

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting the person listed above.

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

Section II Proposed Rules

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE TITLE: RULE NO.:

Definitions of Terms 6E-1.003

PURPOSE AND EFFECT: The Commission proposes this amendment to add new terms that define the foreign medical school affiliation agreement, adequate laboratory and clinical library facilities, and parent medical schools.

SUMMARY: The proposed rule amendment adds new terms that define the foreign medical school affiliation agreement, adequate laboratory and clinical library facilities, and parent medical schools.

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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 1005.22(1)(e) FS.

LAW IMPLEMENTED: 1005.22, 1005.31 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: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

6E-1.003 Definition of Terms.

Terms used in these rules are defined in Section 1005.02, Florida Statutes. In addition, as used in the rules of this Commission, unless the context clearly indicates otherwise:

(1) No change.

(2) Adequate clinical clerkship library facilities – Comprehensive resource and information facility sufficient in size, current breadth of holdings and information technology to support its medical education.

(3) Adequate laboratory facilities – Industry standard facilities that allow students to engage in scientific research, testing and diagnostic evaluation.

(2) through (25) renumbered (4) through (27) No change.

(28) Foreign Medical School Affiliation Agreement – A signed statement between a teaching hospital and a foreign medical school in which the teaching hospital agrees to make its resources available to a foreign medical school in order for the foreign medical school to offer its educational program at the hospital.

(26) through (37) renumbered (29) through (40) No change.

(41) Parent Medical schools-The licensed foreign medical institution that is offering a clinical clerkship program at the Florida teaching hospital.

(38) through (45) renumbered (42) through (49) No change.

Specific Authority 1005.22(1)(e) FS. Law Implemented 1005.22, 1005.31 FS. History—Repromulgated 12-5-74, Amended 7-28-75, Formerly 6E-4.01(8), Readopted 11-11-75, Amended 3-7-77, 10-13-83, Formerly 6E-1.03, Amended 2-22-89, 11-29-89, 10-19-93, 4-11-00, 1-7-03, 12-23-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Commission for Independent Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Commission for Independent Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 18, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 9, 2004

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE TITLES: RULE NOS.:

Standards and Procedures for Licensure 6E-2.004

Actions Against a Licensee; Penalties 6E-2.0061

PURPOSE AND EFFECT: The Commission proposes these rule amendments to make the rule parallel to the statute that doesn't require the submission of continuing education, to clarify the parameters of program name and the requirements for continuing education for faculty, and to set forth aggravating or mitigating circumstances.

SUMMARY: The proposed Rule 6E-2.004, F.A.C., clarifies the parameters of program name and the requirements for continuing education for faculty and makes the rule parallel to the statute that doesn't require the submission of continuing education. The proposed Rule 6E-2.0061, F.A.C., adds language to include aggravating or mitigating circumstances, when imposing discipline.

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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 1005.22(1)(e), 1005.31(2),(3), 1005.32(7), 1005.34, 1005.38, 1005.39 FS.

LAW IMPLEMENTED: 1005.04, 1005.31, 1005.32(7), 1005.33(1), 1005.34(3), 1005.38, 1005.39 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

6E-2.004 Standards and Procedures for Licensure.

Each institution applying for a license or moving to a new level of licensure shall provide to the Commission the following specific information, in English. All information and documentation submitted pursuant to the provisions of these rules shall be accompanied by certification signed by the chief administrative officer of the institution, affirming that the information and documentation submitted is accurate. Any application or review which is not substantially complete shall be returned to the institution with a request to complete and resubmit the material.

(1) through (2) No change.

(3) Standard 3: Administrative Organization.

(a) through (d) No change.

(e) Pursuant to Section 1005.39, Florida Statutes, individuals holding the following or similar positions in licensed institutions shall complete at least eight continuing education contact hours of training related to their positions each year: ~~from the Commission or another provider which the Commission has determined to include relevant information in its training programs~~; school director, Florida director, or chief executive officer; chief education/academic officer or director of education or training; placement director; admissions director; and financial aid director. Each institution shall provide, at the time of initial application or review of licensure, documentation that the required training was received. If an individual holds more than one of these positions, the documentation shall indicate for which position the training was appropriate. Records of actual training shall be available for inspection at the institution. Compliance with this requirement is a condition of licensure or renewal of licensure.

(f) through (h) No change.

(4) Educational programs and curricula. The following standards shall apply to all institutions licensed by the Commission for Independent Education, except as expressly stated otherwise.

(a) Programs shall be related to the institution's purpose and organized to provide a sequence which leads to the attaining of competence in the respective area or field of study. Each program name shall not be misleading and shall accurately depict the primary purpose of the program.

(b) through (r) No change.

(5) through (6) No change.

(7) Standard 7: Faculty.

(a) NonDegree Diploma Programs:

1. through 2. No change.

3. Pursuant to Section 1005.39, Florida Statutes, faculty in licensed institutions shall complete eight continuing hours of training related to their positions each year. Records of actual training shall be available for inspection at the institution. Compliance with this requirement is a condition or renewal of licensure.

4. No change.

(b) Occupational Associates Degrees:

1. through 2. No change.

3. Pursuant to Section 1005.39, Florida Statutes, faculty in licensed institutions shall complete eight continuing hours of training related to their positions each year. Records of actual training shall be available for inspection at the institution. Compliance with this requirement is a condition or renewal of licensure.

4. No change.

(c) Academic Associate Degrees:

1. through 2. No change.

3. Pursuant to Section 1005.39, Florida Statutes, faculty in licensed institutions shall complete eight continuing hours of training related to their positions each year. Records of actual training shall be available for inspection at the institution. Compliance with this requirement is a condition or renewal of licensure.

4. No change.

(d) Bachelor's Degrees:

1. through 2. No change.

3. Pursuant to Section 1005.39, Florida Statutes, faculty in licensed institutions shall complete eight continuing hours of training related to their positions each year. Records of actual training shall be available for inspection at the institution. Compliance with this requirement is a condition or renewal of licensure.

4. No change.

(e) Master's Degrees:

1. through 2. No change.

3. Pursuant to Section 1005.39, Florida Statutes, faculty in licensed institutions shall complete eight continuing hours of training related to their positions each year. Records of actual training shall be available for inspection at the institution. Compliance with this requirement is a condition or renewal of licensure.

4. No change.

(f) Doctoral Degrees:

1. through 2. No change.

3. Pursuant to Section 1005.39, Florida Statutes, faculty in licensed institutions shall complete eight continuing hours of training related to their positions each year. Records of actual training shall be available for inspection at the institution. Compliance with this requirement is a condition or renewal of licensure.

4. No change.

(8) through (12) No change.

Specific Authority 1005.22(1)(e), 1005.31(2),(3), 1005.34, 1005.39 FS. Law Implemented 1005.04, 1005.31, 1005.33(1), 1005.34, 1005.39 FS. History—Repromulgated 12-5-74, Formerly 6E-3.01(1), Readopted 11-11-75, Amended 3-7-77, 5-7-79, 10-13-83, Formerly 6E-2.04, Amended 11-27-88, 11-29-89, 12-10-90, 10-19-93, 4-2-96, 4-11-00, 1-7-03, _____.

6E-2.0061 Actions Against a Licensee; Penalties.

(1) through (4) No change.

(5) Based upon consideration of aggravating or mitigating factors, present in an individual case, the Commission may deviate from the recommended penalties. The Commission shall consider as aggravating or mitigating factors the following:

(a) The danger to the public;

(b) The length of time since the violation;

(c) The number of times the licensee has been previously disciplined by the commission;

(d) The length of time institution has been a licensed school;

(e) The actual damage, monetary or otherwise, caused by the violation;

(f) The deterrent effect of the penalty imposed;

(g) The effect of the penalty upon the institutions ability to stay open;

(h) Any effort of rehabilitation by the institution;

(i) The actual knowledge of the licensee pertaining to the violation;

(j) Attempts by institution to correct or stop violation or refusal by institution to correct or stop violation;

(k) Related violations against the licensee in another state including findings of guilt or innocence, penalties imposed and penalties served;

(l) Actual negligence of the licensee pertaining to any violation;

(m) Penalties imposed for related offenses;

(n) Pecuniary gain to the institution;

(o) The number of complaints filed against the institution;

(p) Any other relevant mitigating or aggravating factors under the circumstances.

(5) through (9) renumbered (6) through (10) No change.

Specific Authority 1005.32(7), 1005.38 FS. Law Implemented 1005.32(7), 1005.34(3), 1005.38 FS. History—New 10-13-83, Formerly 6E-2.061, Amended 5-20-87, 11-27-88, 11-29-89, 12-10-90, 10-19-93, 1-7-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Commission for Independent Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Commission for Independent
Education

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: March 18, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: April 9, 2004

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE CHAPTER TITLE: RULE CHAPTER NO.:
Manufactured Buildings 9B-1

RULE TITLE: RULE NO.:
Schedule of Fees 9B-1.020

PURPOSE, EFFECT AND SUMMARY: To reduce fees to
reflect budgetary requirements. Schedule of Fees – Rule
9B-1.020, F.A.C.

SPECIFIC AUTHORITY: 553.37(1) FS.

LAW IMPLEMENTED: 553.37(7) FS.

SUMMARY OF STATEMENT OF ESTIMATED
REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 553.37(1) FS.

LAW IMPLEMENTED: 553.37(7) FS.

A HEARING WILL BE HELD AT THE TIME, DATE AND
PLACE SHOWN BELOW:

TIME AND DATE: 9:30 a.m., June 15, 2004

PLACE: Marriott Bay Point Resort Village, 4200 Marriott
Drive, Panama City Beach, Florida 32408

Any person requiring special accommodations at the workshop
because of a disability or physical impairment should contact
Ila Jones, Community Program Administrator, Department of
Community Affairs, 2555 Shumard Oak Boulevard, Sadowski
Building, Tallahassee, Florida 32399-2100, (850)487-1824, at
least seven days prior to the date of the workshop using the
Florida Dual Party Relay System, 1(800)955-8770 (Voice) or
1(800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824

THE FULL TEXT OF THE PROPOSED RULE IS:

9B-1.020 Schedule of Fees.

The Department shall charge the following fees for the indicated items:

(1) through (5) No change.

(6) Insignia Fees:

(a) Factory-built school used in the public school system insignia fee is \$20.00 ~~\$30.00~~ for each building.

(b) No change.

(c) Manufactured buildings that are less than 720 square feet in area as installed, and are not approved for use for human habitation such as storage sheds and lawn storage buildings: \$7.00 ~~\$10.00~~ per building.

(d) Manufactured buildings and components not otherwise provided above: \$55.00 ~~\$60.00~~ per module.

(7) No change.

Specific Authority 553.37(1) FS. Law Implemented 553.37(7) FS. History—New 1-17-72, Amended 2-1-72, 2-23-75, 12-8-75, 3-20-79, 3-1-80, 9-29-82, 11-1-84, Formerly 9B-1.20, Amended 1-1-87, 1-1-89, 1-1-90, 3-1-92, 3-1-95, 9-13-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Janice Browning, Director, Division of Housing and Community Development, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 6, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 16, 2004

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. 040167-TP

RULE TITLES:

Number Portability

Preferred Carrier Freeze

RULE NOS.:

25-4.082

25-4.083

PURPOSE AND EFFECT: To codify the requirements that a company must facilitate a subscriber's move to a new provider when the subscriber elects to switch providers and that a company may only put a preferred carrier freeze on a subscriber's service when one is requested by the subscriber.

SUMMARY: Rule 25-4.082, F.A.C., would require a local provider to facilitate the porting of a subscriber's telephone number and require that a working number should be ported regardless of whether a balance is owed. Rule 25-4.083, F.A.C., clarifies that a preferred carrier freeze should not be imposed on or removed from a subscriber's account without the subscriber's authorization and sets forth the information the company must receive from the subscriber to place a preferred carrier freeze on the subscriber's account.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: All the telecommunications companies that submitted data for the statement of estimated regulatory cost indicated that there would be additional costs for complying with the proposed rules.

The statement of estimated regulatory cost also concludes that small businesses should benefit from the proposed rules because the rules will remove barriers that prevent telecommunications companies from acquiring new customers. Also, small businesses, small cities, and small counties should not be negatively affected unless they operate as a competitive local exchange carrier.

The Commission and other state entities are not anticipated to have additional costs associated with promulgating the proposed rules. The statement of estimated regulatory cost also indicates that no additional Commission staff would be needed to implement the proposed rules, and, over time, the Commission could potentially benefit as the number of complaints filed with the Commission on this subject may decrease.

Any person who wishes to provide information regarding the statement of estimated regulatory 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: 350.127, 364.603 FS.

LAW IMPLEMENTED: 364.16, 364.603 FS.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULES MAY BE SUBMITTED TO: FPSC, DIVISION OF THE COMMISSION CLERK AND

ADMINISTRATIVE SERVICES, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

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 RULES IS: Samantha Cibula, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850)413-6202

THE FULL TEXT OF THE PROPOSED RULES IS:

25-4.082 Number Portability.

(1) The serving local provider shall facilitate porting of the subscriber's telephone number upon request from the acquiring company.

(2) A working number shall be ported regardless of whether a balance is owed.

(3) A local provider shall not disconnect a subscriber's working number, regardless of whether a balance is owed, after receiving a local service request from another local provider.

Specific Authority 350.127 FS. Law Implemented 364.16 FS. History--New

25-4.083 Preferred Carrier Freeze.

(1) A PC Freeze shall not be imposed on or removed from a subscriber's account without the subscriber's authorization and shall not be required as a condition for obtaining service.

(2) A PC Freeze shall be implemented or removed at no charge to the subscriber.

(3) The subscriber's authorization shall be obtained for each service for which a PC Freeze is requested. Procedures implemented by local exchange providers must clearly distinguish among telecommunications services (e.g., local, local toll, and toll) subject to a PC Freeze.

(4) All notification material regarding PC Freezes must include:

(a) An explanation of what a PC Freeze is and what services are subject to a freeze;

(b) A description of the specific procedures necessary to lift a PC Freeze and an explanation that the subscriber will be unable to make a change in provider selection unless the subscriber authorizes lifting of the PC Freeze; and

(c) An explanation that there are no charges for implementing or removing a PC Freeze.

(5) A local provider shall not solicit, market, or induce subscribers to request a PC Freeze. A local provider is not prohibited, however, from informing an existing or potential new subscriber who expresses concerns about slamming about the availability of a PC Freeze.

(6) A local exchange provider shall not implement a PC Freeze unless the subscriber's request to impose a freeze has first been confirmed in accordance with one of the following procedures:

(a) The local exchange provider has obtained the subscriber's written or electronically signed authorization in a form that meets the requirements of subsection (7);

(b) The local exchange provider has obtained the subscriber's electronic authorization, placed from the telephone number(s) on which the PC Freeze is to be imposed. The electronic authorization should confirm appropriate verification data (e.g., the subscriber's date of birth or the last four digits of the subscriber's social security number) and the information required in subsection (7)(a) through (d). Telecommunications providers electing to confirm PC Freeze orders electronically shall establish one or more toll-free telephone numbers exclusively for that purpose. Calls to the number(s) will connect a subscriber to a voice response unit, or similar mechanism that records the required information regarding the PC Freeze request, including automatically recording the originating automatic numbering identification; or

(c) An appropriately qualified independent third party has obtained the subscriber's oral authorization to submit the PC Freeze and confirmed the appropriate verification data (e.g., the subscriber's date of birth or the last four digits of the subscriber's social security number) and the information required in subsection (7)(a) through (d). The independent third party must not be owned, managed, or directly controlled by the provider or the provider's marketing agent; must not have any financial incentive to confirm PC Freeze requests for the provider or the provider's marketing agent; and must operate in a location physically separate from the provider or the provider's marketing agent. The content of the verification must include clear and conspicuous confirmation that the subscriber has authorized a PC Freeze.

(7) A local exchange provider shall accept a subscriber's written and signed authorization to impose a PC Freeze on a preferred provider selection. A written authorization shall be printed in a readable type of sufficient size to be clearly legible and must contain clear and unambiguous language that confirms:

(a) The subscriber's billing name and address and the telephone number(s) to be covered by the PC Freeze;

(b) The specific service, (e.g., local, local toll, and toll), separately stated, on which a PC Freeze will be imposed.

(c) That the subscriber understands that to make a change in provider selection, the subscriber must lift the PC Freeze; and

(d) That there will be no charge to the subscriber for a PC Freeze.

(8) All local exchange providers shall, at a minimum, offer subscribers the following procedures for lifting a PC Freeze:

(a) Acceptance of a subscriber's written or electronically signed authorization; and

(b) Acceptance of a subscriber's oral authorization along with a mechanism that allows the submitting provider to conduct a three-way conference call between the provider administering the PC Freeze and the subscriber. The provider administering the PC Freeze shall confirm appropriate verification data (e.g., the subscriber's date of birth or the last four digits of the subscriber's social security number) and the subscriber's intent to lift a specific PC Freeze.

(9) Information obtained under subsections (6) and (8)(a) shall be retained by the provider for a period of one year.

(10) A PC Freeze shall not prohibit a local provider from changing wholesale services when serving the same end user.

(11) Local providers shall make available an indicator on the customer service record that identifies whether the subscriber currently has a PC Freeze in place.

(12) Local providers shall make available the ability for the subscriber's new local provider to initiate a local PC Freeze using the local service request.

Specific Authority 350.127, 364.603 FS. Law Implemented 364.603 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ray Kennedy

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 20, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 29, No. 17, April 25, 2003

PUBLIC SERVICE COMMISSION

DOCKET NO. 040167-TP

RULE TITLES:

Customer Relations

Customer Relations

RULE NOS.:

25-24.490

25-24.845

PURPOSE AND EFFECT: To codify the requirements that interexchange and competitive local exchange telecommunications companies must facilitate a subscriber's move to a new provider when the subscriber elects to switch providers and that these companies may only put a preferred carrier freeze on a subscriber's service when one is requested by the subscriber.

SUMMARY: The amendment to Rule 25-24.490, F.A.C., would require interexchange telecommunications companies to facilitate the transfer of toll free numbers. The amendment to Rule 25-24.845, F.A.C., would require a competitive local exchange telecommunications provider to facilitate the porting of a subscriber's telephone number and require that a working number should be ported regardless of whether a balance is

owed. The amendment to Rules 25-24.845 and 25-24.490, F.A.C., would also instruct competitive local exchange telecommunications companies and interexchange telecommunications companies that a preferred carrier freeze should not be imposed on or removed from a subscriber's account without the subscriber's authorization and would set forth the information these companies must receive from the subscriber to place a preferred carrier freeze on the subscriber's account.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: All the telecommunications companies that submitted data for the statement of estimated regulatory cost indicated that there would be additional costs for complying with the proposed rules.

The statement of estimated regulatory cost also concludes that small businesses should benefit from the proposed rules because the rules will remove barriers that prevent telecommunications companies from acquiring new customers. Also, small businesses, small cities, and small counties should not be negatively affected unless they operate as a competitive local exchange carrier.

The Commission and other state entities are not anticipated to have additional costs associated with promulgating the proposed rules. The statement of estimated regulatory cost also indicates that no additional Commission staff would be needed to implement the proposed rules, and, over time, the Commission could potentially benefit as the number of complaints filed with the Commission on this subject may decrease.

Any person who wishes to provide information regarding the statement of estimated regulatory 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: 350.127(2), 364.337(2), 364.604(5) FS.

LAW IMPLEMENTED: 364.03, 364.14, 364.15, 364.16, 364.19, 364.337, 364.602, 364.603, 364.604 FS.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULES MAY BE SUBMITTED TO THE FPSC, DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

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 RULES IS: Samantha Cibula, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850)413-6202

THE FULL TEXT OF THE PROPOSED RULES IS:

25-24.490 Customer Relations; ~~Rules Incorporated.~~

(1) The following rules ~~are incorporated herein by reference and~~ apply to IXC's.

Section	Title	Portions Applicable
25-4.083	Preferred Carrier Freeze	All except subsections (11) and (12)
25-4.110	Customer Billing	Subsections (11), (12), (14), (15), (17), (18), and (20)
25-4.111	Customer Complaint and Service Requests	All except subsection (2)
25-4.112	Termination of Service by Customer	All
25-4.113	Refusal or Discontinuance of Service by Company	All
25-4.114	Refunds	All
25-4.117	800 Service	All
25-4.118	Local, Local Toll, or Toll Provider Selection	All

(2) through (3) No change.

(4) Toll free number transfers.

(a) The serving IXC shall facilitate the transfer of the subscriber's toll free telephone number (e.g., 800, 877, 888) upon request from the acquiring company.

(b) The serving IXC shall not disconnect a subscriber's working toll free number after receiving a service transfer request from another IXC.

(c) A working toll free number shall be transferred regardless of whether a balance is owed.

Specific Authority 350.127(2), 364.604(5) FS. Law Implemented 364.03, 364.14, 364.15, 364.16, 364.19, 364.337, 364.602, 364.603, 364.604 FS. History—New 2-23-87, Amended 10-31-89, 3-5-90, 3-4-92, 3-13-96, 12-28-98, 7-5-00, 11-16-03, _____.

25-24.845 Customer Relations; ~~Rules Incorporated.~~

The following rules ~~are incorporated herein by reference and~~ apply to CLECs. In the following rules, the acronym "LEC" should be omitted or interpreted as "CLEC".

Section	Title	Portions Applicable
25-4.082	Number Portability	All
25-4.083	Preferred Carrier Freeze	All
25-4.110	Customer Billing	Subsections (11), (12), (14), (15), (16), (17), (18), and (20)
24-4.118	Local, Local Toll, or Toll Provider Selection	All

Specific Authority 350.127(2), 364.337(2), 364.604(5) FS. Law Implemented 364.16, 364.337(2), 364.602, 364.603, 364.604 FS. History—New 12-28-98, Amended 7-5-00, 11-16-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ray Kennedy

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 20, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 29, No. 17, April 25, 2003

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 TITLE: RULE NO.:
Permits for Hunting or Other Recreational

Uses on Wildlife Management Areas 68A-9.004

PURPOSE AND EFFECT: The purpose and effect of the proposed rule change is to increase the number of Recreational User Permits (RUPs) for Gulf Hammock Wildlife Management Area (WMA) per request from the landowner and stakeholders; and decrease the number of RUPs for Nassau WMA per request from the landowner, because of acreage reduction (from 25,787 to 13,892 acres).

SUMMARY: The proposed rule changes would increase the number of Recreational User Permits for Gulf Hammock WMA from 400 to 450 per request of landowner and stakeholders; and decrease the number of permits on Nassau WMA from 600 to 350 because of acreage reduction (from 25,787 to 13,892 acres).

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$150 for administrative preparation and \$50 for legal advertising.

Any person who wishes to provide information regarding the statement of estimated regulatory 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: Art. IV, Sec. 9, Fla. Const.; 372.121, 372.57, 375.313 FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.; 372.121, 372.57, 375.313 FS.

A HEARING ON THE PROPOSED RULE WILL BE HELD DURING THE COMMISSION'S REGULAR MEETING AT THE TIME, DATES AND PLACE SHOWN BELOW:

TIME AND DATES: 8:30 a.m. each day, June 9-11, 2004

PLACE: Radisson Suite Beach Resort, 600 South Collier Boulevard, Marco Island, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-9.004 Permits for Hunting or Other Recreational Use on Wildlife Management Areas.

(1) In addition to other licenses, permits and stamps required by law, stamp requirements for hunting, camping, fishing, or other recreational uses on lands owned, leased or managed by the Commission or the State of Florida for the use and benefit of the Commission shall be as provided by Section 372.57(8)(i)1., F.S.

(a) through (b) No change.

(c) The total number of permits available for each of the following privately owned wildlife management areas established pursuant to Section 372.57(8)(i)1. ~~372.57(4)(b)2.~~, F.S., shall be:

1. Nassau WMA – 350 ~~600~~
2. San Pedro Bay WMA – 355
3. Blue Water Creek – 400
4. Flint Rock – 450
5. Twelve Mile Swamp – 200
6. Robert Brent – 100
7. Relay – 300
8. Ft. McCoy – 150
9. Gulf Hammock – 450 ~~400~~
10. Grove Park – 200

(d) through (f) No change.

(2) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented 372.121, 372.57, 375.313 FS. History—New 8-1-79, Amended 6-4-81, 6-21-82, Formerly 39-9.04, Amended 6-2-86, 11-1-89, 7-16-98, 5-13-99, Formerly 39-9.004, Amended 7-1-00, 5-29-01, 7-22-01, 6-2-02, 7-28-02, 5-1-03, 7-7-03, 10-12-03, 5-12-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Nick Wiley

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 28, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 26, 2003

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE:

RULE NO.:

Quota Permits; Antlerless Deer Permits;

Special-Opportunity Permits

68A-15.005

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to establish hunter quotas on Box-R Wildlife Management Area (WMA) and to reincorporate the list of quotas by area and hunt. The effect of the proposed rule change is to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule would establish new hunter quotas for Box-R WMA as follows: archery (each hunt), 30 by special hunt application (no exemptions); muzzleloading gun, 30 by special hunt application (no exemptions); general gun (each hunt), 30 by regular hunt application (no exemptions), wild hog (each day), 30 at check station [first-come first-serve, (no exemptions)]; and spring turkey (each hunt), 5 by spring turkey application (no exemptions).

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$150 for administrative preparation and \$50 for legal advertising. No other significant economic impacts are expected.

Any person who wishes to provide information regarding the statement of estimated regulatory 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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD DURING THE COMMISSION'S REGULAR MEETING AT THE TIME, DATES AND PLACE SHOWN BELOW:

TIME AND DATES: 8:30 a.m. each day, June 9-11, 2004

PLACE: Radisson Suite Beach Resort, 600 South Collier Boulevard, Marco Island, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.005 Quota Permits; Antlerless Deer Permits; Special-Opportunity Permits.

(1) No change.

(2) The maximum number of quota and special-opportunity permits to be issued for each wildlife management area, fish management area, or wildlife and environmental area shall be maintained on a list titled "Quota

and special-opportunity permits,” dated August 1, 2004 ~~July 2, 2004~~, incorporated herein by reference and kept by the Commission at its headquarters office and regional offices.

(3) through (4) No change.

PROPOSED EFFECTIVE DATE: August 1, 2004.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 5-19-80, 6-22-80, 12-29-80, 6-4-81, 8-4-81, 6-21-82, 7-29-82, 7-1-83, 7-5-84, 7-1-85, 9-19-85, Formerly 39-15.05, Amended 5-7-86, 6-10-86, 5-10-87, 6-8-87, 10-8-87, 4-13-88, 6-7-88, 7-1-89, 7-1-90, 9-1-90, 7-1-91, 7-2-91, 7-1-92, 8-23-92, 7-1-93, 7-1-94, 3-30-95, 6-20-95, 8-15-95, 4-1-96, 6-27-96, 9-15-96, 10-20-96, 6-1-97, 8-7-97, 11-23-97, 7-1-98, 7-2-98, 8-11-98, 12-28-98, 5-13-99, Formerly 39-15.005, Amended 12-9-99, 4-30-00, 7-1-01, 8-1-01, 11-1-01, 5-13-02, 10-16-02, 5-1-03, 7-1-03, 9-20-03, 7-1-04, 8-1-04.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Nick Wiley

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 28, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 26, 2003

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE FAW.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE: Specific Regulations for Wildlife Management

RULE NO.:

Areas – North Central Region 68A-15.062

PURPOSE AND EFFECT: The purpose of the proposed rule change is to allow the general public to access Prison Farm, Ivey, and Johnson Roads as through travel-ways and prohibit vehicular access to other portions of the area by non-permitted individuals on Grove Park Wildlife Management Area (WMA). The effect of the proposed rule change is to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule change would allow the general public to use Prison Farm, Ivey, and Johnson Roads as through travel-ways.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$150 for administrative preparation and \$50 for legal advertising. No other significant economic impacts are expected.

Any person who wishes to provide information regarding the statement of estimated regulatory 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: Art. IV, Sec. 9, Fla. Const.; 372.121, 375.313 FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.; 372.121, 375.313 FS.

A HEARING ON THE PROPOSED RULE WILL BE HELD DURING THE COMMISSION’S REGULAR MEETING AT THE TIME, DATES AND PLACE SHOWN BELOW:

TIME AND DATES: 8:30 a.m. each day, June 9-11, 2004

PLACE: Radisson Suite Beach Resort, 600 South Collier Boulevard, Marco Island, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.062 Specific Regulations for Wildlife Management Areas – North Central Region.

(1) through (31) No change.

(32) Grove Park Wildlife Management Area (Alachua County).

(a) through (c) No change.

(d) General regulations:

1. Hunting with dogs other than bird dogs is prohibited.

2. Vehicles are prohibited year-round in the Camp Canal area, in those lands lying south of County Road 346, and in those lands lying north of County Road 2082. Vehicles are restricted to established roads in the remaining portion of the area. Non-motorized bicycles are permitted, but may be ridden only on established roads.

3. Taking of wildlife by use of a gun on or from the rights-of-way of County Roads 325, 2082, and 346 is prohibited as provided by Rule 68A-4.008, F.A.C.

4. Fires are prohibited on the area.

5. Horses are permitted only during periods closed to hunting. Horses may be ridden only on established roads.

6. Access is permitted only by individuals possessing a valid recreational user permit, except as provided by Section 372.57, F.S.

7. Non-permitted individuals may not operate any vehicle on any portion of the area, except when engaging in through travel on Prison Farm, Ivey and Johnson Roads.

(33) through (36) No change.

PROPOSED EFFECTIVE DATE: August 1, 2004.

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.121, 375.313 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.121, 375.313 FS. History—New 6-21-82, Amended 7-1-83, 11-17-83, 7-5-84, 7-1-85, 2-16-86, 5-7-86, 6-10-86, 11-27-86, 5-10-87, 5-1-88, 6-7-88, 7-1-89, 8-17-89, 7-1-90, 9-1-90, 7-1-91, 7-2-91, 7-1-92, 7-2-92, 8-23-92, 10-22-92, 7-1-93, 7-1-94, 2-9-95, 7-1-95, 7-1-96, 9-15-96, 6-1-97, 7-1-98, 7-2-98, 7-1-99, Formerly 39-15.062, Amended 12-9-99, 7-1-00, 7-1-01, 11-11-01, 6-2-02, 10-16-02, 5-25-03, 7-7-03, 9-29-03, 7-1-04, 8-1-04.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Nick Wiley

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive
Director

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: April 28, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: November 26, 2003

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE: Specific Regulations for Wildlife Management
Areas – Northwest Region

RULE NO.: 68A-15.063

PURPOSE AND EFFECT: The purpose of the proposed rule changes is to revise or establish specific area regulations on Wildlife Management Areas (WMAs) in the Northwest Region to accommodate landowner requests and to establish new hunting opportunities. The effect of the proposed rule changes is to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule changes would revise specific area regulations on Wildlife Management Areas (WMAs) in the Northwest Region as follows:

Tate's Hell WMA – The proposed rule would accommodate a request by the lead management agency (Division of Forestry) to allow off-highway vehicles on designated trails only.

Box-R WMA – The proposed rules would establish the open seasons for Archery (October 16-22 and 23-31), Small game (November 13-18), Muzzleloading gun (November 19-21), General gun (November 25-28, January 6-9, 13-16 and 20-23), Wild hog (December 4-10), Spring turkey (March 19-22, March 31 through April 3 and 14-17), and Fishing and frogging (throughout the year); establish all legal game, fish, frogs and furbearers as legal to take; establish the bag limit for antlered deer and turkey as one per quota hunt permit, and that the taking of antlerless deer would be by permit only; establish that only antlered deer with at least one antler having three or more points on one side, one inch or more in length, would be legal to take; allow wild hogs to be taken only during the archery, muzzleloading gun, wild hog gun, and general gun hunts, no size or bag limit on wild hogs; prohibit camping; permit the operation of vehicles only on named or numbered roads; require vehicles to enter and exit only at designated entrances, except during the small game season; during periods

when the area is closed to hunting, limit public access to foot (pedestrian), horseback (equestrian), or bicycle except that motorized vehicles may be used on Bluff Road and one day immediately prior to each hunt; prohibit the possession or use of airboats, all-terrain vehicles, motorcycles or tracked vehicles; prohibit hunting with dogs, except bird dogs or retrievers; require that hunters check in and out at a designated check station when entering and exiting the area and check all game taken, except during the small game season; require that deer and turkey shall not be dismembered until checked at a check station; allow 30 daily permits to be issued for the wild hog hunt on a first-come, first-served basis at the check station; prohibit taking or attempting to take wildlife by use of a gun on or from the rights-of-way of County Road 385, County Road 384, Moses Road, Teat Road, or Bluff Road; and require hunters be in possession of a valid quota hunt permit for entry, except during the small game season.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$150 for administrative preparation and \$50 for legal advertising. No other significant economic impacts are expected.

Any person who wishes to provide information regarding the statement of estimated regulatory 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: Art. IV, Sec. 9, Fla. Const.; 372.121, 375.313 FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.; 372.121, 375.313 FS.

A HEARING ON THE PROPOSED RULE WILL BE HELD DURING THE COMMISSION'S REGULAR MEETING AT THE TIME, DATES AND PLACE SHOWN BELOW:

TIME AND DATES: 8:30 a.m. each day, June 9-11, 2004

PLACE: Radisson Suite Beach Resort, 600 South Collier Boulevard, Marco Island, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.063 Specific Regulations for Wildlife Management Areas – Northwest Region.

(1) through (12) No change.

(13) Tate's Hell Wildlife Management Area.

(a) through (c) No change.

(d) General regulations:

1. Deer dogs may be trained from October 30 through November 18.

2. During the general gun and small game seasons, hunting as specified by paragraph 68A-24.002(2)(b), F.A.C., is permitted.

3. Vehicles may be operated only on designated roads. Off-Highway Vehicles (all-terrain vehicles and off-highway motorcycles) may be operated on designated off-highway vehicle trails only. Airboats, ~~all terrain vehicles~~ and tracked vehicles are prohibited.

4. In the still hunt area, which includes that portion of the area east of Whiskey George Creek and south of Dry Bridge Road, east of Car Body Road, south of River Road, east of Burnt Bridge Road from its intersection with River Road to the New River, south of New River and west of Carrabelle River, and those lands lying south and east of the Crooked River, hunting with dogs other than bird dogs and retrievers is prohibited.

5. Taking of wildlife by use of a gun on or from the rights-of-way of State Road 67 is prohibited as provided by Rule 68A-4.008, F.A.C.

(14) through (24) No change.

(25) Box-R Wildlife Management Area.

(a) Open season:

1. Archery – October 16-22, and 23-31.

2. Small game – November 13-18.

3. Muzzleloading gun – November 19-21.

4. General gun – November 25-28, January 6-9, 13-16, and 20-23.

5. Wild hog – December 4-10.

6. Spring turkey – March 19-22, March 31 through April 3, and April 14-17.

7. Fishing and frogging – Permitted throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. The bag limit for deer shall be one antlered deer per quota hunt permit. Antlerless deer may be taken by permit only. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. During spring turkey season, the bag limit for turkey shall be one gobbler or bearded turkey per quota hunt permit. Wild hogs may be taken only during the archery, muzzleloading gun, wild hog, and general gun hunts. No size or bag limit on wild hogs.

(c) Camping: Prohibited.

(d) General regulations:

1. Vehicles may be operated only on named or numbered roads.

2. Vehicles shall enter and exit only at designated entrances as indicated on the hunt map, except during the small game season.

3. During periods when the area is closed to hunting, public access other than on foot (pedestrian), horseback (equestrian), or by bicycle is prohibited except that motorized vehicles may be used on Bluff Road and one day immediately prior to each hunt.

4. The possession or use of airboats, all-terrain vehicles, motorcycles or tracked vehicles is prohibited.

5. Hunting with dogs, other than bird dogs or retrievers, is prohibited.

6. Hunters shall check in and out at a check station when entering and exiting the area and shall check all game taken, except during the small game season.

7. No deer or turkey shall be dismembered until checked at a check station.

8. Thirty (30) daily hunt permits shall be available for the wild hog gun hunt at the check station on a first-come, first-served basis.

9. Taking or attempting to take wildlife by use of a gun on or from the rights-of-way of County Road 385, County Road 384, Moses Road, Teat Road, or Bluff Road is prohibited.

10. A quota hunt permit shall be required for every hunter entering the area, except during small game season.

PROPOSED EFFECTIVE DATE: August 1, 2004.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 6-21-82, Amended 7-1-83, 7-5-84, 7-1-85, 5-7-86, 5-10-87, 6-8-87, 5-1-88, 7-1-89, 7-1-90, 9-1-90, 7-1-91, 9-1-91, 7-1-92, 7-2-92, 7-1-93, 3-1-94, 7-1-94, 7-1-95, 7-2-95, 8-15-95, 7-1-96, 7-2-96, 6-1-97, 12-3-97, 7-1-98, 7-2-98, 8-11-98, 7-1-99, Formerly 39-15.063, Amended 11-17-99, 7-1-00, 7-1-01, 7-22-01, 6-2-02, 5-1-03, 7-1-03, 7-1-04, 8-1-04.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Nick Wiley

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 28, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 26, 2003

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Local Laws

RULE TITLE:

RULE NO.:

Prohibition on Take of Puffer Fish in Volusia,
Brevard, Indian River, St. Lucie,
and Martin Counties

68B-3.007

PURPOSE AND EFFECT: The purpose of this proposed new rule is to make permanent an executive order of the Fish and Wildlife Conservation Commission prohibiting the take of puffer fish in state waters on the east coast from Volusia County southward through Martin County. This action is based

on known and verified occurrences of severe illnesses caused by the consumption of puffers. The effect of this effort will be to protect the health of Floridians and visitors.

SUMMARY: Proposed new Rule 68B-3.007, F.A.C., prohibits the take of puffer fish in state waters along the east coast of Florida from Volusia County southward through Martin County.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A statement of estimated regulatory cost has not been prepared regarding these proposed rules.

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

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

A HEARING WILL BE HELD DURING THE REGULAR MEETING OF THE COMMISSION AT THE TIME, DATES AND PLACE SHOWN BELOW:

TIME AND DATES: 8:30 a.m. each day, June 9-11, 2004

PLACE: Radisson Suite Beach Resort, 600 South Collier Boulevard, Marco Island, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Cindy Hoffman, ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-3.007 Prohibition on Take of Puffer Fish in Volusia, Brevard, Indian River, St. Lucie, and Martin Counties.
In the waters of Volusia, Brevard, Indian River, St. Lucie, and Martin Counties, the take of fish commonly known as puffers, Genus *Sphoeroides*, is prohibited.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Mark Robson

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 28, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 30, 2004

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE FAW.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Gear Specifications and Prohibited Gear

RULE TITLES:	RULE NOS.:
Gear Definitions	68B-4.002

Prohibition of Trap Pullers on Recreational and Certain Commercial Vessels	68B-4.019
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PURPOSE AND EFFECT: The purpose of this rule amendment and new rule is to assure that only commercial vessels engaged in the legal harvest of marine life by the use of traps will have a trap puller aboard. The effect of this effort should be to reduce opportunities for trap robbing, which is a felony.

SUMMARY: A new definition of the term "trap puller" is added to Rule 68B-4.002, F.A.C. Proposed new Rule 68B-4.019, F.A.C., prohibits the operation of a vessel with a trap puller aboard unless the vessel is operated legally as part of one of Florida's recognized commercial trap fisheries. An exception is allowed for persons provided an accommodation under the Americans with Disabilities Act.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A statement of estimated regulatory cost has not been prepared regarding these proposed rules.

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

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

A HEARING WILL BE HELD DURING THE REGULAR MEETING OF THE COMMISSION AT THE TIME, DATES AND PLACE SHOWN BELOW:

TIME AND DATES: 8:30 a.m. each day, June 9-11, 2004

PLACE: Radisson Suite Beach Resort, 600 South Collier Boulevard, Marco Island, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting

by contacting: Cindy Hoffman, ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULES IS:

68B-4.002 Gear Definitions.

As used in Title 68B, F.A.C., unless otherwise defined:

(1) through (14) No change.

(15) “Trap puller” means any mechanical device used to retrieve or capable of retrieving a trap used to harvest marine life. An anchor winch at or near the bow of a vessel is not considered a trap puller.

(15) through (17) renumbered (16) through (18) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Art. X, Sec. 16, Fla. Const. History--New 1-1-89, Amended 11-26-92, 1-1-97, 4-27-98, Formerly 46-4.002, Amended 12-2-99,_____.

68B-4.019 Prohibition of Trap Pullers on Recreational and Certain Commercial Vessels.

No person shall operate any vessel with a trap puller aboard unless such vessel is operated commercially pursuant to a vessel saltwater products license with either a lobster trap endorsement, stone crab trap endorsement, blue crab trap endorsement, or a federal fish trap endorsement. This prohibition shall not apply to a person operating a vessel with a trap puller aboard who has been granted an accommodation by the Commission under the Americans With Disabilities Act to possess and use such gear.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Art. X, Sec. 16, Fla. Const. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Mark Robson

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kenneth D. Haddad, Executive Director.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 28, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 30, 2004

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE FAW.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Stone Crabs

RULE TITLES:

RULE NOS.:

Gear, Trap Construction, Commercial Trap

Marking Requirements, Trap Working

Regulations, Trap Transfer

68B-13.008

Stone Crab Trap Limitation Program

68B-13.010

PURPOSE AND EFFECT: The purpose of these rule amendments is to implement recommendations of the Stone Crab Advisory Board to make a technical change in the specifications for orientation of degradable panels, allow the voluntary surrender of trap certificates, and expand the time window for transfer of certificates each year. The effect will be to give stone crab trappers more options for degradable panels and encourage the retirement and transfer of certificates, the key component of passive trap reduction.

SUMMARY: Paragraph (2)(c) of Rule 68B-13.008, F.A.C., is amended to delete the requirement that rectangular openings mandated for several types of degradable panels be oriented vertically on the sides of a stone crab trap. Paragraph (2)(a) of Rule 68B-13.010, F.A.C., is amended to allow voluntary surrender of stone crab trap certificates upon completion of the appropriate form. Paragraph (3)(a) of the rule is amended to expand the time window applicable to the transfer of stone crab trap certificates to June 15 through March 1 each year.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A statement of estimated regulatory cost has not been prepared regarding these proposed rules.

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

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

A HEARING WILL BE HELD DURING THE REGULAR MEETING OF THE COMMISSION AT THE TIME, DATES AND PLACE SHOWN BELOW:

TIME AND DATES: 8:30 a.m. each day, June 9-11, 2004

PLACE: Radisson Suite Beach Resort, 600 South Collier Boulevard, Marco Island, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Cindy Hoffman, ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-13.008 Gear, Trap Construction, Commercial Trap Marking Requirements, Trap Working Regulations, Trap Transfer.

(1) No change.

(2) TRAP CONSTRUCTION. No person, firm, or corporation shall transport on the water, fish with, or cause to be fished with, set, or placed, in the harvest of stone crabs, any trap which does not meet the following requirements:

(a) through (b) No change.

(c)1. The throat or entrance to all wood and plastic traps shall be located on the top horizontal section of the trap. If the throat is longer in one dimension, the throat size in the longer dimension shall not exceed 5 1/2 inches and in the shorter dimension shall not exceed 3 1/2 inches. If the throat is round, the throat size shall not exceed 5 inches in diameter.

2. Each throat (entrance) in any wire trap used to harvest stone crabs shall be horizontally oriented. The width of the opening where the throat meets the vertical wall of the trap and the opening of the throat at its farthest point from the vertical wall, inside the trap, shall be greater than the height of any such opening. No such throat shall extend farther than 6 inches into the inside of any trap, measured from where the throat opening meets the vertical wall of the trap to the throat opening at its farthest point from the vertical wall, inside the trap.

3. Each wire trap used to harvest stone crabs shall have at least three unobstructed escape rings installed on a vertical outer surface, each with a minimum diameter of 2 3/8 inches. One such escape ring shall be located on a vertical outer surface adjacent to each crab retaining chamber.

4. Each plastic or wire trap used to harvest stone crabs shall have a degradable panel.

a. A plastic trap shall be considered to have a degradable panel if it contains at least one sidewall with a rectangular opening no smaller in either dimension than that of the throat. This opening must be obstructed with a cypress or untreated pine slat or slats no thicker than 3/4 inch. When the slat degrades, the opening in the sidewall of the trap will no longer be obstructed.

b. A wire trap shall be considered to have a degradable panel if one of the following methods is used in construction of the trap:

(I) The trap lid tie-down strap is secured to the trap at one end by a single loop of untreated jute twine. The trap lid must be secured so that when the jute degrades, the lid will no longer be securely closed.

(II) The trap lid tie-down strap is secured to the trap at one end with a corrodible loop composed of non-coated steel wire measuring 24 gauge or thinner. The trap lid must be secured so that when the loop degrades, the lid will no longer be securely closed.

(III) The trap lid tie-down strap is secured to the trap at one end by an untreated pine dowel no larger than 2 inches in length by 3/8 inch in diameter. The trap lid must be secured so that when the dowel degrades, the lid will no longer be securely closed.

(IV) The trap contains at least one sidewall with a ~~vertical~~ rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. This opening must be laced, sewn, or otherwise obstructed by a single length of untreated jute twine knotted only at each end and not tied or looped more than once around a single mesh bar. When the jute degrades, the opening in the sidewall of the trap will no longer be obstructed.

(V) The trap contains at least one sidewall with a ~~vertical~~ rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. This opening must be obstructed with an untreated pine slat or slats no thicker than 3/8 inch. When the slat degrades, the opening in the sidewall of the trap will no longer be obstructed.

(VI) The trap contains at least one sidewall with a ~~vertical~~ rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. The opening may either be laced, sewn, or otherwise obstructed by non-coated steel wire measuring 24 gauge or thinner or be obstructed with a panel of ferrous single-dipped galvanized wire mesh made of 24 gauge or thinner wire. When the wire or wire mesh degrades, the opening in the sidewall of the trap will no longer be obstructed.

(VII) The trap contains at least one sidewall with a ~~vertical~~ rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. The opening may be obstructed with a rectangular panel made of any material, fastened to the trap at each of the four corners of the rectangle by rings made of non-coated 24 gauge or thinner wire or single strands of untreated jute twine. When the corner fasteners degrade, the panel will fall away and the opening in the sidewall of the trap will no longer be obstructed.

(3) through (5) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art IV, Sec. 9, Fla. Const. History—New 7-1-00, Amended 7-22-01,_____.

68B-13.010 Stone Crab Trap Limitation Program.

(1) No change.

(2) CERTIFICATES AND TRAP TAGS. Each holder of a stone crab trap endorsement must have a certificate on record for each stone crab trap used or possessed in or on the water. In addition, attached to each trap shall be a tag, issued annually by the Commission, which corresponds to a valid certificate.

(a) Certificates.

1. through 13. No change.

14. After the 2002/2003 fishing year, the fees for unpaid certificates will accumulate each year a certificate holder fails to pay his or her annual certificate fee. Partial payment of accumulated certificate fees will not be accepted. However, any number of certificates may be permanently surrendered by the certificate holder at any time by completing Commission Form DMF-SL0500 (7-04), incorporated herein by reference. In the event a holder's annual certificate fee is not paid for a period of 3 years, the certificates shall be considered abandoned and permanently removed from the pool of available certificates. All prior certificate fees must be paid in order to keep certificates current and avoid a declaration of abandonment.

(b) through (e) No change.

(3) CERTIFICATE TRANSFERABILITY AND PASSIVE REDUCTION. After initial issuance, trap certificates are transferable on a market basis and may be transferred for a fair market value agreed upon between the transferor and transferee.

(a) Transfer window. Trap certificates shall only be transferred from the trap certificate account of one person to the account of another during the period June 15 ~~August 1~~ through March 1 each year. However, requests to transfer trap certificates received after February 15 may not be completed during the current season if all required information and fees are not also received at that time.

(b) through (k) No change.

(4) through (7) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art IV, Sec. 9, Fla. Const. History--New 7-1-00, Amended 7-22-01, 6-2-02, 7-1-03,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Mark Robson

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kenneth D. Haddad, Executive Director.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 28, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 30, 2004

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE FAW.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Reef Fish

RULE TITLE:

RULE NO.:

Commercial Harvest Requirements; Licenses,

Season Closures, Bag and Trap Limits

68B-14.0045

PURPOSE, EFFECT AND SUMMARY: The purpose of this rule amendment is to implement a closure period in state waters of the Gulf of Mexico beyond three miles from shore for black sea bass traps, to coincide with an identical closure for the state's other trap fisheries. The effect of this rule amendment should be to discourage the stockpiling of stone crabs in such traps prior to the stone crab season and allow removal of lost or derelict traps.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A statement of estimated regulatory cost has not been prepared regarding these proposed rules.

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

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

A HEARING WILL BE HELD DURING THE REGULAR MEETING OF THE COMMISSION AT THE TIME, DATES AND PLACE SHOWN BELOW:

TIME AND DATES: 8:30 a.m. each day, June 9-11, 2004

PLACE: Radisson Suite Beach Resort, 600 South Collier Boulevard, Marco Island, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Cindy Hoffman, ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-14.0045 Commercial Harvest Requirements; Licenses, Season Closures, Bag and Trap Limits.

(1) No change.

(2) Season Closures.

(a) through (g) No change.

(h) During the period beginning September 20 and continuing through October 4 of each year, no black sea bass trap as defined in Section 370.1105(1)(c), Florida Statutes, and in Rule 68B-14.005(1)(b), F.A.C., shall be placed in state waters of the Gulf of Mexico seaward of three nautical miles from shore.

(3) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 2-1-90, Amended 12-31-92, 10-18-93, 3-1-94, 6-15-95, 1-1-96, 11-27-96, 12-31-98, 3-1-99, Formerly 46-14.0045, Amended 1-1-00, 3-6-00, 1-1-01, 3-1-01, 6-1-01, 1-1-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Mark Robson

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 28, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 30, 2004

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE FAW.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Spiny Lobster (Crawfish) and Slipper Lobster

RULE TITLE: Commercial Requirements; Appeals

RULE NO.: 68B-24.0055

PURPOSE AND EFFECT: The purpose of this rule amendment is to expand the time window for transfer of lobster trap certificates each year, as recommended by the Stone Crab Appeals Board and in conjunction with an identical change for stone crabs. The effect of this effort will be to allow lobster trap harvesters 6-7 more weeks to accomplish transfers. SUMMARY: Paragraph (2)(b) of Rule 68B-24.0055, F.A.C., is amended to expand the time window applicable to the transfer of spiny lobster trap certificates to June 15 through March 1 each year.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A statement of estimated regulatory cost has not been prepared regarding these proposed rules.

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

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

A HEARING WILL BE HELD DURING THE REGULAR MEETING OF THE COMMISSION AT THE TIME, DATES AND PLACE SHOWN BELOW:

TIME AND DATES: 8:30 a.m. each day, June 9-11, 2004

PLACE: Radisson Suite Beach Resort, 600 South Collier Boulevard, Marco Island, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Cindy Hoffman, ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-24.0055 Commercial Requirements; Appeals.

(1) No change.

(2) Beginning in the 2004-2005 fishing season, in addition to a valid saltwater products license with a restricted species endorsement and a valid crawfish endorsement, a commercial dive permit is required to harvest spiny lobster in commercial quantities by diving. This permit will be in the form of the letter D being added to the end of the existing crawfish number. Application for issuance of a commercial dive permit shall be made on a form provided by the Commission (Form DMF-SL0610(4-04), Commercial Dive Permit Application), incorporated herein by reference.

(a) The applicant must have documented commercial dive lobster landings pursuant to Commission trip ticket records generated under the provisions of Rule Chapter 68E-5, F.A.C., during the license year July 1, 2000 through June 30, 2001, July 1, 2001 through June 30, 2002, or during the license year July 1, 2002 through June 30, 2003.

(b) Commercial dive permits will not be issued to or renewed for applicants who own one or more lobster trap certificates. Trap certificates may only be transferred during the period June 15 through August 1 to March 1 each year. An applicant who is otherwise eligible to receive a commercial dive permit in 2004-2005 but holds lobster trap. The harvest of spiny lobster in federal waters adjacent to Florida is regulated by both federal regulations, located in 50 C.F.R. Part 640, and a fishery management plan (FMP). The current federal FMP for spiny lobster has a procedure included for extending certain specified Florida spiny lobster management measures into

federal waters. Because trap tags are required for the use of traps in federal waters, these proposed rules will continue identical rules applicable in both state and federal waters. Certificates after March 1, 2004, may receive a commercial dive permit if the commission is directed in writing to deactivate his/her lobster trap certificate account. Failure on the part of such an applicant to obtain the commercial dive permit for the 2004-2005 season is a waiver of eligibility for the dive permit until such a time that the commission authorizes issuance of new commercial dive permits.

(c) through (f) No change.

(3) through (5) No change.

Specific Authority Art IV, Sec. 9, Fla. Const. Law Implemented Art IV, Sec. 9, Fla. Const. History—New 7-1-01, Amended 7-7-03, 4-1-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Mark Robson

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Kenneth D. Haddad, Executive
Director

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: April 28, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: April 30, 2004

BE ADVISED THAT THESE PROPOSED RULES MAY BE
FILED FOR ADOPTION AS SOON AS POSSIBLE
FOLLOWING THE COMMISSION MEETING AT WHICH
THEY ARE CONSIDERED IF THE RULES ARE NOT
CHANGED. IF CHANGED, THE RULES MAY BE FILED
AS SOON AS POSSIBLE AFTER PUBLICATION OF A
NOTICE OF CHANGE IN THE FAW.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Blue Crab

RULE TITLES:	RULE NOS.:
Definitions	68B-45.002
Other Prohibitions	68B-45.006

PURPOSE AND EFFECT: The purpose of these rule amendments is to expand the area in the Gulf of Mexico closed to blue crab harvest by trap during the period from September 20 through October 4 each year to include all state waters of the Gulf of Mexico seaward of three nautical miles from shore. The effect of this change should be to discourage the stockpiling of stone crabs in such traps prior to the stone crab season and allow removal of lost or derelict traps.

SUMMARY: Rule 68B-45.002, F.A.C., is amended to delete a definition of the term “Northwest Seasonal Closure Region” and include a definition of the expanded “Gulf Seasonal Closure Region.” Subsection (3) of Rule 68B-45.006, F.A.C., is amended to implement the expanded seasonal closure area.

SUMMARY OF STATEMENT OF ESTIMATED
REGULATORY COST: A statement of estimated regulatory
cost has not been prepared regarding these proposed rules.

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

SPECIFIC AUTHORITY: Article IV, Section 9, Florida
Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida
Constitution.

A HEARING WILL BE HELD DURING THE REGULAR
MEETING OF THE COMMISSION AT THE TIME, DATES
AND PLACE SHOWN BELOW:

TIME AND DATES: 8:30 a.m. each day, June 9-11, 2004

PLACE: Radisson Suite Beach Resort, 600 South Collier
Boulevard, Marco Island, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Cindy Hoffman, ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE IS: James V. Antista, General Counsel,
Fish and Wildlife Conservation Commission, 620 South
Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-45.002 Definitions.

As used in this rule chapter:

(1) through (5) No change.

(6) “Gulf Seasonal Closure Region” means all state waters of the Gulf of Mexico seaward of three nautical miles from shore and north and west of latitude 29 degrees, 17 minutes, and 02 seconds North (from the south bank of the mouth of the Suwannee River to near channel marker 21 westward to the outer limits of state waters).

(6) through (8) renumbered (7) through (9) No change.

(9) “~~Northwest Seasonal Closure Region~~” means all state waters of the Gulf of Mexico seaward of three nautical miles and north and west of latitude 29 degrees, 17 minutes, and 02 seconds North (from the south bank of the mouth of the Suwannee River to near channel marker 21 westward to the outer limits of state waters).

(10) through (13) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 12-14-93, Amended 6-1-94, 10-4-95, Formerly 46-45.002, Amended 7-1-03, _____.

68B-45.006 Other Prohibitions.

(1) through (2) No change.

(3) In the Gulf Northwest Seasonal Closure Region, no blue crab trap, including any trap used to harvest peeler crabs, may be placed in the water, fished, or soaked during the period beginning September 20 and continuing through October 4 each year.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 12-14-93, Formerly 46-45.006, Amended 7-1-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Mark Robson

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 28, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 30, 2004

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE FAW.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Resources

RULE CHAPTER TITLE: Spiny Lobster Trap Certificate Program

RULE TITLES:	RULE NOS.:
Definitions	68E-18.002
Transfer of Certificates	68E-18.005

PURPOSE AND EFFECT: The purpose of these rule amendments is to expand the time window for transfer of spiny lobster trap certificates each year, as recommended by the Stone Crab Appeals Board and in conjunction with changes relating to lobster in Rule Chapter 68B-24, F.A.C., and an identical change for stone crabs. The effect of this effort will be to allow lobster trap harvesters 6-7 more weeks to accomplish transfers.

SUMMARY: In Rule 68E-18.002, F.A.C., the definition of the term "transfer period" is amended to expand the period from June 15 through March 1 each year. Subsection (1) of Rule 68E-18.005, F.A.C., is amended to make the same change.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A statement of estimated regulatory cost has not been prepared regarding these proposed rules.

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

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

A HEARING WILL BE HELD DURING THE REGULAR MEETING OF THE COMMISSION AT THE TIME, DATES AND PLACE SHOWN BELOW:

TIME AND DATES: 8:30 a.m. each day, June 9-11, 2004

PLACE: Radisson Suite Beach Resort, 600 South Collier Boulevard, Marco Island, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Cindy Hoffman, ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68E-18.002 Definitions.

(1) through (18) No change.

(19) "Transfer period" means that period of time when individuals holding trap certificates can transfer their certificates to another individual's certificate allocation. The transfer time shall begin June 15 be coincident with the first placement of traps for the regular lobster season (currently August 1) and ~~end ending~~ midnight March 1.

(20) through (21) No change.

Specific Authority Art IV, Sec. 9, Fla. Const. Law Implemented Art IV, Sec. 9, Fla. Const. History—New 5-16-95, Formerly 62R-18.002, Amended 7-1-01, 4-11-04, _____.

68E-18.005 Transfer of Certificates.

(1) Trap certificates shall only be transferred by the Commission during the June 15 – March 1 ~~August 1 – March 1~~ transfer period designated in Rule 68E-18.002, F.A.C.

(2) through (10) No change.

Specific Authority Art IV, Sec. 9, Fla. Const. Law Implemented Art IV, Sec. 9, Fla. Const. History—New 5-16-95, Amended 4-7-99, Formerly 62R-18.005, Amended 7-1-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Mark Robson

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 28, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 30, 2004

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE FAW.

DEPARTMENT OF FINANCIAL SERVICES

Division of Risk Management

RULE TITLE: Other Forms Adopted

RULE NO.: 69H-2.008

PURPOSE AND EFFECT: To incorporate new federal HIPAA rules with respect to medical authorization to release records to the State Risk Management division so that they may adjust claims.

SUMMARY: The original source of the rule is a recent change to the HIPAA privacy rules. The privacy rules (1) establish individual rights with respect to covered health information, (2) define and limits the circumstances in which a covered entity may use and disclose protected health information and (3) require covered entities to adopt safeguards to protect the confidentiality of protected health information. This form incorporates and adopts the requirements of 45 C.F.R. §164.508(a)(3)-(6) (2003).

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

Any person who wishes to provide information regarding the statement of estimated regulatory 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: 284.39 FS.

LAW IMPLEMENTED: 284.39 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

TIME AND DATE: 9:00 a.m., June 3, 2004

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting the person listed below.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: George Rozes, Senior Management Analyst II, Division of Risk Management, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0336, (850)413-4754

THE FULL TEXT OF THE PROPOSED RULE IS:

69H-2.008 Other Forms Adopted.

(1) The following forms are hereby adopted and incorporated by reference. These forms shall be used to aid the Division in the performance of its administrative duties by securing pertinent facts and information on claims filed against the Fund, as the circumstances of particular cases may require.

(a)	DI4-261	Automobile Accident Report	rev. 6/00
(b)	DI4-866	Mileage Reimbursement	rev. 3/01
(c)	DI4-1403	General Liability Loss Report	rev. 6/00
(d)	DI4-1404	Lien Disclosure Statement	rev. 3/01
(e)	DI4-1406	Insurer's Disclosure Statement Pursuant to Section 627.4137, F.S.	rev. 6/00
(f)	DFS-D014-1407	Medical Authorization	rev. 3/04 6/00
(g)	DI4-1410	Substitute Form W9	new 6/00

(2) Copies of each form adopted and incorporated by reference in this rule are available from the Division of Risk Management, Department of Financial Services, Larson Building, Tallahassee, Florida 32399-03360300.

Specific Authority 284.39 FS. Law Implemented 284.39 FS. History--New 1-7-92, Amended 6-28-01, Formerly 4H-2.008, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: George Rozes, Senior Management Analyst II, Division of Risk Management, Department of Financial Services
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: George Rozes, Senior Management Analyst II, Division of Risk Management, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 29, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 9, 2004

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

RULE TITLE: Construction Industry Classification Codes,

RULE NO.:

Descriptions, and Operations

69L-6.021

PURPOSE AND EFFECT: The rule is being amended to reflect amendments to Sections 440.02(8) and 440.02(15), Florida Statutes, contained in Chapter 2003-412, Laws of Florida. The amendment to Section 440.02(8), Florida Statutes, authorizes the Division of Workers' Compensation to establish, by rule, standard industrial classification codes and definitions

thereof which meet the criteria of the terms "construction industry" as set forth in Section 440.02, Florida Statutes. The amendments to Section 440.02(15), Florida Statutes, deleted provisions of law that made exemptions obtained by corporate officers of a corporation actively engaged in the construction industry, inapplicable to work performed at commercial building projects estimated to be valued at \$250,000 or greater. SUMMARY: The Division adopts the classification codes and descriptions that are specified in the Florida Contracting Classification Premium Adjustment Program that are published in the Florida exception pages of the National Council on Compensation Insurance, Inc. ("NCCI") Basic Manual. The Division adopts the definitions published by NCCI, SCOPES® of Basic Manual Classifications that correspond to the classification codes and descriptions referenced above.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No statement of estimated regulatory costs has been prepared.

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

SPECIFIC AUTHORITY: 440.02(8), 440.591 FS.

LAW IMPLEMENTED: 440.02(8) FS., Ch. 2003-412, Section 1, Laws of Florida (repealing parts of Section 440.02(15), F.S.) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

TIME AND DATE: 9:30 a.m., June 1, 2004

PLACE: Room 104J, Hartman Building, 2012 Capital Circle, S. E., Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing, please advise the Department at least 5 calendar days before the hearing by contacting the person listed below.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Andrew Sabolic, Policy Coordinator, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4228, (850)413-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-6.021 Construction Industry Classification Codes, Descriptions, and Operations Scope of Exemption.

(1) The Division adopts the classification codes and descriptions that are specified in the Florida Contracting Classification Premium Adjustment Program, and published in the Florida exception pages of the National Council on

Compensation Insurance, Inc. (NCCI), Basic Manual (1996 ed., issued January 21, 2003). For convenience, the Division lists here the classification codes and descriptions that are published in the Florida exception pages of the Basic Manual and adopted in this rule. For work performed at a commercial building project estimated to be valued at \$250,000 or greater, the Division shall utilize the contracting classifications eligible for the Florida Contracting Classification Premium Adjustment Program (FCCPAP) included in the Florida exception pages of the National Council on Compensation Insurance, Inc.'s Basic Manual—1996 Edition—Florida, with Revisions Effective Prior to January 1, 2001, to determine whether a workers' compensation exemption issued pursuant to Section 440.05, F.S., is applicable.

~~(a) For any person whose activities are included under a contracting classification identified in this rule, the exemption is not applicable for work performed at a commercial building project estimated to be valued at \$250,000 or greater.~~

~~(b) For any person whose activities are not included under a contracting classification identified in this rule, the exemption is applicable, including for work performed at a commercial building project estimated to be valued at \$250,000 or greater.~~

~~(c) The contracting classifications identified in this rule are as follows:~~

- | | | |
|-------------------|------|--|
| (a)1- | 0042 | Landscape Gardening and Drivers |
| (b)2- | 0050 | Farm Machinery Operation – By Contractor and Drivers |
| (c)3- | 1322 | Oil or Gas Well: Cleaning or Swabbing of Old Wells Having Previously Produced Gas or Oil – By Contractor – No Drilling – and Drivers |
| (d)4- | 3365 | Welding or Cutting NOC and Drivers |
| (e)5- | 3719 | Oil Still Erection or Repair |
| (f)6- | 3724 | Machinery or Equipment Erection or Repair NOC and Drivers |
| (g)7- | 3726 | Boiler Installation or Repair – Steam |
| (h)8- | 5020 | Ceiling Installation – Suspended Acoustical Grid Type |
| (i)9- | 5022 | Masonry NOC |
| (j)10- | 5037 | Painting: Metal Structures – Over Two Stories in Height – and Drivers |
| (k)11- | 5040 | Iron or Steel: Erection – Frame Structures |
| (l)12- | 5057 | Iron or Steel: Erection NOC |
| (m)13- | 5059 | Iron or Steel: Erection – Frame Structures Not Over Two Stories in Height |
| (n)14- | 5069 | Iron or Steel: Erection – Construction of Dwellings Not Over Two Stories in Height |

(o)15-	5102	Door, Door Frame or Sash Erection – Metal or Metal Covered	(rr)44-	5536	Heating and Air Conditioning Duct Work – Shop and Outside – and Drivers
(p)16-	5146	Furniture or Fixtures Installation – Portable – NOC	(ss)45-	5538	Sheet Metal Work – Shop and Outside – NOC and Drivers
(q)17-	5160	Elevator Erection or Repair	(tt)46-	5551	Roofing – All Kinds and Yard Employees, Drivers
(r)18-	5183	Plumbing NOC and Drivers	(uu)47-	5606	Contractor – Executive Supervisor or Construction Superintendent
(s)19-	5188	Automatic Sprinkler Installation and Drivers	(vv)48-	5610	Cleaner – Debris Removal
(t)20-	5190	Electrical Wiring – Within Buildings and Drivers	(ww)49-	5613	Cleaner – Debris Removal – Temporary Labor Service
(u)21-	5213	Concrete Construction NOC	(xx)50-	5645	Carpentry – Detached One or Two Family Dwellings
(v)22-	5215	Concrete Work – Incidental to the Construction of Private Residence	(yy)51-	5651	Carpentry – Dwellings – Three Stories or Less
(w)23-	5221	Concrete or Cement Work – Floors, Driveways, Yards, and Sidewalks – and Drivers	(zz)52-	5703	Building Raising or Moving and Drivers
(x)24-	5222	Concrete Construction in Connection with Bridges or Culverts	(aaa)53-	5705	Salvage Operation – No Wrecking or Any Structural Operations
(y)25-	5223	Swimming Pool Construction – Not Iron or Steel – and Drivers	(bbb)54-	6003	Pile Driving
(z)26-	5348	Stone, Mosaic or Terrazzo or Ceramic Tile Work – Inside	(ccc)55-	6005	Jetty or Breakwater Construction – All Operations to Completion and Drivers
(aa)27-	5402	Hothouse Erection – All Operations	(ddd)56-	6017	Dam or Lock Construction: Concrete Work – All Operations
(bb)28-	5403	Carpentry NOC	(eee)57-	6018	Dam or Lock Construction: Earth Moving or Placing – All Operations
(cc)29-	5437	Carpentry – Installation of Cabinet Work or Interior Trim	(fff)58-	6045	Levee Construction – All Operations to Completion and Drivers
(dd)30-	5443	Lathing and Drivers	(ggg)59-	6204	Drilling NOC and Drivers
(ee)31-	5445	Wallboard Installation Within Buildings and Drivers	(hhh)60-	6206	Oil or Gas Well: Cementing and Drivers
(ff)32-	5462	Glazier – Away From Shop and Drivers	(iii)61-	6213	Oil or Gas Well: Specialty Tool Operation NOC – By Contractor – All Employees and Drivers
(gg)33-	5472	Asbestos Contractor – Pipe and Boiler Work Exclusively and Drivers	(jjj)62-	6214	Oil or Gas Well: Perforating of Casing – All Employees and Drivers
(hh)34-	5473	Asbestos Contractor – NOC and Drivers	(kkk)63-	6216	Oil or Gas Lease Work NOC – By Contractor and Drivers
(ii)35-	5474	Painting or Paperhanging NOC and Shop Operations, Drivers	(lll)64-	6217	Excavation and Drivers
(jj)36-	5478	Carpet, Linoleum, Vinyl, Asphalt, or Rubber Floor Tile Installation	(mmm)65-	6229	Irrigation or Draining System Construction and Drivers
(kk)37-	5479	Insulation Work NOC and Drivers	(nnn)66-	6233	Oil or Gas Pipeline Construction and Drivers
(ll)38-	5480	Plastering NOC and Drivers	(ooo)67-	6235	Oil or Gas Well: Drilling or Redrilling and Drivers
(mm)39-	5491	Paperhanging and Drivers	(ppp)68-	6236	Oil or Gas Well: Installation or Recovery of Casing and Drivers
(nn)40-	5506	Street or Road Construction: Paving or Repaving and Drivers	(qqq)69-	6237	Oil or Gas Well: Instrument Logging or Survey Work and Drivers
(oo)41-	5507	Street or Road Construction: Subsurface Work and Drivers	(rrr)70-	6251	Tunneling – Not Pneumatic – All Operations
(pp)42-	5508	Street or Road Construction: Rock Excavation and Drivers			
(qq)43-	5509	Street or Road Maintenance: County or State Department – and Drivers			

(sss)71-	6252	Shaft Sinking – All Operations
(ttt)72-	6260	Tunneling – Pneumatic – All Operations
(uuu)73-	6306	Sewer Construction – All Operations and Drivers
(vvv)74-	6319	Gas Main or Connection Construction and Drivers
(www)75-	6325	Conduit Construction – For Cable or Wires – and Drivers
(xxx)76-	6400	Fence Erection – Metal
(yyy)77-	7538	Electric Light or Power Line Construction and Drivers
(zzz)78-	7601	Telephone, Telegraph or Fire Alarm Construction and Drivers
(aaa)79-	7605	Burglar Alarm Installation or Repair and Drivers
(bbb)80-	7611	Telephone or Cable TV Line Installation – Contractors, Underground and Drivers
(ccc)81-	7612	Telephone or Cable TV Line Installation – Contractors, Overhead, and Drivers
(ddd)82-	7613	Telephone or Cable TV Line Installation – Contractors, Service Lines and Connections and Drivers
(eee)83-	7855	Railroad Construction: Laying or Relaying of Tracks or Maintenance of Way by Contractor – No Work on Elevated Railroads – and Drivers
(fff)84-	8227	Construction or Erection – Permanent Yard
(ggg)85-	9534	Mobile Crane and Hoisting Service Contractors – NOC – All Operations – Including Yard Employees and Drivers
(hhh)86-	9554	Sign Installation, Maintenance, Repair, Removal, or Replacement NOC & Drivers

(2) The Division adopts the definitions published by NCCI, SCOPES® of Basic Manual Classifications (Jan. 2003) that correspond to the classification codes and descriptions adopted in subsection (1) above. The definitions identify the workplace operations that satisfy the criteria of the term “construction industry” as used in the workers’ compensation law. The definitions are hereby incorporated by reference and can be obtained by writing to the Division of Workers’ Compensation, Bureau of Compliance, 200 E. Gaines Street, Tallahassee, Florida 32399-4228. The Florida exception pages of the National Council on Compensation Insurance, Inc.’s Basic Manual are herein incorporated by reference.

Specific Authority 440.02(8), 440.591 FS. Law Implemented 440.02(8), Ch. 2003-412, Section 1, Laws of Florida (repealing parts of 440.02(15), F.S.) 440.02(14)(b)2., (e)2., (d)1., 440.05 FS. History–New 10-21-02, Formerly 4L-6.021, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bruce Brown, Chief, Bureau of Compliance, Division of Workers’ Compensation, Department of Financial Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Daniel Sumner, Assistant Director, Division of Workers’ Compensation, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 22, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 5, 2003

Section III Notices of Changes, Corrections and Withdrawals

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

STATE BOARD OF ADMINISTRATION

Florida Hurricane Catastrophe Fund

RULE NO.:

RULE TITLE:

19-8.028

Reimbursement Premium Formula

NOTICE OF WITHDRAWAL

NOTICE IS HEREBY GIVEN by the State Board of Administration of Florida that the Notice of Proposed Rule Hearing, published in the Florida Administrative Weekly on March 26, 2004, Vol. 30, No. 13, pages 1280 through 1282 was published inadvertently and is hereby withdrawn. The Notice of Proposed Rule Hearing for this rule was republished on April 23, 2004, Vol. 30, No. 17, pages 1664 through 1666.

DEPARTMENT OF CORRECTIONS

RULE NO.:

RULE TITLE:

33-501.310

General Libraries

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 30, No. 7, (February 13, 2004), and Vol. 30, No. 12, (March 19, 2004) issues of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE NO.:

RULE TITLE:

60BB-2.0255

Annual Reporting