

Section I

Notices of Development of Proposed Rules
and Negotiated Rulemaking**DEPARTMENT OF AGRICULTURE AND CONSUMER
SERVICES****Division of Agricultural Environmental Services**

RULE TITLE: Commercial Values for Penalty Assessments

RULE NO.: 5E-1.016

PURPOSE AND EFFECT: The purpose of this rule is to provide the most recent market prices of fertilizer components to be used for penalty assessments of deficient fertilizer.

SUBJECT AREA TO BE ADDRESSED: Rule 5E-1.016, F.A.C. updates the most recent market prices of fertilizer components to be used for penalty assessments of deficient fertilizers.

SPECIFIC AUTHORITY: 576.181(2), 570.07(23) FS.

LAW IMPLEMENTED: 576.051(2),(7), 576.061, 576.071, 576.181 FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m. December 2, 2003

PLACE: Agricultural Environmental Services, Conference Room, 3125 Conner Blvd., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mr. Dale Dubberly, Chief, Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)488-8731

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5E-1.016 Commercial Values for Penalty Assessments.

The commercial values used in assessing penalties for plant nutrient deficiencies are determined by the annualized average market prices published by the Chemical Market Reporter Publication (effective 6/8/98), which is hereby incorporated by reference. Commercial Values not provided in Industry Publications will be established thru survey approved by the Fertilizer Technical Council. Copies may be obtained from the Chemical Market Reporter, 307 Southgate Court, Brentwood, TN 37027. This rule shall be reviewed annually.

(1) PRIMARY PLANT NUTRIENTS.

	Guaranteed	Commercial Values	
	as	(Per unit*)	
Total Nitrogen	N	<u>\$5.49</u>	\$5.65
Nitrate Nitrogen	N	<u>5.39</u>	5.38
Ammoniacal Nitrogen	N	<u>4.60</u>	4.76
Water Soluble or			
Urea Nitrogen	N	<u>4.81</u>	4.75

Slow Release Nitrogen			
(from other SRN sources)	N	<u>14.48</u>	15.85
Water Insoluble Nitrogen	N	<u>12.32</u>	12.93
Available Phosphorus	P ₂ O ₅	<u>3.55</u>	3.62
Slow Release Phosphate	P ₂ O ₅	<u>19.10</u>	19.60
Potassium (from Muriate)	K ₂ O	<u>2.21</u>	2.30
Slow Release Potassium	K ₂ O	<u>15.04</u>	15.04
Potassium (from any			
source other than Muriate or a			
combination of sources)	K ₂ O	<u>4.31</u>	4.41

(2) SECONDARY PLANT NUTRIENTS.

	Guaranteed	Commercial Values	
	as	(per unit*)	
Total and water Soluble			
Magnesium (from any source)	Mg	<u>\$6.53</u>	\$6.55
Manganese (from sulfate)	Mn	<u>15.89</u>	16.19
<u>Manganese (from Sucrate)</u>	<u>Mn</u>	<u>11.25</u>	11.33
Manganese (from chloride)	Mn	6.10	6.10
Manganese (from oxide)	Mn	<u>6.27</u>	7.55
Manganese (from chelate			
in group 1**)	Mn	<u>215.50</u>	231.00
Manganese (from chelate			
in group 2**)	Mn	70.90	70.90
Copper (from sulfate)	Cu	<u>36.52</u>	42.45
Copper (from chloride)	Cu	22.15	22.15
Copper (from oxide)	Cu	<u>19.25</u>	20.50
Copper (from chelate			
in group 1**)	Cu	156.00	156.00
Copper (from chelate			
in group 2**)	Cu	113.20	113.20
Zinc (from sulfate)	Zn	<u>17.94</u>	17.72
Zinc (from sucrate)	Zn	<u>14.20</u>	14.20
Zinc (from chloride)	Zn	18.45	18.45
Zinc (from oxide)	Zn	<u>9.92</u>	10.05
Zinc (from chelate in group 1**)	Zn	<u>188.00</u>	184.00
Zinc (from chelate in group 2**)	Zn	65.00	65.00
Iron (from sulfate)	Fe	<u>12.88</u>	13.27
<u>Iron (from sucrate)</u>	<u>Fe</u>	<u>6.18</u>	6.28
<u>Iron (from humate)</u>	<u>Fe</u>	<u>16.11</u>	16.09
Iron (from oxide)	Fe	<u>3.88</u>	4.00
Iron (from chelate in group 1**)	Fe	<u>244.96</u>	267.29
Iron (from chelate in group 2**)	Fe	<u>82.00</u>	80.00
Aluminum	Al	<u>14.42</u>	14.00
Sulfur (free)	S	<u>2.55</u>	2.64
Sulfur (combined)	S	<u>2.21</u>	2.21
Boron	B	<u>33.74</u>	34.12
Molybdenum	Mo	<u>198.80</u>	185.50
Cobalt	Co	89.90	89.90
Calcium (from any source)	Ca	<u>.71</u>	.60

(3) DOLOMITE and LIMESTONE (when sold as material).

Magnesium	MgCO ₃	<u>.18</u>	.16
Calcium	CaCO ₃	<u>.09</u>	.09

(4) CALCIUM SULFATE (land plaster, gypsum) (when sold as material).

Calcium	CaSO ₄	.30	.30
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*A "Unit" of plant nutrient is one percent (by weight) of a ton or 20 pounds.

**Chelates in "group 1" have aminopolycarboxylic acids, such as EDTA, HEDTA, DTPA and NTA, or related compounds as chelating agents. Chelates in "group 2" have chelating agents other than those in group 1.

Specific Authority 576.181(2), 570.07(23) FS. Law Implemented 576.051(2),(3),(7), 576.061, 576.071, 576.181 FS. History--New 1-23-67, Amended 10-22-68, 11-20-69, 10-22-70, 3-9-74, 6-28-74, 10-25-74, 7-6-76, 7-26-77, 7-22-79, 4-23-80, 10-27-80, 10-18-81, 2-16-84, 12-2-85, Formerly 5E-1.16, Amended 11-16-86, 10-8-87, 9-26-88, 11-19-89, 3-28-91, 2-25-92, 8-3-93, 7-12-94, 10-25-98, _____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Residency for Tuition Purposes

RULE NO.: 6A-10.044

PURPOSE AND EFFECT: The purpose of this rule development is to review the designation of classifications of students as residents or nonresidents for tuition purposes at community colleges and state universities. The effect is a rule which provides consistency among the institutions.

SUBJECT AREA TO BE ADDRESSED: The addition of eligible VISA categories; clarification of classification of students as residents for tuition purposes.

SPECIFIC AUTHORITY: 1009.21(11) FS.

LAW IMPLEMENTED: 1009.21 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE TO BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Connie Graunke, Department of Education, 325 West Gaines Street, Room 1414, Tallahassee, Florida 32399-0400, (850)245-9536

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF REVENUE

Property Tax Administration Program

RULE TITLE: Completion and Submission of Assessment Rolls

RULE NO.: 12D-8.002

PURPOSE AND EFFECT: Subsection 12D-8.002(4), F.A.C., requires that property appraisers include with assessment rolls submitted to the Department, an accurate tabular summary by property class of any adjustments made to recorded selling prices or fair market value in arriving at assessed value. The rule requires that complete, clear and accurate documentation for each adjustment under Section 193.011(8), Florida Statutes, exceeding fifteen percent shall accompany the summary detailing how the percentage adjustment was calculated. The purpose of the workshop is to receive public comment on the review methodology the Department will use to analyze the appropriateness of the fifteen percent threshold for documenting adjustments under Section 193.011(8), Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Threshold for documenting adjustments to recorded selling prices or fair market value in arriving at assessed value.

SPECIFIC AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 192.001, 193.011, 193.023, 193.114, 193.1142, 193.122, 213.05 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:30 a.m., Wednesday, December 3, 2003

PLACE: Room 116, Larson Building, 200 E. Gaines St., Tallahassee, Florida

Copies of the agenda for the rule development workshop may be obtained from: Sharon Gallops, Tax Law Specialist, Department of Revenue, Property Tax Technical Unit, P. O. Box 7443, Tallahassee, Florida 32314-7443, (850)414-6108.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this workshop is asked to advise the Department at least 48 hours before the workshop by contacting: Sharon Gallops, (850)414-6108. A person who is hearing-impaired or speech-impaired should contact the Department by using the Florida Relay Service, 1(800)955-8700 (Voice) and 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sharon Gallops, Tax Law Specialist, Department of Revenue, Property Tax Technical Unit, P. O. Box 7443, Tallahassee, Florida 32314-7443, (850)414-6108

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: Incorporation by Reference

RULE CHAPTER NO.: 14-15

RULE TITLE: Toll Facilities Description and

RULE NO.: 14-15.0081

Toll Rate Schedule

PURPOSE AND EFFECT: The purpose of this notice of rule development is to allow the public an opportunity to provide input to changes in the Toll Facilities Description and Toll Rate Schedule resulting from a proposed toll rate increase for cash customers. The facilities affected by the proposed toll rate increase include Florida's Turnpike Mainline [Southern Coin, Ticket, and Northern Coin Systems, the Homestead Extension of Florida's Turnpike (HEFT), Bee Line West Expressway], Sawgrass Expressway, Southern Connector Extension, Seminole Expressway, and the Veterans Expressway. Using a three-stage approach, the last toll rate increases along the Mainline and Bee Line West were completed by 1993, with the HEFT toll rate increase effective in 1995. In addition, the SunPass® Electronic Toll Collection System Frequent User Toll Discount Pilot Project, pursuant to the amendment to Rule 14-15.0081, F.A.C., on July 29, 1998, has been completed, and the toll discount program will be discontinued. The present average passenger rate is approximately six cents per mile on the Mainline components and slightly higher on the expansion projects. The proposed increase will bring the average toll rate to approximately eight cents per mile for cash customers on the Mainline components and slightly higher for the expansion projects, and the average toll rate for SunPass customers will not increase. The total additional revenue in Fiscal Year 2003-04 attributable to the proposed toll rate increase and the discontinuance of the toll discount program is estimated to be \$13,539,000. The proposed toll rate increase will have an effective date of March 7, 2004.

The public will benefit from these additional revenues in that under the Florida Turnpike Enterprise Law (Sections 338.22-338.241, Florida Statutes), the Department shall use these funds for repairing, maintaining, and operating the Florida Turnpike System and for supporting the issuance of Turnpike Revenue Bonds to pay the cost of other Turnpike projects to the benefit of the motorist.

SUBJECT AREA TO BE ADDRESSED: As listed below, Toll Rate Rule Development Workshops have been scheduled to inform the public of the proposed toll rate increase and provide the public an opportunity to discuss the proposed toll rate increase.

SPECIFIC AUTHORITY: 334.044(2), 338.155(1) FS.

LAW IMPLEMENTED: 338.222, 338.231, 338.155 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 6:00 p.m. – 8:00 p.m., December 1, 2003

PLACE: Florida's Turnpike Enterprise Headquarters Auditorium, Turnpike Mile Post 263, Building 5315, Ocoee, Florida

TIME AND DATE: 6:00 p.m. – 8:00 p.m., December 1, 2003

PLACE: Wynnebrook Elementary School Cafeteria, 1167 Drexel Road, West Palm Beach, Florida

TIME AND DATE: 6:00 p.m. – 8:00 p.m., December 2, 2003

PLACE: Florida Department of Transportation, District 4 Auditorium, 3400 West Commercial Boulevard, Ft. Lauderdale, Florida

TIME AND DATE: 6:00 p.m. – 8:00 p.m., December 4, 2003

PLACE: Florida Department of Transportation, District 7 Auditorium 11201 North Malcolm McKinley Drive, Tampa Florida

TIME AND DATE: 6:00 p.m. – 8:00 p.m., December 4, 2003

PLACE: South Dade Regional Library Conference Room, 10750 S. W. 211 Street Miami, Florida

TIME AND DATE: 6:00 p.m. – 8:00 p.m., December 9, 2003

PLACE: Port St. Lucie Community Center, Rooms C & D, 121 S. W. Port St. Lucie Boulevard, Port St. Lucie, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-15.0081 Toll Facilities Description and Toll Rate Schedule.

The Toll Facilities Description and Toll Rate Schedule, adopted November 15, 1987, and amended on February 8, 1988, August 1, 1988, February 2, 1989, May 10, 1989, July 1, 1991, August 1, 1991, November 6, 1991, July 11, 1993, November 28, 1993, September 18, 1994, June 6, 1995, July 9, 1995, January 1, 1996, March 31, 1996, April 28, 1996, June 2, 1996, July 28, 1996, September 23, 1997, November 24, 1997, February 12, 1998, June 30, 1998, July 29, 1998, January 6, 1999, February 9, 1999, April 29, 1999, June 21, 1999, September 4, 2001, March 26, 2002, April 10, 2003, October 1, 2003, and _____, is hereby incorporated by this rule and made a part of the rules of the Department. Copies of this Department of Transportation Toll Facilities Description and Toll Rate Schedule and any amendments thereto are available at no more than cost.

Specific Authority 334.044(2), 338.155(1) FS. Law Implemented 338.222, 338.231, 338.155 FS. History—New 11-15-87, Amended 2-8-88, 8-1-88, 2-2-89, 5-10-89, 7-1-91, 8-1-91, 11-6-91, 7-11-93, 11-28-93, 9-18-94, 6-6-95, 7-9-95, 1-1-96, 3-31-96, 4-28-96, 6-2-96, 7-28-96, 9-23-97, 11-24-97, 2-12-98, 6-30-98, 7-29-98, 1-6-99, 2-9-99, 4-29-99, 6-21-99, 9-4-01, 3-26-02, 4-10-03, 10-1-03, _____.

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 CITRUS

RULE CHAPTER TITLE: RULE CHAPTER NO.:
 Market Classification, Maturity
 Standards and Processing or
 Packing Restrictions for Hybrids 20-13
 RULE TITLE: RULE NO.:
 Oranges: 2003-2004 Anhydrous Acid
 Maturity Standards 20-13.0011
 PURPOSE AND EFFECT: Lowering minimum acid
 requirement for fresh oranges by 10% as allowed by statute.
 SUBJECT AREA TO BE ADDRESSED: Lowering minimum
 acid requirement for fresh oranges.
 SPECIFIC AUTHORITY: 601.10(1),(7), 601.11, 601.19 FS.
 LAW IMPLEMENTED: 601.111, 601.19 FS.
 IF REQUESTED AND NOT DEEMED UNNECESSARY BY
 THE AGENCY HEAD, A RULE DEVELOPMENT
 WORKSHOP WILL BE NOTICED IN THE NEXT
 AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.
 THE PERSON TO BE CONTACTED REGARDING THE
 PROPOSED RULE DEVELOPMENT IS: Alice P. Wiggins,
 Administrative Assistant, Legal Department, Florida
 Department of Citrus, P. O. Box 148, Lakeland, Florida
 33802-0148
 THE PRELIMINARY TEXT OF THE PROPOSED RULE
 DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM
 THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CITRUS

RULE CHAPTER TITLE: RULE CHAPTER NO.:
 Agency Travel Rule 20-115
 PURPOSE AND EFFECT: New rule chapter codifying Florida
 Department of Citrus Fiscal Policy #304, Rev. 4-4-99, State
 Travel Expense, as recommended by Department of Financial
 Services.
 SUBJECT AREA TO BE ADDRESSED: Department of
 Citrus travel rule.
 SPECIFIC AUTHORITY: 601.15(8)(a) FS.
 LAW IMPLEMENTED: 601.15(8)(a) FS.
 IF REQUESTED IN WRITING AND NOT DEEMED
 UNNECESSARY BY THE AGENCY HEAD, A RULE
 DEVELOPMENT WORKSHOP WILL BE NOTICED IN
 THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE
 WEEKLY.
 THE PERSON TO BE CONTACTED REGARDING THE
 PROPOSED RULE DEVELOPMENT AND A COPY OF
 THE PRELIMINARY DRAFT IS: Alice P. Wiggins, License
 and Regulation Specialist, Legal Department, Florida
 Department of Citrus, P. O. Box 148, Lakeland, Florida
 33802-0148
 THE PRELIMINARY TEXT OF THE PROPOSED RULE
 DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM
 THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CORRECTIONS

RULE TITLE: RULE NO.:
 Special Management Meal 33-602.223
 PURPOSE AND EFFECT: The purpose and effect of the
 proposed rule is to allow use of the special management meal
 at all correctional institutions.
 SUBJECT AREA TO BE ADDRESSED: Special management
 meal.
 SPECIFIC AUTHORITY: 20.315, 944.09 FS.
 LAW IMPLEMENTED: 20.315, 944.09 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED
 UNNECESSARY BY THE AGENCY HEAD, A RULE
 DEVELOPMENT WORKSHOP WILL BE NOTICED IN
 THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE
 WEEKLY.
 THE PERSON TO BE CONTACTED REGARDING THE
 PROPOSED RULE DEVELOPMENT AND A COPY OF
 THE PRELIMINARY DRAFT IS: Perri King Dale, 2601 Blair
 Stone Road, Tallahassee, Florida 32399-2500
 THE PRELIMINARY TEXT OF THE PROPOSED RULE
 DEVELOPMENT IS:

- 33-602.223 Special Management Meal.
- (1) No change.
 - (2) Requirements for Utilization of Special Management
 Meal.
 - (a) through (e) No change.
 - (f) The special management meal is authorized for use
~~shall be utilized~~ at all institutions ~~with the exception of those~~
~~designated for youthful offenders.~~ The Bureau of Food
 Services shall provide orientation in the preparation and
 service of the special management meal. The Director of
 Security and Institutional Support Services, based on
 documentation from the administrator of the food services
 section, shall certify to the Assistant Secretary of Institutions,
 the warden, and the contractor food service director the
 successful completion of special management meal preparation
 and service training. Certification is required before the
 institution is authorized to utilize the special management
 meal. The special management meal will then be authorized
 for use on a case-by-case basis at those institutions as provided
 in this rule.
 - (3) through (8) No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 944.09 FS.
 History—New 1-11-88, 3-4-92, 5-27-97, 11-25-98, Formerly 33-3.0085,
 Amended 8-1-00, 1-2-02, 11-3-03, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**Board of Professional Engineers**

RULE TITLE: Experience
 RULE NO.: 61G15-20.002

PURPOSE AND EFFECT: The Board proposes to review the existing text to determine what amendments, if any, are necessary.

SUBJECT AREA TO BE ADDRESSED: Experience.

SPECIFIC AUTHORITY: 471.013 FS.

LAW IMPLEMENTED: 471.013, 471.015 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Natalie Lowe, Administrator, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303-5267

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

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 Clinical Laboratory Personnel**

RULE TITLES: Clinical Laboratory Personnel
 RULE NOS.: 64B3-2.002
 Definitions 64B3-2.003

PURPOSE AND EFFECT: The Board proposes to update the existing rule text.

SUBJECT AREA TO BE ADDRESSED: Clinical Laboratory Personnel; Definitions.

SPECIFIC AUTHORITY: 483.805(4), 483.811(2),(4) FS.

LAW IMPLEMENTED: 483.035(1), 483.803, 483.811(3),(4), 483.821, 483.823 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Board

Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-2.002 Clinical Laboratory Personnel.

(1) Director means a Clinical Laboratory Director qualified or licensed pursuant to the Board's rules who is responsible for and assures the overall operation and administration of the clinical laboratory and fulfills the responsibilities specified in Rule 64B3-13.001, F.A.C.

(2) Supervisor means a person licensed ~~qualified to be a supervisor~~ pursuant to the Board's rules who is responsible for the day-to-day supervision and oversight of technical and scientific operations in a clinical laboratory and fulfills the responsibilities specified in Rule 64B3-13.002, F.A.C.

(3) Technologist means a person licensed pursuant to the ~~qualified to be a technologist under the~~ Board's rules who represents the first level of independent practice and under general supervision, fulfills the responsibilities specified in Rule 64B3-13.003, F.A.C.

(4) Technician means a person licensed ~~qualified as a technician~~ pursuant to the Board's rules who practices the profession and may perform tests classified as highly complex pursuant to 42 CFR 493.17 (September 7, 1999), incorporated by reference herein, only when under direct supervision of a licensed technologist, supervisor, or director unless the technician meets the minimum qualifications contained in 42 CFR 493.1489 (September 7, 1999), incorporated by reference herein, and the requirements contained in subsection 64B3-5.004(5), F.A.C., and fulfills the responsibilities specified in Rule 64B3-13.004, F.A.C.

~~(5) Clinical laboratory trainee means a person enrolled in a clinical laboratory training program approved pursuant to Chapter 64B3-3, F.A.C. who is seeking to meet minimum qualifications for licensure in Florida. Trainees must perform procedures under direct supervision but they may not report test results.~~

~~(5)(6)~~ General supervision means supervision by a director or ~~licensed~~ supervisor who is available on a regular basis and who is responsible for the overall performance of laboratory testing.

~~(6)(7)~~ Direct supervision means supervision by a ~~qualified~~ director, ~~licensed~~ supervisor, or ~~licensed~~ technologist who is on the premises or is available to the laboratory when test procedures are being performed and is responsible for the oversight of testing and reporting of results.

Specific Authority 483.805(4), 483.811(4) FS. Law Implemented 483.035(1), 483.803, 483.811(3),(4) FS. History--New 11-4-93, Formerly 61F3-2.002, Amended 11-21-94, 7-12-95, 5-15-96, Formerly 59O-2.002, Amended 3-19-98, 12-13-98, 9-27-00, 9-9-02, _____.

64B3-2.003 Definitions.

(1) through (4) No change.

(5) Contact hour means a continuing education offering which is at least 50 continuous minutes in duration. Total number of hours cannot be added up and divided into 50 minute intervals ~~for the purpose of claiming one contact hour for each 50 minute interval.~~

(6) through (12) No change.

~~(13) An alternate provider is an agency of the state or federal government that offers continuing education courses in the subject areas listed in subsection 64B3-11.002(2), F.A.C.~~

(14) through (20) renumbered (13) through (19) No change.

Specific Authority 483.805(4), 483.811(2) FS. Law Implemented 483.803, 483.811, 483.821, 483.823 FS. History—New 11-4-93, Formerly 61F3-2.003, Amended 11-21-94, 11-30-94, 12-26-94, 5-3-95, 7-12-95, Formerly 59O-2.003, Amended 3-19-98, 12-13-98, 3-28-99, 9-12-99, 11-15-99, 3-24-02, 10-30-02, _____.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLES:

RULE NOS.:

General Requirements of Clinical Laboratory

Personnel Training Programs

64B3-3.001

Personnel of Clinical Laboratory Personnel

Training Programs

64B3-3.002

PURPOSE AND EFFECT: The Board proposes to update the existing rule text for reorganization and to correct numbering errors.

SUBJECT AREA TO BE ADDRESSED: General Requirements of Clinical Laboratory Personnel Training Programs; Personnel of Clinical Laboratory Personnel Training Programs.

SPECIFIC AUTHORITY: 483.805(4), 483.811(2) FS.

LAW IMPLEMENTED: 483.800, 483.809, 483.811 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-3.001 General Requirements of Clinical Laboratory Personnel Training Programs.

(1) through (3) No change.

(5) through (6) renumbered (4) through (5) No change.

(a) through (f) No change.

(g) Include instruction on the prevention of medical errors, which shall include root-cause analysis, error reduction and prevention, and patient safety.

(g) through (o) renumbered (h) through (p) No change.

~~(6)(7)~~ No change.

Specific Authority 483.805(4), 483.811(2) FS. Law Implemented 483.800, 483.809, 483.811 FS. History—New 12-28-94, Amended 7-12-95, 4-24-96, Formerly 59O-3.001, Amended 1-11-99, 11-15-99, 9-29-02, _____.

64B3-3.002 Personnel of Clinical Laboratory Personnel Training Programs.

(1) through (3) No change.

(4) Trainee Requirements. Trainees shall:

(a) No change.

(b) Be registered with the Board when enrolled in the practicum portion of the training program.

(c) through (d) No change.

Specific Authority 483.805(4), 483.811(2) FS. Law Implemented 483.800, 483.809, 483.811 FS. History—New 12-28-94, Amended 3-28-95, 7-12-95, 4-24-96, Formerly 59O-3.002, Amended 9-20-98, 12-13-98, 11-15-99, _____.

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE:

RULE NO.:

Standards for Continuing Education

64B9-5.003

PURPOSE AND EFFECT: The Board proposes to review the rule to determine whether amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: The Board proposes to review the language for evaluation of providers.

SPECIFIC AUTHORITY: 464.006 FS.

LAW IMPLEMENTED: 464.013(3) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dan Coble, Executive Director, Board of Nursing/MQA, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH**Board of Nursing**

RULE TITLES: RULE NOS.:
Disciplinary Proceedings 64B9-15.0085
Citations 64B9-15.0086

PURPOSE AND EFFECT: The Board proposes to review whether new rules relating to Certified Nursing Assistants are necessary.

SUBJECT AREA TO BE ADDRESSED: The proposed new rules address unprofessional conduct and citations for Certified Nursing Assistants.

SPECIFIC AUTHORITY: 464.204 FS.

LAW IMPLEMENTED: 456.072, 464.204 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dan Coble, Executive Director, Board of Nursing/MQA, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH**Board of Opticianry**

RULE TITLE: RULE NO.:
Disciplinary Guidelines 64B12-8.020

PURPOSE AND EFFECT: The Board proposes to update the current rule text.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

SPECIFIC AUTHORITY: 456.072(2)(d), 456.079, 484.005 FS.

LAW IMPLEMENTED: 456.072, 456.079, 484.014 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Board Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH**Board of Opticianry**

RULE TITLE: RULE NO.:
Active Status Fee 64B12-11.003

PURPOSE AND EFFECT: The Board proposes to update the existing rule text.

SUBJECT AREA TO BE ADDRESSED: Active Status Fee.

SPECIFIC AUTHORITY: 484.005, 484.008(1) FS.

LAW IMPLEMENTED: 484.008(1), 455.271 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sue Foster, Board Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT 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,_____.

DEPARTMENT OF HEALTH**Board of Physical Therapy Practice**

RULE TITLE: RULE NO.:
Licensure by Endorsement 64B17-3.003

PURPOSE AND EFFECT: The Board proposes to clarify current rule text limiting to five the number of times that an applicant may take the examination.

SUBJECT AREA TO BE ADDRESSED: Licensure by Endorsement.

SPECIFIC AUTHORITY: 486.025, 486.081 FS.

LAW IMPLEMENTED: 486.081 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH**Vital Statistics**

RULE TITLES:	RULE NOS.:
Delayed Birth Registration Requirements; Fees	64V-1.001
Birth Certificate Amendments; Who May Apply; Fees	64V-1.002
Birth Certificate Amendments: Documentary Evidence Requirements	64V-1.003
Birth Certificate Amendments by Adoption	64V-1.0031
Birth Certificate Amendments by Paternity Establishment; Judicial and Administrative Process	64V-1.0032
Birth Certificate Amendment by Legal Change of Name; Judicial Process	64V-1.0033
Change of Paternity; Evidence Required	64V-1.004
Evidence Required for Births Occurring Outside of a Facility	64V-1.006
Death Certificate Amendments; Who May Apply; Fees; Documentary Evidence Requirements	64V-1.007
Delayed Death or Fetal Death Registration	64V-1.008
Presumptive Death Registration	64V-1.0081
Certifications of Vital Records	64V-1.0131
Fees for Vital Statistics Services Provided by State Registrar	64V-1.014
Florida Putative Father Registry	64V-1.016
Marriage Reporting	64V-1.019
Dissolution of Marriage Reporting	64V-1.020
Disposition of Fetal Demise	64V-1.021

PURPOSE AND EFFECT: Purpose of proposed amendments is to change certain practices used in the amendment of birth records, update forms incorporated in rule, incorporate forms dictated by recent passage of legislation and to set forth requirements for obtaining information deemed confidential by law.

SUBJECT AREA TO BE ADDRESSED: Restrict other than by departmental administrative clerical error or at the order of the court, the amendment of same fact on a birth record to once, allow for amendment of parent's name on child's birth record as a result of a legal name change of parent, to update forms used in the amendment process incorporated in rule, to require certain information and proof of identity when issuing documents that are deemed confidential and exempt from the provision of s. 119.07, Florida Statutes, to establish fees as provided for in law for filing a claim of paternity or conducting a diligent search of the Florida Putative Father Registry, to incorporate forms to be used for registering with, updating information and requesting diligent search of the Florida Putative Father Registry, require that a Presumptive Death Certificate contain sufficient identifying information on decedent, incorporate forms used in the registration of a

Florida marriage or dissolution of marriage, and to incorporate in rule a form to be used for notifying a mother of her disposition rights in case of a spontaneous fetal demise.

SPECIFIC AUTHORITY: 63.054, 382.003(7),(10),(11), 382.015(6), 382.016, 382.025, 382.0255(3), 383.33625(3) FS.

LAW IMPLEMENTED: 63.054, 63.152, 68.07(4), 382.003(7),(11), 382.012, 382.013(2), 382.015, 382.016, 382.017, 382.019, 382.021, 382.023, 382.025, 382.0255(1), 383.33625, 742.10, 742.16 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED IN WRITING, THIS WORKSHOP WILL NOT BE HELD):

TIME AND DATE: 10:00 a.m., December 1, 2003

PLACE: Department of Health, Office of Vital Statistics, 1217 Pearl St., Boorde Bldg., Rm. 420, Jacksonville, FL 32231-0042

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kathleen Dunkley Stephens, Sr. Management Analyst Supervisor, Department of Health, Office of Vital Statistics, P. O. Box 210, Jacksonville, Florida 32231-0042

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

Section II Proposed 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."

PUBLIC SERVICE COMMISSION

DOCKET NO. 030975-EI

RULE TITLE: Cost of Service Load Research **RULE NO.:** 25-6.0437

PURPOSE AND EFFECT: To update the rule to reflect current need for information, to reduce the frequency of filing the load research studies, and eliminate reporting data that are no longer used.

SUMMARY: Requires investor-owned electric utilities subject to this rule to submit a current, revised load research sampling plan at least every three years and perform a complete load research study every three years.