

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-11.003 Active Status Fee.

The fee for biennial renewal of an optician's active status license shall be \$150.00 ~~\$200.00~~.

Specific Authority 484.005, 484.008(1) FS. Law Implemented 484.008(1), 455.271 FS. History--New 12-6-79, Amended 6-30-82, Formerly 21P-11.03, Amended 3-30-89, 7-10-89, 7-3-91, Formerly 21P-11.003, 61G13-11.003, Amended 10-24-94, Formerly 59U-11.003, Amended 1-4-98, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Opticianry

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Opticianry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 8, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 24, 2003

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE TITLE: Definitions  
RULE NO.: 64B14-3.001

PURPOSE AND EFFECT: The Board intends to modify the level of supervision to require a greater level of supervision by qualified supervisors for certain procedures.

SUMMARY: For certain procedures, the rule requires the physical presence of the qualified supervisor during all phases of patient contact.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 456.035(1), 468.802 FS.

LAW IMPLEMENTED: 456.035(1), 468.802, 468.803, 468.805, 468.807, 468.808, 468.809 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-3.001 Definitions.

(1) through (11) No change.

(12) Direct Supervision – supervision while the qualified supervisor is on the premises. When measuring, fitting, or applying halos, immediate- post operative prosthetics, fracture

orthoses of the extremities, orthoses for the treatment of scoliosis or kyphosis, or spinal orthoses for fractures or post-surgery, the qualified supervisor must be physically present during all phases of patient contact.

(13) through (28) No change.

Specific Authority ~~456.035(1)~~, 468.802 FS. Law Implemented, ~~456.035(1)~~, 468.802, 468.803, ~~468.805~~, 468.807, 468.808, 468.809 FS. History--New 10-21-99, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Orthotists and Prosthetists

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 3, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 4, 2003

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

**DEPARTMENT OF STATE**

**Division of Elections**

RULE NO.: 1S-2.031  
RULE TITLE: Recount Procedures  
NOTICE OF CHANGE

Notice is hereby given that proposed Rule 1S-2.031 published in the F.A.W., Page 4426, Vol. 29, No. 45, on November 7, 2003, has been changed to reflect comments received from the public during the hearing held on December 1, 2003.

Changes were made to Rule 1S-2.031, F.A.C., so that it now reads:

1S-2.031 Recount Procedures.

(1) All procedures relating to machine and manual recounts shall be open to the public.

(2) At least two members of the canvassing board shall be present during all times a machine or manual recount is being conducted.

(3) All recounts are to be ordered by the board responsible for certifying the results of the race or races being recounted.

(4) As used in this rule, "undervote" means that the tabulator recorded no vote for the office or question or that the elector did not designate the number of choices allowed for the race.

(5) Machine Recounts shall be conducted as follows:

(a) The canvassing board responsible to ordering the machine recount shall be responsible for notifying the candidates or committees in the affected race or races that a machine recount will be conducted. In addition, notice of the machine recount shall be posted on the door of the public

entrance to the building where the supervisor of elections office is housed so that the notice is accessible to the public 24 hours a day.

(b) Touchscreen Ballot Recounts.

1. The county canvassing board shall be required to produce printed vote totals for the affected race or races for each voting device.

2. The county canvassing board shall verify that the total votes for the recounted race or races taken from the printed vote totals for each voting device are the same as the total votes shown on the county totals from election night. If there is a discrepancy, the county canvassing board shall investigate and resolve the discrepancy.

(c) Optical Scan Ballot Recounts.

1. Prior to the machine recount being conducted, the tabulating equipment being used in the recount must be tested pursuant to the provisions of s. 101.5612, F.S. The canvassing board is not required to use the same tabulating equipment that ballots were originally tabulated on.

2. Following the machine recount, the tabulating equipment that was used in the machine recount must be tested pursuant to the provisions of s. 101.5612, F.S. If the test shows no error, the results of the machine recount shall be deemed correct. If the test indicates an error, the canvassing board shall correct the error and repeat the machine recount.

3. Procedure when only one race is being recounted or where more than one race is being recounted and the voting system will allow for the sorting of overvotes and undervotes in more than one race at the same time:

a. The supervisor of elections shall change the election parameters so that only the recounted race or races will be tabulated and so that ballots containing overvotes and undervotes in the recounted race or races can be sorted from the other ballots during the machine recount.

b. The canvassing board or its representatives shall put each ballot through the tabulating equipment and determine the votes in the recounted race or races. During this process, the overvoted and undervoted ballots in the recounted race or races must be sorted.

c. Sorted ballots shall be placed in a sealed container or containers until it is determined whether a manual recount will be conducted. Seal numbers shall be recorded at the time the ballots are placed in the containers.

4. Procedure when more than one race is being recounted by machine and the voting system does not allow the sorting of overvotes and undervotes on more than one race at a time:

a. The canvassing board or its representatives shall put each ballot through the tabulating equipment and determine the votes in the affected races.

b. Produce vote counts for only those races involved in the machine recount.

c. Prior to a manual recount being conducted, the election parameters shall be changed and the ballots for the manually recounted race or races shall be put back through the tabulating equipment and overvotes and undervotes for each race shall be sorted separately.

(6)(1) The following procedures apply to manual recounts of optical scan ballots involving all county, multicounty, federal or statewide offices or issues required by law to be recounted:

(a) All procedures related to the manual recount shall be open to the public.

(b) At least two members of the county canvassing board shall be present during all times the recount is in process.

(c) The county canvassing board shall supervise the procedure used to identify and sort overvotes and undervotes in the affected race or issue. If the manual recount is being conducted at a location different from the location of the sorting process or is not being started immediately after the sorting, the sorted ballots shall be placed in a sealed container or containers until the manual recount is started. Seal numbers shall be recorded and announced at the time they are placed on the containers and the seal number shall be announced when the seal is broken and the ballots are removed from the container for the recount.

(d) Ballots with overvotes and undervotes shall be transported to the location of the manual recount by two members of the county canvassing board and a sworn law enforcement officer. From the time the manual recount is started until completion of the recount, including times of recess, the ballots shall be guarded by a sworn law enforcement officer.

(e) If the manual recount is ordered by the Elections Canvassing Commission, the Commission shall notify the candidates and chairmen of the state executive committee of the political parties, if applicable, entitled to representatives or the chairmen of the political committees, if any, in the case of an issue, that a manual recount has been ordered. The candidates or chairmen are responsible for contacting the supervisor of elections in each county involved in the manual recount to find out when and where the recount will be conducted and the number of representatives such candidate or committee is entitled to.

(f) If the manual recount is ordered by the county canvassing board, the supervisor of elections shall notify the candidates and chairmen of the county executive committee of the political parties, if applicable, entitled to representatives or the chairmen of the political committees, if any, in the case of an issue, that a recount has been ordered and shall provide information regarding the time and the place of the manual recount and the number of representatives such candidate or committee is entitled to.

~~(d)(g)~~ In addition, each county canvassing board shall provide public notice of the time and place of the manual recount immediately after determining the need for a manual recount pursuant to Section 102.166, F.S. The notice shall be in either a newspaper of general circulation in the county or posted in at least four conspicuous locations in the county. Because of the time constraints in conducting the manual recount, the canvassing board shall also contact media outlets in the community so that the public is made aware of the recount as soon as possible. The manual recount shall begin as soon as practicable in order for the recount to be concluded in time for the certification of results to be submitted pursuant to Section 102.112, F.S.

~~(e)(h)~~ The manual recount shall be conducted in a room large enough to accommodate the necessary number of counting teams, the canvassing board members and representatives of each candidate, political party or political committee entitled to have representatives. Members of the public and the press (observers) shall be allowed to observe the recount from a separate area designated by the county canvassing board, which area may be outside of the actual recount area but which will allow the observers to view the activities. In addition to the sworn law enforcement officer guarding the ballots, there shall be a sworn law enforcement officer to keep order in and around the recount area.

~~(f)(i)~~ The canvassing board shall determine the number of overvotes and undervotes to be manually recounted. If the recount involves candidates or issues on a statewide or multicounty basis, each county canvassing board shall notify the Elections Canvassing Commission of the number of overvotes and undervotes in the county for the affected race. Any candidate whose ultimate success or failure in the race could be adversely or favorably impacted by the manual recount, presuming recount results most favorable and least favorable to the candidate, shall be entitled to representatives at the recount. In addition, in any primary where more than one candidate may proceed to a subsequent primary or general election, the candidates receiving the highest and second highest number of votes shall be entitled to representatives at the recount if the recount could result in those candidates switching positions in the official returns. In a first primary election, any candidate who could move into first or second place if all of the overvotes and undervotes were allocated to such candidate and any candidate who could lose his or her position in first or second place if all of the overvotes and undervotes were allocated to another candidate shall be entitled to representatives at the recount. In a second primary or general election or if there is only one primary, any candidate who could move into first place if all of the overvotes and undervotes were allocated to such candidate and any candidate who could lose his or her position in first place if all of the overvotes and undervotes were allocated to another candidate shall be entitled to representatives at the recount.

~~(g)(j)~~ Each candidate entitled to representatives as outlined in ~~(f)(i)~~ is entitled to a number of representatives equal to the number of counting teams plus an additional representative for the county canvassing board. If the race being recounted is a partisan race, each political party with candidates entitled to representatives is entitled to one representative. Each candidate or political party entitled to representatives must provide a list of the names of each representative designated.

~~(h)(k)~~ In order to be entitled to representatives at the manual recount, a political committee supporting or opposing an issue which is being recounted must have provided in its statement of organization, on file before the election, that the committee is specifically supporting or opposing the issue in question. If more than one committee is registered as supporting or opposing the issue, each side shall be entitled to one representative per counting team plus one for the canvassing board. The canvassing board shall notify each committee chairman of the number of representatives it is entitled to based on the number of committees involved. The committee chairman must provide a list of the names of each representative designated.

~~(i)(l)~~ In the case of a manual recount regarding the retention of a judicial candidate, the judicial candidate is entitled to representatives equal to the number of counting teams plus an additional representative for the county canvassing board. If there are political committees organized to oppose the retention of such judicial candidate, those committees are entitled to representatives pursuant to ~~(h)(k)~~.

~~(j)(m)~~ Representatives and observers must not interfere or disturb the recount in any way. If the conduct of the representatives or observers impedes the recount process, the recount will stop until the situation is corrected. If the disturbance continues, upon majority vote of the canvassing board, the persons causing the disturbance shall be removed from the premises by the law enforcement officer charged with maintaining order at the recount.

~~(k)(n)~~ Prior to the beginning of the manual recount, the canvassing board shall review the rules and statutes governing recount procedures and voter intent with the members of the counting teams and with the representatives entitled to be present. At the beginning of the manual recount, the seal numbers on the containers shall be announced as they are broken and compared to the numbers previously recorded.

~~(l)(o)~~ Each counting team shall review the ballots before them to determine if there is or is not a clear indication that the voter has made a definite choice, as specified in Rule 1S-2.027, F.A.C. If the counting team is unable to make the determination, or if there is an objection to the decision of the counting team by a designated representative, the ballot shall be set aside for the county canvassing board's determination.

~~(m)(p)~~ Each counting team shall place the ballots in stacks indicating:

1. Votes for each candidate or issue choice;
2. Ballots which the counting team has determined there is no clear indication that the voter made a definite choice for an office or ballot question; and
3. Ballots to be set aside for the canvassing board's determination.

~~(n)(4)~~ The counting team shall count the number of votes for each candidate or issue choice, the number of ballots which the counting team has determined there is no clear indication that the voter made a definite choice, and the number of ballots which are to be given to the canvassing board for its determination and shall submit those totals to the county canvassing board.

~~(o)(4)~~ Each ballot set aside because the counting team was unable to make a determination must be placed in a separate envelope with a notation of the precinct number, why the team was unable to make the determination, and the names of the members of the counting team. If a ballot was set aside because of an objection to the decision of the counting team by a representative, the envelope must contain the precinct number, the names of the members of the counting team, the counting team's initial determination, the reasoning behind the challenge and the person bringing the challenge.

~~(p)(4)~~ The county canvassing board shall review each ballot set aside to determine if there is or is not a clear indication that the voter has made a definite choice, as specified in Rule 1S-2.027, F.A.C. All three members of the county canvassing board must be present for this determination and the determination must be by majority vote.

~~(q)(4)~~ The records of the manual recount shall detail the number of votes each candidate or issue choice received and the number of ballots not allocated to any candidate or issue choice. The canvassing board shall then certify the number of votes for each candidate or issue choice by combining the totals on the machine during the sorting process with the totals of the manual recount.

~~(r)(4)~~ The activities of the canvassing board in making determinations of ballots to be counted shall be recorded by either audio or audio/video tape. In addition, minutes of the manual recount shall be made and approved by the canvassing board. All tapes and minutes shall be made available to the public within 2 weeks of the time the canvassing board certifies the results of the election.

(s) If ballots were sorted for more than one race during the machine recount, the following additional procedures shall be used:

1. The election parameters shall be changed so that only overvoted and undervoted ballots for one recounted race will be sorted.
2. All ballots previously sorted pursuant to subsection (5)(b)3. shall be put back through the tabulating equipment to sort the ballots for the first manually recounted race.

3. If there is another race to be manually recounted, following the first manual recount, the sorted ballots from the first manually recounted race will be combined with the other sorted ballots.

4. The election parameters shall be changed to sort the overvoted and undervoted ballots for the next manually recounted race.

5. All previously sorted ballots shall be put back through the tabulating equipment to sort the ballots for the next manually recounted race.

6. The canvassing board shall make an identifying mark or notation on each sorted ballot, in an area that does not interfere with the counting of the ballot, to indicate that the ballot was a manually recounted ballot for a particular race.

(t) If ballots were not sorted during the machine recount, the following procedures shall be used:

1. The election parameters shall be changed so that overvotes and undervotes in the first manually recounted race are identified and sorted for manual review.

2. Following the manual recount, if there is another race to be recounted, the sorted ballots from the first manual recount must be placed back in with the other ballots. The election parameters shall be changed to identify and sort ballots for the next manually recounted race.

3. The canvassing board shall make an identify mark or notation on each sorted ballot, in an area that does not interfere with the counting of the ballot, to indicate that the ballot was a manually recounted ballot for a particular race.

~~(7)(2)~~ Following a manual recount, the county canvassing board shall examine the ballots that were not allocated to any candidate or issue choice to determine if revisions to the voter intent rule are necessary and shall so notify the Division of Elections.

Specific Authority 102.166 FS. Law Implemented 102.166 FS. History--New 5-30-02, Amended \_\_\_\_\_.

**DEPARTMENT OF STATE**

**Division of Elections**

RULE NO.: 1S-2.034  
 RULE TITLE: Polling Place Manual  
 NOTICE OF CHANGE

Notice is hereby given that proposed Rule 1S-2.034, F.A.C., published in the F.A.W., Page 4429, Vol. 29, No. 45, on November 7, 2003, has been changed to reflect comments received from the public during the hearing held on December 1, 2003.

The following is a summary of the major changes made to Form DS-DE 11 (eff. \_\_\_), Polling Place Procedures Manual, incorporated by reference in Rule 1S-2.034, F.A.C.:

1. Clarified language to further explain the meaning of "Free Access" as included on page eight.
2. Clarify procedure for authorizing the issuance of a ballot under specific circumstances.

3. Change language to reflect the need for a poll worker to check the voting booth after each voter leaves to ensure the ballot was cast and no extraneous materials were left behind. The remainder of the Polling Place Procedures Manual reads as previously published.

Specific Authority 102.014(5) FS. Law Implemented 102.014(5) FS. History—New 2-11-02, Amended \_\_\_\_\_.

**DEPARTMENT OF LEGAL AFFAIRS**

**Florida Elections Commission**

RULE NO.: 2B-1.0025  
 RULE TITLE: Complaints

**NOTICE OF RULE 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. 29, No. 42, October 17, 2003, issue of the Florida Administrative Weekly.

2B-1.0025 Complaints.

(1) Any complaint of alleged violations of the Florida Election Code over which the Florida Elections Commission has jurisdiction shall be filed with the Commission. A complaint form, Confidential Complaint ~~Complaint Form~~, FEC 001, effective \_\_\_\_\_ ~~1-2-02~~, which is hereby adopted and incorporated by reference may be obtained by calling the Commission office during normal business hours or by writing to the Commission. The complaint form may also be obtained from the Commission’s website [www.fec.state.fl.us](http://www.fec.state.fl.us).

(2) through (9) No change.

Specific Authority 106.26(1) FS. Law Implemented 105.071, 106.25 FS. History—New 2-17-91, Amended 11-14-93, 3-19-96, 8-19-96, Formerly 1D-1.0025, Amended 1-11-98, 1-2-02, \_\_\_\_\_.

**DEPARTMENT OF REVENUE**

**Property Tax Administration Program**

RULE NO.: 12D-16.002  
 RULE TITLE: Index of Forms

**NOTICE OF CHANGE**

Notice is hereby given that the following change has been made to this proposed rule, as published in Vol. 29, No. 41, October 10, 2003, issue of the Florida Administrative Weekly. This change is in accordance with s. 120.54(3)(d)1., F.S. Form DR-501PGP, Original Application for Assessment Reduction for Living Quarters of Parents or Grandparents, incorporated by reference in paragraph (38)(e) is being changed to remove one section of the form and revise language in another section of the form that are unnecessary.

**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**

**Medicaid**

RULE NO.: 59G-6.080  
 RULE TITLE: Payment Methodology for Federally Qualified Health Center Services

**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 the Florida Administrative Weekly, Vol. 29, No. 32, on August 8, 2003.

1. Section V.D.III

All subsequent prospective encounter rates shall be determined every October 1 by multiplying the initial prospective encounter rate by the MEI for primary care services for the Fiscal Year.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Florida Commission on Human Relations**

RULE NO.: 60Y-1.002  
 RULE TITLE: Conducting Proceedings by Communications Media Technology

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 29, No. 35, August 29, 2003, Florida Administrative Weekly, has been withdrawn.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Florida Commission on Human Relations**

RULE NOS.: 60Y-4.003  
 RULE TITLES: Form of Documents

60Y-4.004 Filing and Copies

60Y-4.005 Proof of Simultaneous Service upon Other Parties

60Y-4.006 Service by Commission

60Y-4.007 Computation of Time Periods

60Y-4.008 Representation

60Y-4.009 Petitions

60Y-4.010 Miscellaneous Petitions

60Y-4.011 Answers

60Y-4.012 Parties

60Y-4.013 Intervention

60Y-4.014 Joinder of Parties

60Y-4.016 Assignment of Hearings

60Y-4.017 Motions

60Y-4.018 Consolidation

60Y-4.019 Discovery

60Y-4.020 Pre-hearing Conference

60Y-4.021 Notice of Hearing

60Y-4.022 Subpoenas

60Y-4.023 Witness Fees

60Y-4.024 Introduction of Evidence; Rights of Parties at Hearing  
 60Y-4.025 Transcript of Hearing  
 60Y-4.026 Recommended Orders  
 60Y-4.027 Exceptions and Briefs

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 29, No. 35, August 29, 2003, Florida Administrative Weekly, has been withdrawn.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Florida Commission on Human Relations**

RULE NOS.: RULE TITLES:  
 60Y-5.001 Complaints  
 60Y-5.0011 Answers  
 60Y-5.003 Investigation of Complaints  
 60Y-5.004 Executive Director's Investigatory Determination; Notice  
 60Y-5.005 Conciliation  
 60Y-5.006 Administrative Dismissal of a Complaint  
 60Y-5.008 Petition for Relief from an Unlawful Employment Practice

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 29, No. 35, August 29, 2003, Florida Administrative Weekly, has been withdrawn.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Florida Commission on Human Relations**

RULE NO.: RULE TITLE:  
 60Y-8.001 Petition for Relief from a Discriminatory Housing Practice

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 29, No. 35, August 29, 2003, Florida Administrative Weekly, has been withdrawn.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Florida Commission on Human Relations**

RULE NOS.: RULE TITLES:  
 60Y-9.001 Purpose  
 60Y-9.005 Housing Exemption for Persons 55 Years of Age or Older  
 60Y-9.007 Housing for Older Persons Registration and Documentation

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 29, No. 35, August 29, 2003, Florida Administrative Weekly, has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE NO.: RULE TITLE:  
 61G4-17.001 Normal Penalty Ranges

**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. 29, No. 38, September 19, 2003, 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 November 12-14, 2003, voted to make changes to the rule to address the JAPC concerns.

The changes are as follows:

1. Subsection (1)(f) shall read: ~~(f)(7)~~ 489.129(1)~~(f)(g)~~, 489.119(2): Failure to qualify a firm, and/or acting under a name not on license. Repeat violation \$ 750 to \$1,500 fine.

2. Subsection (1)(i)(1) shall read: 1. 489.1195(2)(e): Failure to supervise construction activities. First violation, \$250 to \$1,000 fine and/or probation; repeat violation, \$1,000 to \$5,000 fine and suspension or revocation.

3. Subsection (1)(i)(9) shall read: 9. 489.119(6)(b): License number not appearing in advertisement. First violation, \$100; repeat violation, reprimand and \$250 to \$1,000 fine.

4. Subsection (1)(r) is deleted.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Timothy Vaccaro, Executive Director, Construction Industry Licensing 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."

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: RULE TITLE:  
 68A-27.004 Designation of Threatened Species; Prohibitions; Permits

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the proposed amendment of Rule 68A-27.004, F.A.C., as published in the October 17, 2003 issue of the Florida Administrative Weekly, Vol. 29, No. 42, pages 4154-4155, is withdrawn from further consideration.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-27.005  
 RULE TITLE: Designation of Species of Special Concern; Prohibitions; Permits

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the proposed amendment of Rule 68A-27.005, F.A.C., as published in the October 17, 2003 issue of the Florida Administrative Weekly, Vol. 29, No. 42, pages 4155-4157, is withdrawn from further consideration.

**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."

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Instant Game Number 516,  
 RULE NO.: 53ER03-61

**DOUBLE DOLLARS**

**SUMMARY OF THE RULE:** This emergency rule describes Instant Game Number 516, "DOUBLE DOLLARS," 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: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER03-61 Instant Game Numbers 516, DOUBLE DOLLARS.

(1) Name of Game. Instant Game Number 516, "DOUBLE DOLLARS."

(2) Price. DOUBLE DOLLARS lottery tickets sell for \$1.00 per ticket.

(3) DOUBLE DOLLARS lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning DOUBLE DOLLARS lottery ticket, a combination of essential

elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), Florida Administrative Code. In the event a dispute arises as to the validity of any DOUBLE DOLLARS lottery ticket, or as to the prize amount, the Void If Removed Number under the latex shall prevail over the bar code.

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

<b>TICKET</b>	<b>\$1.00</b>	<b>\$2.00</b>	<b>\$4.00</b>	<b>\$5.00</b>	<b>\$10.00</b>
TICKET	ONE	TWO	FOUR	FIVE	TEN
<b>\$25.00</b>	<b>\$50.00</b>	<b>\$100</b>	<b>\$250</b>	<b>\$500</b>	<b>\$1,000</b>
THY FIV	FIFTY	ONE HUN	TWO FTY	FIVE HUN	ONE THO
		<b>\$2,000</b>	<b>\$\$</b>		
		TWO THO	DOUBLE		

(5) Determination of Prizewinners.

(a) A ticket having three like amounts in the play area shall entitle the claimant to a prize of that amount. The prize amounts are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$25.00, \$50.00, \$100, \$250, \$500, \$1,000 and \$2,000. A ticket having three "TICKET" symbols in the play area shall entitle the claimant to a prize of a \$1.00 ticket, except as follows. A person who submits by mail a DOUBLE DOLLARS lottery ticket that entitles the claimant to a prize of a \$1.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(b) A ticket having two like prize amounts and a "\$\$ " "DOUBLE " symbol in the play area shall entitle the claimant to a prize of double that amount.

(6) The estimated odds of winning, value, and number of prizes in Instant Game Number 516 are as follows:

GAME PLAY	WIN	ODDS OF	NUMBER OF
TICKET	\$1 TICKET	1 IN	WINNERS IN
			84 POOLS OF
			180,000 TICKETS
			PER POOL
\$1	\$1	10.00	1,512,000
\$2	\$2	15.00	1,008,000
\$2 (\$\$ symbol)	\$4	25.00	604,800
\$4	\$4	150.00	100,800
\$5	\$5	150.00	100,800
\$5 (\$\$ symbol)	\$5	33.33	453,600
\$10	\$10	300.00	50,400
\$25	\$25	300.00	50,400
\$25 (\$\$ symbol)	\$50	276.92	54,600
\$50	\$50	9,000.00	1,680
\$50 (\$\$ symbol)	\$50	9,000.00	1,680
\$100	\$100	120,960.00	125
\$250 (\$\$ symbol)	\$500	120,960.00	125
\$500	\$500	1,260,000.00	12
\$1,000 (\$\$ symbol)	\$500	1,890,000.00	8
\$2,000	\$2,000	2,160,000.00	7
\$2,000	\$2,000	2,160,000.00	7