

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE TITLE: Division of Cultural Affairs
 RULE NO.: IT-1.001

PURPOSE AND EFFECT: The purpose of this amendment will be to establish in rule a new review committee and procedures for the Quarterly Assistance Program and the Underserved Arts Communities Assistance Program.

SUBJECT AREA TO BE ADDRESSED: The review, scoring, and funding recommendation process for the Quarterly Assistance Program and the Underserved Arts Communities Assistance Program.

SPECIFIC AUTHORITY: 255.043(4), 265.284(5)(d), 265.285(1)(c), 265.286(1),(4),(6), 265.2861(2)(b),(d), 265.2865(6), 265.51, 265.605(1), 265.608, 265.609, 265.701(4), 265.702(8) FS.

LAW IMPLEMENTED: 215.97, 255.043, 265.284, 265.285, 265.286, 265.2861, 265.2865, 265.51-56, 265.601-603, 265.605-606, 265.608, 265.609, 265.701, 265.702, 286.011, 286.012, 286.25 FS.

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

TIME AND DATE: 9:00 a.m., Monday, September 27, 2004
 PLACE: Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding in order to provide a record for judicial review. The Division of Cultural Affairs will not record these meetings.

Pursuant to the provisions of the Americans with Disabilities Act, persons with disabilities are asked to contact the Division office by the 21st day of September 2004, if you need an accommodation. Accommodations can be arranged through Dana DeMartino, ADA Coordinator, Division of Cultural Affairs, (850)245-6477, Fax (850)245-6492, e-mail: ddemartino@dos.state.fl.us.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dr. Gaylen Phillips, Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida 32301

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: Standards
 RULE NO.: 5F-10.001

PURPOSE AND EFFECT: The purpose of Rule 5F-10.001, F.A.C., is to adopt the most recent version of the chemical and physical standards set forth in the American Society for Testing and Materials for antifreeze (engine coolant). The effect of each adoption is to maintain nationally recognized standards.

SUBJECT AREA TO BE ADDRESSED: Rule 5F-10.001, F.A.C., will specify that the most recent Annual Book of ASTM Standards is the accepted standard for implementation of Section 501.91, F.S.

SPECIFIC AUTHORITY: 570.07(23), 501.921 FS.

LAW IMPLEMENTED: 501.913, 501.917, 501.921 FS.

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

TIME AND DATE: 10:00 a.m., Monday, September 27, 2004
 PLACE: Division of Standards' Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Eric Hamilton, Bureau Chief, Bureau of Petroleum Inspection, 3125 Conner Blvd., Bldg. #1, Tallahassee, FL 32399-1650, (850)488-9740

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-10.001 Standards.

(1) The performance specifications and standards for glycol base antifreeze are hereby incorporated by reference: ASTM D 3306-~~0304~~, "Standard Specification for Glycol Base Engine Coolant for Automobile and Light Duty Service," (approved September 10, 2003).

(2) The performance specifications and standards for recycled glycol base antifreeze are hereby incorporated by reference: ASTM D 6471-~~0399~~, "Standard Specification for Recycled Prediluted Aqueous Glycol Base Engine Coolant (50 Volume % Minimum) for Automobile and Light Duty Service," (approved November 1, 2003) and ASTM D 6472-~~0300~~, "Standard Specification for Recycled Glycol Base Engine Coolant Concentrate for Automobile and Light Duty Service," (approved November 1, 2003).

Specific Authority 570.07(23), 501.921 FS. Law Implemented 501.913, 501.917, 501.921 FS. History--New 10-6-93, Amended 7-5-95, 12-9-98, 6-25-00, 10-22-01, 12-9-02,_____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Marketing and Development

RULE CHAPTER TITLE: Florida Agricultural Promotional Campaign

RULE CHAPTER NO.: 5H-17

RULE TITLES: Participant Registration; Application Forms; Classes of Membership

RULE NOS.: 5H-17.005
5H-17.006

PURPOSE AND EFFECT: The purpose and effect is to allow the coordination of the Florida Agricultural Promotional Campaign. The duties shall include, but are not limited to registering participants, assessing and collecting fees, developing in-kind advertising programs, contracting with media representatives for the purpose of dispersing promotional materials, enforcing and administering the provisions of this part, including measures ensuring that only Florida agricultural or agricultural based products are marketed under the "Fresh From Florida" or "From Florida" logos or other logos of the Florida Agricultural Promotional Campaign.

SUBJECT AREA TO BE ADDRESSED: This rule allows for the revision of membership fees, the elimination of a tiered membership fee structure, the inclusion of license information to qualify as a retailer, food service or wholesaler member and the inclusion of a new membership category entitled "agricultural supporter"

SPECIFIC AUTHORITY: 570.21 FS.

LAW IMPLEMENTED: 570.21 1990 FS.

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

SEND REQUEST FOR WORKSHOP TO: Florida Department of Agriculture and Consumer Services, Room, 422, 407 S. Calhoun Street, Tallahassee, Florida 32399-0800

Any person requiring special accommodations because of a disability or physical impairment should contact: Arlette Roberge, Development Representative II, Division of Marketing and Development, Bureau of Development and Information, 407 S. Calhoun Street, Tallahassee, Florida 32399-00800.

If you are hearing or speech impaired, please contact: Department of Community Affairs, 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 DEVELOPMENT IS: Arlette Roberge, Development Representative II, Division of Marketing and Development, Bureau of Development and Information, 407 S. Calhoun Street, Tallahassee, Florida 32399-00800

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 5H-17 follows. See Florida Administrative Code for present text.)

5H-17.005 Participant Registration; Application Forms; Classes of Membership.

(1) Registration. To become an active member of the Campaign, the prospective participant must apply to the department on the appropriate form as referenced in subsection (2) of this rule, pay the appropriate fee, and agree to abide by the membership requirements as stated on the Florida Agricultural Promotional Campaign Application DACS-06203. Paid annual types of membership and fee structure for the Florida Agricultural will be consolidated into the following categories:

- (a) Producer
- (b) Packer
- (c) Repacker
- (d) Processor
- (e) Broker
- (f) Shipper
- (g) Industry
- (h) Association
- (i) Co-op
- (j) Organization
- (k) Agriculture Supporter
- (l) Other

(2) Application Forms. Prospective Campaign participants shall apply on one form: DACS-06203, and which may be obtained from the Division of Marketing, Mayo Building, Tallahassee, Florida 32399-0800. All paid membership fees will be \$50. There will not be a tiered membership rate system for shippers, packers, repackers or processors of any agricultural product. There will not be a \$100 rate for processors, non-profit or allied organizations.

(3) The non-paid types of membership will be consolidated into the following categories:

- (a) Retailer
- (b) Wholesaler
- (c) Food Service
- (d) Non-profit
- (e) Educational Organization
- (f) Governmental Organization.

A business license will be required to qualify for a non-paid membership.

(4) Saltwater products license holders will become members through the submission of a signed membership application and a journal transfer of \$50 for each business entity from the Fish and Wildlife Conservation Commission (FWCC) to the Florida Agricultural Promotional Campaign (FAPC) Trust fund.

(5) The types of agriculture industry will be eliminated from the form, as it is identified on a separate commodity query form.

(6) One application will be used for all participants.

Specific Authority 571.24(19), 571.25(2) FS. Law Implemented 571.25 FS. History—New 6-22-92, Amended 9-20-93, 12-12-93, _____.

5H-17.006 Renewal.

(1) All paid and non-paid memberships will require annual renewal on the anniversary date of their initial membership submission. Each registrant shall renew registration by July 1 of each year.

(2) The Department reserves the right to refuse registration to any person whose registration has been revoked.

(3) Registration to use the Identifiers is not transferable.

Specific Authority 571-25(2) FS. Law Implemented 571.25(1) FS. History—New 6-22-92, Amended _____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: Licensure of Changes by Firms
 RULE NO.: 61H1-26.004

PURPOSE AND EFFECT: The Board finds it necessary to require notification to the Board when any CPA or Non-CPA co-partner or shareholder within the firm is charged or found guilty of certain violations exhibiting conduct which shows a lack of good moral character.

SUBJECT AREA TO BE ADDRESSED: Licensure of Changes by Firms.

SPECIFIC AUTHORITY: 473.304, 473.3101 FS.

LAW IMPLEMENTED: 473.3101 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: John W. Johnson, Executive Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-26.004 Licensure of Changes by Firms.

(1) through (1)(e) No change.

(f) When the firm or any existing CPA or Non-CPA co-partner, shareholder or member has been the recipient of a conviction or finding of guilt, regardless of adjudication, of a crime in any jurisdiction; has been the subject of a judgment or settlements of a civil lawsuit (excluding domestic matters); has had the right to practice public accountancy acted against, including denial of licensure, by the Securities Exchange Commission (SEC), Internal Revenue Service (IRS), or any other regulatory agency or court; and any other matters which show a lack of good moral character as defined in Section 473.306(4)(a), F.S.

(2) through (3) No change.

Specific Authority 473.304, 473.3101 FS. Law Implemented 473.3101 FS. History—New 12-4-79, Amended 2-3-81, Formerly 21A-26.04, Amended 6-4-86, Formerly 21A-26.004, Amended 11-3-97, 7-16-98, 8-17-98, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: College or University Requirements
 RULE NO.: 61H1-27.001

PURPOSE AND EFFECT: This rule is being amended to add Mexican academic programs that meet the criteria of this rule to the programs that are approved under this rule.

SUBJECT AREA TO BE ADDRESSED: College or University Requirements.

SPECIFIC AUTHORITY: 473.304, 473.306 FS.

LAW IMPLEMENTED: 473.306 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: John W. Johnson, Executive Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-27.001 College or University Requirements.

(1) through (1)(g) No change.

(h) Canadian, Mexican and Australian academic accounting programs approved by the provincial education bodies or their equivalent.

(2) through subsection (5)(b) No change.

Specific Authority 473.304, 473.306 FS. Law Implemented 473.306 FS. History—New 12-4-79, Amended 2-3-81, 3-21-84, 10-28-85, Formerly 21A-27.01, Amended 4-8-86, 9-1-87, 8-25-88, 12-28-89, 3-29-90, Formerly 21A-27.001, Amended 1-11-95, 5-11-03,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: Experience for Licensure by Endorsement RULE NO.: 61H1-29.003

PURPOSE AND EFFECT: This rule is being amended to clarify, pursuant to Section 473.308(4), F.S., the requirements to show experience qualifying a CPA for licensure by endorsement.

SUBJECT AREA TO BE ADDRESSED: Experience for Licensure by Endorsement.

SPECIFIC AUTHORITY: 473.304, 473.308 FS.

LAW IMPLEMENTED: 473.308 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: John W. Johnson, Executive Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-29.003 Experience for Licensure by Endorsement.

Experience used to meet the requirements of Section 473.308(4), F.S., must include at least five years experience in the practice of public accounting while licensed after licensure as a Certified Public Accountant or Chartered Accountant in the practice of public accounting or as an auditor or accountant in a unit of federal, state, or local government. ~~In addition, the applicant must have practiced at least two years of the last three years immediately preceding application for licensure. The applicant shall, while licensed in another state, during those three years, complete continuing education required to be recognized to practice public accounting in the state, in public accountancy at least equivalent to that required in Florida during that period.~~

Specific Authority 473.304, 473.308 FS. Law Implemented 473.308 FS. History—New 4-24-88, Amended 6-12-88, Formerly 21A-29.003, Amended 2-12-98, 5-19-03,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: Fees RULE NO.: 61H1-31.001

PURPOSE AND EFFECT: This rule is being amended to allow for on-line submission of forms and to clarify requirements, late fees and deadlines when filing by mail or online.

SUBJECT AREA TO BE ADDRESSED: Fees.

SPECIFIC AUTHORITY: 455.213(2), 455.219(4), 455.271, 473.305, 473.312 FS.

LAW IMPLEMENTED: 119.07, 455.219(4), 455.271, 473.305, 473.312, 473.313 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: John W. Johnson, Executive Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-31.001 Fees.

(1) through (4) No change.

(5) The biennial renewal fee provided in Section 473.305, F.S., for partnerships, corporations, and limited liability companies licensed in Section 473.3101, F.S., one hundred fifty dollars (\$150.00). ~~The penalty for late renewal for partnerships, corporations, and limited liability companies shall be fifty dollars (\$50.00).~~ The biennial renewal fee provided in Section 473.305, F.S., for sole proprietor firms and other legal entities owned by a sole proprietor licensed in Section 473.3101, F.S., twenty-five (\$25.00). ~~The penalty for late renewal for sole proprietor firms and other legal entities owned by a sole proprietor shall be twenty five dollars (\$25.00).~~

(6) through (9) No change.

(10) The scan sheet for the Laws and Rules Examination must be postmarked or completed on-line by or on December 31 July 15. No Laws and Rules Examination scan sheet will be accepted if it is postmarked or completed on-line after December 31.

(11) The CPE reporting form must be postmarked by or on July 15. If it is postmarked or completed on-line after July 15 but by or on December 31, a \$50 delinquency fee will be

imposed by the Board. No CPE reporting form will be accepted if it is postmarked or completed on-line after December 31.

(12) No change.

Specific Authority 455.213(2), 455.219(4), 455.271, 473.305, 473.312 FS. Law Implemented 119.07, 455.219(4), 455.271, 473.305, 473.312, 473.313 FS. History—New 12-4-79, Amended 2-3-81, 3- 4-82, 11-6-83, 3-29-84, Formerly 21A-31.01, Amended 6-4-86, 9-16-87, 2-1-88, 8- 30-88, 2-6-89, 12-18-89, 12-28-89, 8-16-90, 4-8-92, 12-2-92, Formerly 21A-31.001, Amended 11-4-93, 2-14-95, 11-3-97, 6-22-98, 10-28-98, 7-15-99, 4-3-02, 1-27-04,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: Continuing Professional Education
 RULE NO.: 61H1-33.003

PURPOSE AND EFFECT: This rule is being amended to allow for on-line submission of requests for extensions to complete education requirements and to clarify the deadlines for submitting requests online.

SUBJECT AREA TO BE ADDRESSED: Continuing Professional Education.

SPECIFIC AUTHORITY: 120.55(1)(a)4., 473.304, 473.312 FS.

LAW IMPLEMENTED: 473.312 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: John W. Johnson, Executive Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-33.003 Continuing Professional Education.

(1)(a) No change.

(b) Licensees who do not meet the requirements by June 30th will be granted an automatic extension until September 15th provided the licensee submits an additional 8 hours in Accounting and Auditing subjects. An automatic extension will be granted until December 1st provided the licensee submits an additional 16 hours in Accounting and Auditing subjects. Licensees utilizing the automatic extension must submit the required information postmarked or recorded on-line by September 15th or December 31st.

(2) through (7) No change.

Specific Authority 120.55(1)(a)4., 473.304, 473.312 FS. Law Implemented 473.312 FS. History—New 12-4-79, Amended 2-3-81, 4-5-83, 10-19-83, 8-20-85, Formerly 21A-33.03, Amended 9-18-88, 7-7-92, 12-2-92, Formerly 21A-33.003, Amended 12-14-93, 1-26-98, 12-17-00, 8-21-01,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida State Boxing Commission

RULE CHAPTER TITLE: General Rules for Boxing, Kickboxing, and Mixed Martial Arts
 RULE CHAPTER NO.: 61K1-1

RULE TITLE: Approval, Disapproval, Suspension of Approval, and Revocation of Approval for Amateur Sanctioning Organizations in Boxing and Kickboxing
 RULE NO.: 61K1-1.0031

PURPOSE AND EFFECT: Pursuant to Section 548.006(3), F.S., the Florida State Boxing Commission has exclusive jurisdiction over the approval, disapproval, suspension or approval, and revocation of approval of all amateur sanctioning organizations for amateur boxing and kickboxing matches held in Florida. In order to conform to amendments made to Chapter 548, F.S., in Legislative Session 2004, the development of additional boxing rules under Chapter 548, F.S., is necessary.

SUBJECT AREA TO BE DISCUSSED: The development of rules to establish criteria for approval, disapproval, suspension of approval, and revocation of approval of amateur sanctioning organizations in Florida.

SPECIFIC AUTHORITY: 548.003(2) FS.

LAW IMPLEMENTED: Chapter 548 FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kelly Harris, The Florida State Boxing Commission, 725 S. Bronough Street, Suite 240, Tallahassee, Florida 32399, (850)488-8500

If you are hearing or speech impaired, please contact the Commission office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61K1-1.0031 Approval, Disapproval, Suspension of Approval, and Revocation of Approval for Amateur Sanctioning Organizations in Boxing and Kickboxing.

(1) Criteria for Approval.

An amateur sanctioning organization seeking approval from the Florida State Boxing Commission to sanction and supervise matches involving amateur boxers or kickboxers shall meet certain criteria as conditions of approval as follows:

(a) For amateur boxing, a statement of agreement to adopt and enforce the health and safety standards of USA Boxing as provided in the Official USA Boxing Rulebook as of June 1, 2004.

(b) For amateur kickboxing, a statement of agreement to adopt and enforce the health and safety standards of the International Sport Kickboxing Association (ISKA) as provided in the ISKA Rules as of June 1, 2004.

(c) A statement of agreement to adopt and enforce a requirement to have all amateurs participating in a match sanctioned and supervised by the amateur sanctioning organization undergo a pre-match physical examination by a physician approved by the amateur sanctioning organization.

(d) A statement of agreement that the organization will not hold, promote, or sponsor a match prohibited under Chapter 548, Florida Statutes, including, but not limited to, an amateur mixed martial arts match in Florida.

(e) A statement of agreement to adopt and enforce a requirement to, at a minimum, notify a local ambulance service with a minimum of two qualified attendants, either paramedics or emergency medical technicians, with the date and time of the amateur event for the purpose of either requesting the ambulance service acknowledge an "on-call" status relative to the amateur event or requesting the ambulance service be assigned to the premises of the matches whereupon the following requirements shall be enforced:

1. Ambulance attendants shall be stationed at a location determined by the amateur sanctioning organization's chief official or supervisor-in-charge at the event;

2. A portable resuscitator with all additional equipment necessary for its operation shall be in a state of readiness and located along with the ambulance attendants;

3. A clean stretcher and clean blanket shall be located along with the ambulance attendants; and

4. A portable supply of oxygen shall be located at an easily accessible location at ringside.

(f) No match shall begin or continue unless the appropriate medical equipment and personnel are on the premises, in a state of readiness, and in a pre-designated and readily accessible location known to the referee(s), physician(s), and chief official or supervisor of the amateur sanctioning organization. Whenever an ambulance service is "on-call" as it pertains to an amateur event, an oxygen supply with its necessary equipment for proper administration shall be stationed at ringside at a location known to the referee(s), physician(s), and chief official or supervisor of the amateur sanctioning organization.

(g) A physician approved by an amateur sanctioning organization shall be licensed to practice medicine in Florida pursuant to Sections 458 or 459, Florida Statutes. The physician shall be capable of initiating life-saving procedures and required to demonstrate experience in sports medicine, trauma, neurology, or as a ringside physician.

(h) A minimum of one physician approved by the amateur sanctioning organization shall be seated ringside whenever boxing or kickboxing activity is occurring. In situations where more than one ring is assembled and utilized simultaneously with the other, a minimum of one physician shall be seated ringside at each ring where boxing or kickboxing competitions are being held.

1. In the event of injury or illness of any person registered with the amateur sanctioning organization, a registered physician shall have complete charge of such person, shall provide medical assistance, and shall be accorded the full cooperation of all amateur sanctioning organization officials present.

2. Physicians shall not leave the premises until after the final match has been conducted, all amateurs participating have been cleared by the physician(s), and the chief official or supervisor-in-charge of the amateur sanctioning organization has cleared the physician to leave.

(i) For amateur boxing, any referee assigned to perform official duties during a match shall be trained and certified to perform such duties by USA Boxing.

(j) For amateur kickboxing, any referee assigned to perform official duties during a match shall be trained and certified to perform such duties by the International Sport Kickboxing Association (ISKA) or any other training and certification process for referees approved by the commission or its executive director.

1. Applications for approval of an amateur sanctioning organization shall specify either boxing or kickboxing. Accordingly, any approval shall be limited to the sport for which the amateur sanctioning organization has applied to obtain approval. An organization seeking approval for both amateur boxing and kickboxing may submit a single application, however, the commission may approve or disapprove the organization either as a whole or as it pertains to a specific sport.

2. An amateur sanctioning organization shall adequately demonstrate to the satisfaction of the commission that the principals of the organization have sufficient background, training, and experience in sanctioning and supervising matches for which the organization is approved.

(2) Disapproval.

An amateur sanctioning organization that does meet the criteria or requirements for approval provided above, shall be disapproved by the commission or its executive director.

(a) Other criteria or requirements not listed above nor found in the current rules of USA Boxing and or the International Sport Kickboxing Association (ISKA) may be determined as necessary for approval. In such instances, any approved amateur sanctioning organization shall be notified by the executive director of the commission of the new criteria or requirements and given 30 days to implement the changes.

(b) Failure to implement any new requirements as described in the preceding paragraph may be grounds for suspension or revocation of approval.

(3) Suspension of Approval.

(a) Any member of the commission or its executive director may suspend the approval of an amateur sanctioning organization for any of the reasons listed below:

1. Failure to supervise amateur matches;

2. Failure to enforce the approved health and safety standards; or

3. Any other health and safety requirement deemed necessary by the commission.

(b) A suspension of approval shall conform to the procedure for summary suspension under section 120.60(6), Florida Statutes.

(c) In lieu of a suspension of approval of the amateur sanctioning organization, any member of the commission or a representative of the commission may immediately suspend one or more matches in an event whenever it appears that the match or matches violate the approved health and safety standards or any other health and safety requirement deemed necessary by the commission or a representative of the commission.

(4) Revocation of Approval.

(a) Any amateur sanctioning organization determined by the commission to inadequately sanction and supervise amateur matches based on the approved health and safety standards may be subject to revocation of its approval by the commission.

(b) In instances where a revocation of approval is ordered by the commission, an amateur sanctioning organization and its associated principals shall not seek new approval for a period of one year.

Specific Authority 548.003(2) FS. Law Implemented 548.003, 548.006, 548.0065, 548.008 FS., CS for SB 538. History–New _____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE TITLE: Licensure Examination

RULE NO.: 64B2-11.003

PURPOSE AND EFFECT: The Board proposes to update the existing language in this rule.

SUBJECT AREA TO BE ADDRESSED: Licensure Examination.

SPECIFIC AUTHORITY: 456.017(1), 460.405 FS.

LAW IMPLEMENTED: 456.017(1), 460.406(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Board Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-11.003 Licensure Examination.

(1) No change.

(2) A score of 75% on each subject area in subsection (1) shall be necessary to achieve a passing score on the practical portion of the examination outlined in subsection (1). Upon initial examination, an applicant must take the entire practical examination. The applicant must pass at least two (2) of the three (3) subject areas of the practical examination in order to retake any failed subject area. The applicant may retake a failed subject area only twice, within 24 months of the date of the first failure, after ~~upon~~ which time the applicant must retake the entire practical examination.

Specific Authority 456.017(1), 460.405 FS. Law Implemented 456.017(1), 460.406(1) FS. History–New 1-10-80, Amended 3-15-81, 10-25-83, 10-10-85, Formerly 21D-11.03, Amended 10-6-86, 5-10-87, 10-12-87, 1-5-88, 3-24-88, 4-19-89, 12-31-89, 7-8-90, 7-15-91, 4-26-93, 7-14-93, Formerly 21D-11.003, Amended 3-7-94, Formerly 61F2-11.003, 59N-11.003, Amended 11-4-98, 5-5-02, 5-4-03, _____.

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE TITLE: Continuing Education

RULE NO.: 64B2-13.004

PURPOSE AND EFFECT: The Board proposes to update the existing language in this rule.

SUBJECT AREA TO BE ADDRESSED: Continuing education.

SPECIFIC AUTHORITY: 460.408(3) FS.

LAW IMPLEMENTED: 456.013(6), 456.036(10), 460.408 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Board Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-13.004 Continuing Education.

(1) through (2) No change.

(3) Continuing education providers, including providers of AIDS and risk management, seeking initial approval by the Board shall pay a fee of \$250. Continuing education providers seeking renewal of provider status shall also pay a \$250 fee each biennium. To receive Board approval, a continuing education program:

(a) through (c) No change.

(d) Shall be taught by one or more speakers or lecturers with at least one of the following qualifications:

1. A current faculty member level instructor of a chiropractic college or school maintaining a standard and reputability approved by the Board, or a current faculty member level instructor at a medical or osteopathic college or a university which college or university is accredited by, or has status with, an agency or its successor which is recognized and approved by the United States Office of Education or the Council on Post Secondary Accreditation; or

2. No change.

(4) through (13) No change.

Specific Authority 460.408(3) FS. Law Implemented 456.013(6), 456.036(10), 460.408 FS. History—New 1-10-80, Amended 11-25-80, 1-13-82, Formerly 21D-13.04, Amended 6-22-86, 7-5-87, 1-25-88, 10-17-90, 10-15-92, Formerly 21D-13.004, Amended 10-26-93, Formerly 61F2-13.004, Amended 3-16-95, 7-18-95, 6-11-96, Formerly 59N-13.004, Amended 6-24-98, 8-4-99, 7-11-02, 11-30-03,_____.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE TITLE: _____ RULE NO.:

Licensure Examination Subjects and Passing Score; Additional Requirements After Third Failure; Florida Jurisprudence Examination 64B17-3.002

PURPOSE AND EFFECT: The Board proposes to update the existing language in this rule.

SUBJECT AREA TO BE ADDRESSED: Licensure examination subjects and passing score; additional requirements after third failure; laws and rules examination.

SPECIFIC AUTHORITY: 456.017, 486.025, 486.051 FS.

LAW IMPLEMENTED: 456.017, 486.051 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B17-3.002 Licensure Examination Subjects and Passing Score; Additional Requirements After Third Failure; Florida Jurisprudence ~~Laws and Rules~~ Examination.

(1) The licensure examination for physical therapy ~~administered by the Department~~ shall be the National Physical Therapy Examination for Physical Therapists developed national physical therapy examination approved by the Federation of State Boards of Physical Therapy through the designated agency providing such examination.

(2) In order to achieve a passing score on the examination, an applicant must obtain a score equal to or greater than the scaled score of 600 recommended by the Federation of State Boards of Physical Therapy ~~criteria-referenced score determined by the agency providing the national physical therapy examination.~~

(3) No change.

(4) All applicants for licensure including those licensed by endorsement under Rule 64B17-3.003, F.A.C., are required to take and pass the Florida Jurisprudence Examination developed by the Federation of State Board of Physical Therapy ~~approved laws and rules examination.~~

(a) The Florida Jurisprudence Examination has 40 scored questions and the content and approximate weights are:

1. Legislative Intent and Definitions 25%

2. Board Powers and Duties 5%

3. Licensure and Examination 7.5%

4. Patient Care 35%

5. Disciplinary Action and Unlawful Practice 15%, and

6. Consumer Advocacy 12.5%.

In order to achieve a passing score on the examination, an applicant must obtain a score equal to or greater than the scaled score of 600 based upon a passing score study conducted by the Federation of State Boards of Physical Therapy.

(b)1. Applicants must reapply to retake the Florida Jurisprudence Examination.

2. Any applicant who fails the examination shall not be eligible for reexamination until 60 days following the previous examination administration.

Specific Authority 456.017, 486.025, 486.051 FS. Law Implemented 456.017, 486.051 FS. History—New 8-6-84, Formerly 21M-7.22, Amended 3-16-88, 6-20-89, Formerly 21M-7.022, Amended 6-6-90, 6-3-92, 3-24-93, Formerly 21MM-3.002, 61F11-3.002, Amended 12-22-94, Formerly 59Y-3.002, Amended 2-14-02, 4-23-02,_____.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE TITLES: _____ RULE NOS.:

Licensure Examination Subjects and Passing Score; Additional Requirements After Third Failure; Florida Jurisprudence Examination	64B17-4.002
Licensure by Endorsement	64B17-4.003

PURPOSE AND EFFECT: The Board proposes to update and clarify the existing language in these rules.

SUBJECT AREA TO BE ADDRESSED: Licensure examination subjects and passing score; additional requirements after third failure; laws and rules examination and licensure by endorsement.

SPECIFIC AUTHORITY: 456.017(1)(b), 486.025, 486.104, 486.107(1) FS.

LAW IMPLEMENTED: 456.017, 486.104, 486.107(1) FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B17-4.002 Licensure Examination Subjects and Passing Score; Additional Requirements After Third Failure; Florida Jurisprudence Laws and Rules Examination.

(1) The licensure examination for physical therapists assistants ~~administered by the Department~~ shall be the National Physical Therapy Examination for Physical Therapists developed national physical therapy examination approved by the Federation of State Boards of Physical Therapy through the designated agency providing such examination.

(2) In order to achieve a passing score on the examination, an applicant must obtain a score equal to or greater than the scaled score of 600 recommended by the Federation of State Boards of Physical Therapy ~~eriterion refereneed score determined by the agency providing the national physical therapy examination.~~

(3) No change.

(4) All applicants for licensure including those licensed by endorsement under Rule 64B17-4.003, F.A.C., are required to take and pass the Florida Jurisprudence Examination developed by the Federation of State Board of Physical Therapy a laws and rules examination.

(a) The Florida Jurisprudence Examination has 40 scored questions and the content and approximate weights are:

1. Legislative Intent and Definitions 25%
2. Board Powers and Duties 5%
3. Licensure and Examination 7.5%
4. Patient Care 35%
5. Disciplinary Action and Unlawful Pracice 15%, and
6. Consumer Advocacy 12.5%

In order to achieve a passing score on the examination, an applicant must obtain a score equal to or greater than the scaled score of 600 based upon a passing score study conducted by the Federation of State Boards of Physical Therapy.

(b)1. Applicants must reapply to retake the Florida Jurisprudence Examination.

2. Any applicant who fails the examination shall not be eligible for reexamination until 60 days following the previous examination administration.

Specific Authority 456.017(1)(b), 486.025, 486.104 FS. Law Implemented 456.017, 486.104 FS. History--New 8-6-84, Formerly 21M-10.22, Amended 4-12-87, 3-16-88, 6-20-89, Formerly 21M-10.022, Amended 6-3-92, 3-24-93, Formerly 21MM-4.002, 61F11-4.002, Amended 12-22-94, Formerly 59Y-4.002, Amended 2-14-02, 4-23-02,_____.

64B17-4.003 Licenser by Endorsement.

An applicant demonstrating that he or she is licensed in another state may be licensed to practice as a physical therapist assistant by endorsement by presenting evidence of active licensure in another jurisdiction, under oath, and evidence satisfactory to the Board that the applicant from such other jurisdiction has been licensed under standards for licensure as high as those maintained in Florida. The standard for determining whether those requirements are as high as those in Florida shall be whether the applicant was required to meet educational standards equivalent to those set forth in subsection 64B17-4.001(3), F.A.C., and whether the written examination taken for licensure in such other jurisdiction was through the designated national physical therapy assistants examination provider certified by the Department. An applicant who has failed to pass the national physical therapy examination by or on the fifth attempt after five attempts, regardless of the jurisdiction through which the examination was taken, is precluded from licensure.

Specific Authority 486.025, 486.107(1) FS. Law Implemented 486.107(1) FS. History--New 8-6-84, Formerly 21M-10.26, Amended 5-18-86, Formerly 21M-10.026, 21MM-4.004, 61F11-4.004, 59Y-4.004, Amended 7-11-02, 11-11-02,_____.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE: Florida Fish and Wildlife Commission

RULE NO.: 68A-2.015

Grants Program

68A-2.015

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to incorporate specific Fish and Wildlife Research Institute grant program guidelines by reference into the established overall rule on the issuance of agency grants. This will provide grant seekers and grant recipients with additional information that will assist in understanding the agency's grant issuing process.

SUBJECT AREA TO BE ADDRESSED: Grant Program Guidelines for the Florida Wildlife Research Institute to be incorporated by reference.

SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.; 370.023 FS.

LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.; 370.023 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN CONJUNCTION WITH THE COMMISSION'S REGULARLY SCHEDULED PUBLIC MEETING.

TIME AND DATES: 8:30 a.m. each day, September 22-24, 2004

PLACE: The St Petersburg Hilton, 333 First Street South, Saint Petersburg, FL 33701

Pursuant to the provisions of the American 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: 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 DEVELOPMENT IS: Alan Huff, Florida Fish and Wildlife Research Institute, 100 8th Avenue, S. E., Saint Petersburg, Florida 33701, (727)896-8626, e-mail: alan.huff@myfwc.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AND CAN BE OBTAINED FROM: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE: Florida Fish and Wildlife Commission Grants Program

RULE NO.: 68A-2.015

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to incorporate specific Habitat and Species Conservation grant program guidelines by reference into the established overall rule on the issuance of agency grants. This will provide grant seekers and grant recipients with additional information that will assist in understanding the agency's grant issuing process.

SUBJECT AREA TO BE ADDRESSED: Grant Program Guidelines for the State Wildlife Grants Program to be incorporated by reference.

SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.; 370.023 FS.

LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.; 370.023 FS.

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

Pursuant to the provisions of the American 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: 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Katherin Haley, Florida Fish and Wildlife Conservation Commission 620 South Meridian Street Tallahassee, FL 32399-1600, (850)488-3831

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

RULE TITLE: Record Maintenance and Production Requirements for Employers

RULE NO.: 69L-6.015

PURPOSE AND EFFECT: The purpose of this rule amendment is to implement Chapter 2003-412, § 13, Laws of Florida, which directs the department to specify by rule the business records that an employer must maintain and produce to comply with the workers' compensation law. In effect this amendment identifies business records required to be maintained and produced, prescribes a retention period and a location where records are to be maintained, designates approved media, and provides an effective date.

SUBJECT AREA TO BE ADDRESSED: Record Maintenance and Production Requirements for Employers subject to Chapter 440, F.S.

SPECIFIC AUTHORITY: 440.107(5), 440.591 FS.

LAW IMPLEMENTED: 440.107(3), 440.107(5) FS.

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

TIME AND DATE: 9:30 a.m., September 29, 2004

PLACE: Room 104J, Hartman Building, 2012 Capital Circle, Southeast, 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Andrew Sabolic, Acting Bureau Chief, Bureau of Compliance, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4228, (850)413-1600

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69L-6.015 Record Maintenance and Production Keeping Requirements for Employers Business Owners.

~~In order for the Division to determine that an employer is in compliance with the provisions of Chapter 440, F.S., every business entity conducting business within the state of Florida shall maintain for the immediately preceding three year period true and accurate records. Such business records shall include original documentation of the following, or copies, when originals are not in the possession of or under the control of the business entity:~~

~~(1) Employers must at all times maintain the records required by this rule and must produce the records when requested by the division pursuant to Section 440.107, F.S. All workers' compensation insurance policies of the business entity, and all endorsements, notices of cancellation, nonrenewal, or reinstatement of such policies.~~

~~(2) Identity, organizational, and occupational records. Every employer shall maintain the notice that assigns to the employer its Federal Employer Identification Number (IRS Form 575A); records that identify its business name, such as fictitious name registration; records that identify its business form, such as corporation, limited liability company, or partnership; and a copy of its articles of incorporation or organization, occupational licenses, trade licenses or certifications, and competency cards. All records, including correspondence, pertaining to premium audits.~~

~~(3) Employment records. Every employer shall maintain employment records pertaining to every person to whom the employer paid or owes remuneration for the performance of any work or service in connection with any employment under any appointment or contract for hire or apprenticeship. Records indicating for every pay period a description of work performed and amount of pay or description of other remuneration paid or owed to each person by the business entity, such as time sheets, time cards, attendance records, earnings records, payroll summaries, payroll journals, ledgers or registers, daily logs or schedules, time and materials listings.~~

~~(a) The employment records required by this subsection shall indicate with regard to every such person:~~

~~1. Name of the person.~~

~~2. Social Security Number, Federal Employer Identification Number, or IRS Tax Identification Number of the person.~~

~~3. Each day, month, and year or pay period when the employer engaged the person in employment.~~

~~4. Amount of remuneration paid or owed by the employer for work or service performed by the person. Where remuneration is paid or owed on an hourly basis, the record shall indicate the day, month, and year of work or service and the number of hours worked by the person during each pay period. Where remuneration is paid or owed on any basis other than hourly, the record shall specify the basis, such as competitive bid, piece rate, or task, and indicate the day, month, and year, when remuneration was earned.~~

~~(b) In addition, every employer shall maintain the following records for each such person:~~

~~1. All checks or other records provided to the person for salary, wage, or earned income.~~

~~2. All Form 1099 Miscellaneous Income and Form W-2 Wage and Tax Statements issued to the person.~~

~~3. All written contracts or agreements between the employer and the person that describe the terms of employment.~~

~~4. All employment and unemployment reports filed pursuant to Florida law.~~

~~(4) Tax records. Every employer shall maintain all forms, together with supporting records and schedules, filed with the Internal Revenue Service. All contracts entered into with a professional employer organization (PEO) or employee leasing company, temporary labor company, payroll or business record keeping company. If such services are not pursuant to a written contract, written documentation including the name, business address, telephone number, and FEIN or social security number of all principals if an FEIN is not held, of each such PEO, temporary labor company, payroll or business record keeping company; and~~

~~(a) For every contract with a PEO: a payroll ledger for each pay period during the contract period identifying each worker by name, address, home telephone number, and social security number or documentation showing that the worker was eligible for employment in the United States during the contract for his/her services, and a description of work performed during each pay period by each worker, and the amount paid each pay period to each worker. A business entity may maintain such records or contract for their maintenance by the PEO to which the records pertain.~~

~~(b) For every contract for temporary labor: work slips for each day temporary labor services were used identifying each worker by name, address, home telephone number, and social security number or documentation showing that the worker was eligible for employment in the United States during the contract for his/her services, and a description of work performed each pay period by each worker, and the amount paid each pay period to each worker and by the business entity~~

to the temporary labor company. A business entity may maintain such records or contract for their maintenance by the temporary labor provider to which the records pertain.

(5) Account records. Every employer shall maintain monthly, quarterly, or annual statements for all open or closed business accounts established by the employer or on its behalf with any credit card company or any financial institution, such as bank, savings bank, savings and loan association, credit union, or trust company. All contracts to which the business was or is a party for services performed by an independent contractor, or in the event a written contract was not executed, written documentation including the name, business address, telephone number, and FEIN or social security number if an FEIN is not held, of each independent contractor; and proof of workers' compensation insurance held by each independent contractor during the life of the contract for his/her services or records sufficient to prove that the independent contractor was not required pursuant to Chapter 440, F.S., to have workers' compensation insurance coverage during that time period;

(6) Disbursements. Every employer shall maintain a journal of its check and cash disbursements as well as a copy of each cashier's check, bank check, and money order, indicating chronologically the disbursement date, to whom the money was paid, the payment amount, and the purpose. All check ledgers and bank statements for checking, savings, credit union, or any other bank accounts established by the business entity or on its behalf; and

(7) Employee leasing company, labor pool, and temporary labor service records. All federal income tax forms prepared by or on behalf of the business and all State of Florida, Division of Unemployment Compensation UCT-6 forms and any other forms or reports prepared by the business or on its behalf for filing with the Florida Division of Unemployment Compensation.

(a) Every employee leasing company licensed under Chapter 468, F.S., including a professional employer organization, shall maintain:

1. Records that indicate the Federal Employer Identification Number of each client company.

2. The application of each client company and contract between the employee leasing company and the client company whereby the employee leasing company assigned its employees to a client company.

3. Records that indicate the name, gross pay, deductions from gross pay, net pay, and rate of pay for every employee assigned to each client company.

(b) Every labor pool under Chapter 448, F.S., shall maintain:

1. The written itemized statement showing in detail the wages and each deduction made from wages paid to each day laborer.

2. The annual earnings summary provided to each day laborer.

(c) Every temporary labor service shall maintain records that identify the name, Social Security Number or IRS Tax Identification Number of each employee who the temporary labor service provided to a client, and the payments to and the pay period, type of service, and location of service performed by each such employee. In addition, the temporary labor service shall maintain records of payments that it received from the client.

(8) Subcontractor invoices. Every employer shall maintain all invoices received from a subcontractor for work or service performed by the subcontractor for the employer.

(9) Workers' compensation insurance and certificates of election to be exempt.

(a) Every employer shall maintain all workers' compensation insurance policies obtained by the employer or on the employer's behalf and all endorsements, declaration pages, certificates of workers' compensation insurance, notices of cancellation, notices of non-renewal, or notices of reinstatement of such policies.

(b) Every employer shall maintain all premium audits, including premium self-audits, together with supporting documentation and correspondence provided by the employer to its workers' compensation carrier.

(c) Every contractor shall maintain evidence of workers' compensation insurance of every subcontractor and for every subcontractor that is a corporation or limited liability company that has an officer or a member who elects to be exempt from the coverage requirements of the workers' compensation law the contractor shall maintain a valid certificate of election to be exempt issued to the officer or member under Section 440.05, F.S.

(d) Every corporation that is actively engaged in the construction industry and has officers who possess valid certificates of election to be exempt issued under Section 440.05, F.S., shall maintain written statements of those exempt officers affirmatively acknowledging each such officer's exempt status.

(e) Every employer who claims that an employee or officer of a corporation is exempt from the coverage requirements of the workers' compensation law shall maintain a valid certificate of election to be exempt issued under Section 440.05, F.S. for that employee or officer of a corporation.

(10) Contracts. Each employer shall maintain:

(a) All complete executed written contracts between it and a general contractor, subcontractor, independent contractor, or employee leasing company licensed under Chapter 468, F.S., that specify the terms of reimbursement and performance of any work or service while engaged in any employment under any appointment or contract for hire or apprenticeship.

(b) Any records that establish the statutory elements of independent contractor prescribed in Section 440.02(15)(d), F.S., for each worker who claims to be or who the employer claims to be an independent contractor and not an employee under the workers' compensation law.

(11) Records retention. An employer under the workers' compensation law shall maintain the records specified in this Rule for the current calendar year to date and for the preceding three calendar years, in original form, whether paper, film, machine readable electronic material, or other media. A legible copy of the original record is an acceptable substitute for the original.

(12) Records location. An employer shall maintain the records specified in this rule at the corporate registered office, principal place of business, or job site in Florida.

Specific Authority 440.107(5) 440.107(2), 440.591 FS. Law Implemented 440.107(3), 440.107(5) 440.107(2), 440.591 FS. History--New 2-2-00, Formerly 38F-6.015, Amended 3-26-03, Formerly 4L-6.015, Amended _____

Section II Proposed Rules

DEPARTMENT OF STATE

Division of Library and Information Services

RULE TITLE: Library Grant Programs RULE NO.: 1B-2.011

PURPOSE, EFFECT AND SUMMARY: The purpose of this amendment is to add a Community Libraries in Caring grant program. Guidelines for this grant program are outlined in the application packet that contains information on eligibility requirements, application review procedures, evaluation and funding criteria, grant administration procedures and application forms.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost has been prepared.

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 within 21 days of this notice.

SPECIFIC AUTHORITY: 257.14, 257.15, 257.193 FS.

LAW IMPLEMENTED: 257.14, 257.15, 257.193 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: The hearing must be requested in writing by 5:00 p.m. Eastern Time, Tuesday, September 28, 2004. If not requested, this hearing will not be held.

TIME AND DATE: 9:30 a.m. Eastern Time, Tuesday, October 5, 2004

PLACE: Archives Conference Room, First Floor, State Library and Archives of Florida, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Judith Ring, Director, Division of Library and Information Services, R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250, (850)245-6600, Suncom 205-6600

THE FULL TEXT OF THE PROPOSED RULE IS:

1B-2.011 Library Grant Programs.

(1) through (2)(f) No change.

(g) (The Community Libraries In Caring Program Application, effective _____; which contain instructions and application (Form DLIS/CLIC01), effective _____; and Annual Report (Form DLIS/CLIC02), effective _____.

(3) through (4) No change.

Specific Authority 257.14, 257.15, 257.191, 257.192, 257.193, 257.24, 257.41(2) FS. Law Implemented 240.5186, 257.12, 257.14, 257.15, 257.16, 257.17, 257.171, 257.172, 257.18, 257.19, 257.191, 257.192, 257.193, 257.195, 257.21, 257.22, 257.23, 257.24, 257.25, 257.40, 257.41, 257.42 FS. History--New 1-25-93, Amended 7-17-96, 4-1-98, 2-14-99, 4-4-00, 12-18-00, 11-20-01, 3-20-02, 1-9-03, 12-28-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Marian Deeney

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Judith A. Ring, Director, Division of Library and Information Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 31, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 6, 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."

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

RULE CHAPTER TITLE: General Regulations RULE CHAPTER NO.: 60A-1

RULE TITLE: Identical Evaluations of Responses RULE NO.: 60A-1.011

PURPOSE AND EFFECT: The purpose of this rule amendment is to modernize the "Tie Bid" provisions and prioritize the various statutory tie-breaking provisions.

SUMMARY: The revised statute prioritizes four methods of determining a winner, in the event of a tie-bid situation.