission under subsection (1) shall provide a copy of the petition and any other documentation accompanying the petition to the other party or parties not later than the day on which the petition is filed with the Commission. A non-petitioning party may respond to the petition and provide additional information within 30 days after the petition is filed with the Commission.

(5) The Commission will require the petitioning party and the responding party to provide additional information if it determines the additional information is necessary for the

Commission to reach a decision on the unresolved issues. If any party refuses or fails to respond on a timely basis to any request from the Commission, then the Commission shall proceed on the basis of the best information available to it from whatever source derived.

(6) The Commission will resolve each issue set forth in the petition and the response, if any, in an expedited manner, normally within 90 days unless waived by the parties or on the Commission’s own motion. The Commission shall base its decision on whether the provision in dispute will encourage the development of renewable generation in the State and is in the best interests of the purchasing utility’s general body of ratepayers pursuant to the provisions of this Part.

Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 366.051, 366.076, 366.81, 366.91, 366.92 FS. History–New _____.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.725
 RULE TITLE: Permissible Items for Visitors

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. 47, (November 22, 2006), issue of the Florida Administrative Weekly:

33-601.725 Permissible Items for Visitors.

(1) Visitors shall be allowed to bring only authorized items listed into any department facility. Entry shall be denied if the visitor attempts to enter the institution or facility while possessing any unauthorized item or any authorized item in more than the approved amounts. Authorized items shall be removed by the visitor at the end of the visit. Authorized items include:

(a) through (b) No change.

(c) Vehicle keys necessary to operate a motor vehicle. However, keyless entry devices are not permitted unless ~~approved by the duty warden or designee~~ visually inspects the keyless entry device and determines that the device is the only means for the visitor to access a motor vehicle and does not pose a threat to institutional security.

(d) through (j) No change.

Specific Authority 944.09, 944.23 FS. Law Implemented 20.315, 944.09, 944.23, 944.47, 944.8031 FS. History–New 11-18-01, Amended 5-27-02, 7-1-03, 12-30-03, 11-25-04, _____.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.737
 RULE TITLE: Visiting – Forms

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. 47, (November 22, 2006), issue of the Florida Administrative Weekly:

Item (4.1.2) of Form DC6-111B, Visitor Information Summary, is being amended to provide that keyless entry devices are not permitted by visitors unless the duty warden or designee visually inspects the keyless entry device and determines that the device is the only means for the visitor to access a motor vehicle and does not pose a threat to institutional security.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-4.091
 RULE TITLE: Publications and Agreements Incorporated by Reference

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. 44, November 3, 2006 issue of the Florida Administrative Weekly. The District is designating the effective date of the revised and updated Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., Between South Florida Water Management District and Department of Environmental Protection, incorporated by reference in paragraph 40D-4.091(2), F.A.C., to be July 1, 2007.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-3.255
 RULE TITLE: Emergency Care

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 29, No. 36, September 5, 2003 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE NOS.: 60BB-3.011, 60BB-3.012, 60BB-3.013, 60BB-3.015, 60BB-3.016, 60BB-3.017, 60BB-3.018, 60BB-3.019, 60BB-3.020, 60BB-3.021
 RULE TITLES: Definitions, General Information, Filing Initial and Additional Claims; Reopening Previously Filed Claims, Continued Claims for Benefits, Monetary Determinations, Nonmonetary Determinations, Determinations of Charges to an Employer's Account in Connection with a Claim for Benefits, Determinations Regarding Suitable Work, Determination Regarding Discharge for Misconduct, Determinations Regarding Claimant's Ability to Work and Availability for Work

60BB-3.022 Determinations Regarding Approved Training
 60BB-3.024 Short-Time Compensation Plan Application
 60BB-3.028 Profiling and Re-employment Services
 60BB-3.029 Public Use Forms

NOTICE OF PUBLIC HEARING

The Agency for Workforce Innovation announces a hearing regarding the above rule, as noticed in Vol. 32, No. 50, December 15, 2006, Florida Administrative Weekly.

DATE AND TIME: Thursday, February 22, 2007, 1:30 p.m. until 2:30 p.m. or until business is concluded

PLACE: The Agency for Workforce Innovation, Room B-049, Caldwell Building, 107 East Madison Street, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review proposed amendments to Chapter 60BB-3, Florida Administrative Code to more accurately reflect the current practices and functions performed by the Agency in regard to the implementation of those provisions of Chapter 443, Florida Statutes that relate to claims for unemployment benefits.

A copy of the Proposed Rules was published in the December 15, 2006, issue of the Florida Administrative Weekly (Vol. 32, No. 50) and is available online at: <http://faw.dos.state.fl.us/fawframes.html>

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least forty-eight (48) hours before the meeting by contacting: Ms. Veronica Moss at (850)245-7150 or (850)245-7160. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: 61J1-3.001
 RULE TITLE: Application by Individuals

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 37, September 15, 2006 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-312.824
 RULE TITLE: General Permit to Municipalities to Pave Existing Municipally Owned and Maintained Roads, including the Repair and Replacement of Bridges that are Part of the Roadway

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. 1, January 6, 2006 issue of the Florida Administrative Weekly.

A notice of change also was published in Vol. 32, No. 51, December 22, 2006, issue of the Florida Administrative Weekly. The changes are made in response to comments received from the Joint Administrative Procedures Committee.

62-312.824 General Permit to ~~Counties and~~ Municipalities to Pave Existing ~~County or~~ Municipally Owned and Maintained Roads, including the Repair and Replacement of Bridges that are Part of the Roadway.

A general permit is hereby granted to ~~counties and~~ municipalities to pave existing ~~county or~~ municipally owned and maintained roads that lack a permanent pavement surface, such as concrete or asphalt. This includes the repair and stabilization of such roads in preparation of paving; the repair or replacement of bridges and culverts that are part of the roadway; construction or alteration of associated stormwater management systems; other work reasonably necessary to pave the road; and the construction, alteration, operation, and maintenance of systems and works authorized under this general permit, provided all of the terms and conditions below are met.

- (1) The existing road and any associated bridges:
 - (a) Must have been constructed prior to January 1, 2002, and in continuous use as a ~~county or~~ municipally owned and maintained road (including any associated bridge or bridges) thereafter. For the purposes of this general permit, ~~county or~~ municipal ownership shall include roads that have been presumed to be dedicated in accordance with Section 95.361, F.S.; and
 - (b) No change.
 - (2) The proposed road and any bridge work, together:
 - (a) through (c) No change.
 - (d) Must be constructed, operated, and maintained within roadway and bridge right-of-way owned by the ~~county or~~ municipality, including where ownership is through presumed dedication in accordance with Section 95.361, F.S.;
 - (e) No change.
 - (f) Must not involve any more dredging or filling of surface waters of the state than is reasonably necessary to prepare the roadway for paving, including all work to repair,

extend, or replace any culverts, other drainage structures, and bridges associated with the roadway, and to construct or reconfigure surface water management systems associated with the paving. However, the amount of such dredging and filling, both temporary and permanent, must not impact more than 0.5 acre of surface waters of the state for a total and complete project, with the allowance of an additional 0.5 acre of work in roadside ditches constructed through uplands. A "total and complete project" shall consist of the total amount of work needed to pave, and prepare for paving, all unpaved segments of a single named or numbered (~~county or~~ state road number) roadway. The sum of all wetland and other surface water impacts associated with phases of paving the named or numbered roadway must not exceed the above acreage limits. However, the total acreage limits for this general permit shall not include the work conducted to prepare the roadway for paving when the preparation is done in accordance with:

- 1. through 4. No change.
 - (g) through (j) No change.
- (3) Activities conducted under this general permit must comply with the general conditions for general permits contained in Rule 62-4.540, F.A.C., and all the specific conditions in paragraphs (a) through (j), below.
 - (a) through (g) No change.
 - (h) Activities conducted and authorized by this permit must be operated and maintained by the ~~county or~~ municipality for the life of the system.
 - (i) through (j) No change.
 - (4) No change.
 - (5) Notices to use this general permit must be submitted to the Department on Form 62-312.900(6). In addition to the information required on that form, this notice must also include the materials required in paragraphs (5)(a) or (b), below.
 - (a) No change.
 - 1. A project description that describes the work to be done, including a statement signed by the responsible official in the ~~county or~~ municipality that the proposed activity will comply with the limitations in paragraph (5)(a) herein, and all the other terms and conditions of this general permit;
 - 2. through 4. No change.
 - (b) through (c) No change.
 - (6) No change.

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE NO.: 64B32-2.001
 RULE TITLE: License by Endorsement

NOTICE OF CORRECTION

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 the December 15, 2006, issue of the Florida Administrative Weekly, in Vol. 32, No. 50. The

Board held a public hearing on this rule on April 7, 2006, in Tampa, Florida, and determined a change to this rule should be made.

The changes are as follows:

(d) An applicant who has been out of the practice of respiratory care for 2 years or more must complete a Board-approved comprehensive review course in order to ensure that he or she has the sufficient skills to re-enter the profession. Board-approved comprehensive course means any course or courses which includes, at a minimum, fourteen (14) direct contact education hours in the topics and numbers of hours as follows (for the purpose of this section, home study courses are not permitted):

General respiratory care (including medication) 1 hour

Specific Authority 468.353(1), 468.358(3) FS. Law Implemented 468.358(2), (3), 468.365 FS. History—New 4-29-85, Formerly 21M-34.02, 21M-34.002, 61F6-34.002, 59R-71.002, 64B8-71.002, Amended 7-22-02, 8-28-05,_____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susie Love, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NOS.: RULE TITLES:
68A-25.002 General Provisions for Taking,
 Possession and Sale of Reptiles
68A-25.006 Possession, Exhibition and Caging
 Venomous Reptiles: Prohibited
 Species

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 1, January 5, 2007 issue of the Florida Administrative Weekly has been withdrawn.

**Section IV
Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:
53ER07-1 Instant Game Number 750, GOLD
 RUSH

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 750, "GOLD RUSH," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:


53ER07-1 Instant Game Number 750, GOLD RUSH.

(1) Name of Game. Instant Game Number 750, "GOLD RUSH."

(2) Price. GOLD RUSH lottery tickets sell for \$20.00 per ticket.

(3) GOLD RUSH lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning GOLD RUSH lottery ticket, the ticket must meet the applicable requirements of Rule 53ER06-4, F.A.C.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:

1	2	3	4	5	6	7	8	9	10
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN
11	12	13	14	15	16	17	18	19	20
ELEVN	TWELV	THRTN	FORTN	FIFTN	SIXTN	SVNTN	EGHTN	NINTN	TWENTY
21	22	23	24	25	26	27	28	29	30
THYONE	THYTWO	THYTHR	THYFOR	THYFIV	THYSIX	THYSVN	THYEGT	THYNIN	THIRTY
31	32	33	34	35	36	37	38	39	
THYONE	THYTWO	THYTHR	THYFOR	THYFIV	THYSIX	THYSVN	THYEGT	THYNIN	WIN \$500

(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:

1	2	3	4	5	6	7	8	9	10
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN
11	12	13	14	15	16	17	18	19	20
ELEVN	TWELV	THRTN	FORTN	FIFTN	SIXTN	SVNTN	EGHTN	NINTN	TWENTY
21	22	23	24	25	26	27	28	29	30
THYONE	THYTWO	THYTHR	THYFOR	THYFIV	THYSIX	THYSVN	THYEGT	THYNIN	THIRTY
31	32	33	34	35	36	37	38	39	
THYONE	THYTWO	THYTHR	THYFOR	THYFIV	THYSIX	THYSVN	THYEGT	THYNIN	