

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Specialization Requirements for Certification in Foreign Language (Grades K-12) – Academic Class

RULE NO.: 6A-4.0243

PURPOSE AND EFFECT: The purpose of this rule development is to implement the requirements of Section 1007.2615, Florida Statutes, for the certification of teachers of American Sign Language in K-12 Public Schools. The effect is a rule which is consistent with law.

SUBJECT AREA TO BE ADDRESSED: Certification requirements.

SPECIFIC AUTHORITY: 1001.02, 1007.2615, 1012.55, 1012.56 FS.

LAW IMPLEMENTED: 1001.02, 1007.2615, 1012.54, 1012.55, 1012.56 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: 8:30 a.m. – 4:00 p.m., Friday, October 22, 2004

PLACE: Sheraton Suites, Tampa Airport, Manatee Room, 4400 West Cyprus Street, Tampa, Florida 33607, (813)873-8675

Requests for the rule development workshop should be addressed to: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Lisa C. Saavedra, Chief, Bureau of Student Assistance, 325 West Gaines Street, Suite 314, Tallahassee, Florida 32399-0400, (850)245-0692, Fax (850)926-0697

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Specialization Requirements for the American Sign Language Endorsement – Academic Class

RULE NO.: 6A-4.02431

PURPOSE AND EFFECT: The purpose of this rule development is to implement the requirements of Section 1007.2615, Florida Statutes, which requires certification of teachers of American Sign Language in K-12 Public Schools. The effect is to have a rule consistent with law.

SUBJECT AREA TO BE ADDRESSED: Certification requirements.

SPECIFIC AUTHORITY: 1001.02, 1007.2615, 1012.55, 1012.56 FS.

LAW IMPLEMENTED: 1001.02, 1007.2615, 1012.54, 1012.55, 1012.56 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: 8:30 a.m. – 4:00 p.m., Friday, October 22, 2004

PLACE: Sheraton Suites, Tampa Airport, Manatee Room, 4400 West Cyprus Street, Tampa, Florida 33607, (813)873-8675

Requests for the rule development workshop should be addressed to: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Lisa C. Saavedra, Chief, Bureau of Student Assistance, Department of Education, 325 West Gaines Street, Suite 314, Tallahassee, Florida 32399-0400, (850)245-0692, Fax (850)245-0697

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Notice Requirements

RULE NO.: 6A-22.004

PURPOSE AND EFFECT: The purpose of this rule development is to propose changes as a result of changes in implementing legislation. The effect is a rule which is consistent with law.

SUBJECT AREA TO BE ADDRESSED: Carriers' requirement to notify injured employees of the availability of training and education benefits as prescribed in Section 440.491(6), Florida Statutes.

SPECIFIC AUTHORITY: 440.491(6)(b) FS.

LAW IMPLEMENTED: 440.491(6) 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.

Requests for the rule development workshop should be addressed to: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Reginald L. Watkins, Chief, Bureau of Rehabilitation and Reemployment Services, 2728 Centerview Drive, Suite 101A, Tallahassee, FL 32399-0400, (850)245-3470

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Reemployment Services and Programs RULE NO.: 6A-22.008

PURPOSE AND EFFECT: The purpose of this rule development is to propose changes as a result of changes in implementing legislation. The effect is a rule which is consistent with law.

SUBJECT AREA TO BE ADDRESSED: The allowable training and education programs available under Section 440.491(6), Florida Statutes.

SPECIFIC AUTHORITY: 440.491(6) FS.

LAW IMPLEMENTED: 440.491(6) 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.

Requests for the rule development workshop should be addressed to: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Reginald L. Watkins, Chief, Bureau of Rehabilitation and Reemployment Services, 2728 Centerview Drive, Suite 101A, Tallahassee, FL 32399-0400, (850)245-3470

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Employee Responsibilities RULE NO.: 6A-22.009

PURPOSE AND EFFECT: The purpose of this rule development is to propose changes as a result of changes in implementing legislation. The effect is a rule which is consistent with law.

SUBJECT AREA TO BE ADDRESSED: An injured employee's forfeiture of additional training and education benefits and any additional payment for lost wages for refusal of training and education that is recommended by a vocational evaluator and approved by the Department under Section 440.491(6), Florida Statutes.

SPECIFIC AUTHORITY: 440.491(6)(b) FS.

LAW IMPLEMENTED: 440.491(6) 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.

Requests for the rule development workshop should be addressed to: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Reginald L. Watkins, Chief, Bureau of Rehabilitation and Reemployment Services, 2728 Centerview Drive, Suite 101A, Tallahassee, FL 32399-0400, (850)245-3470

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

DEPARTMENT OF EDUCATION

Education Practices Commission

RULE TITLE: Florida Principal Leadership Standards RULE NO.: 6B-5.0012

PURPOSE AND EFFECT: The State Board of Education is authorized to prescribe competencies, standards, and requirements for educator certification. The purpose of the proposed rule development is for approval of updated and revised standards for school leaders and administrators. The updated standards will be the basis of future rule revision of the certification requirements and the educational leadership subject area examination. The effect will be certification standards and requirements that reflect the competencies and skills needed by today's school leaders to improve student achievement.

SUBJECT AREA TO BE ADDRESSED: New standards for school principals and administrators.

SPECIFIC AUTHORITY: 1001.02, 1012.55, 1012.56 FS.

LAW IMPLEMENTED: 1012.55 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.

Requests for the rule development workshop should be addressed to: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ava Byrne, Bureau of Educator Recruitment, Development and Retention, Department of Education, 325 West Gaines Street, Room 124, Tallahassee, Florida 32399-0400

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

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 CORRECTIONS

RULE TITLE: Canteen Operations RULE NO.: 33-203.101

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to increase the limit on inmate canteen purchases.

SUBJECT AREA TO BE ADDRESSED: Canteen Operations.

SPECIFIC AUTHORITY: 20.315, 944.09, 945.215 FS.

LAW IMPLEMENTED: 20.315, 944.09, 945.215, 946.002 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-203.101 Canteen Operations.

(1) No change.

(2) Each inmate shall be allowed to purchase ~~\$100~~ \$65.00 of canteen merchandise on a weekly basis, ~~exclusive of any items obtained through special mail order procedures, unless an increase up to \$100.00 is approved by the Secretary for special occasions.~~

(3) through (8) No change.

Specific Authority 20.315, 944.09, 945.215 FS. Law Implemented 20.315, 944.09, 945.215, 946.002 FS. History--New 1-20-86, Formerly 33-3.035, Amended 11-22-91, 5-25-95, 11-13-95, 5-28-96, 2-12-97, Formerly 33-3.0035, Amended 11-18-02, 12-3-03.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Consumptive Use of Water RULE CHAPTER NO.: 40D-2

PURPOSE AND EFFECT: To adopt rules to implement the regulatory portion of the Southern Water Use Caution Area minimum flows and levels which are being developed simultaneously with these rules.

SUBJECT AREA TO BE ADDRESSED: Implementation of the regulatory rules portion of the Southern Water Use Caution Area's minimum flows and levels which are being developed simultaneously with these rules.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171, 373.216, 373.249 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.0395, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 FS.

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

TIME AND DATES: 2:00 p.m., Monday, October 18, 2004; Monday, November 8, 2004; Monday, December 6, 2004

PLACE: Southwest Florida Water Management District's Bartow Service Office, 170 Century Blvd., Bartow, Florida

WHAT: Staff will present the current rule concept, and rule draft if available, to the SWUCA Work Group followed by opportunity for public input.

The District does not discriminate on the basis of disability. Anyone requiring reasonable accommodation should contact: Dianne Lee, (352)796-7211, Ext. 4658, TDD only 1(800)231-6103.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Karen A. Lloyd, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Water Levels and Rates of Flow RULE CHAPTER NO.: 40D-8

PURPOSE AND EFFECT: To establish minimum flows and levels for the Southern Water Use Caution Area for the Most Impacted Area, the upper Peace River and Lakes Jackson,

Letta, Lotela and Little Lake Jackson on the Highlands County Ridge and Lakes Clinch, Eagle, McLeod and Wales in Polk County.

SUBJECT AREA TO BE ADDRESSED: Rules to implement minimum flows and levels within the Southern Water Use Caution Area for the Most Impacted Area, the upper Peace River and Lakes Jackson, Letta, Lotela and Little Lake Jackson on the Highlands County Ridge and Lakes Clinch, Eagle, McLeod and Wales in Polk County.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.0395, 373.042, 373.0421, 373.086 FS.

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

TIME AND DATES: 2:00 p.m., Monday, October 18, 2004; Monday, November 8, 2004; Monday, December 6, 2004

PLACE: Southwest Florida Water Management District's Bartow Service Office, 170 Century Blvd., Bartow, Florida

WHAT: Staff will present the current rule concept, and rule draft if available, to the SWUCA Work Group followed by opportunity for public input.

The District does not discriminate on the basis of disability. Anyone requiring reasonable accommodation should contact: Dianne Lee, (352)796-7211, Ext. 4658, TDD only 1(800)231-6103.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Karen A. Lloyd, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Recovery and Prevention Strategies **RULE CHAPTER NO.:**

for Minimum Flows and Levels **40D-80**

PURPOSE AND EFFECT: To adopt rules describing the recovery strategy for minimum flows and levels within the Southern Water Use Caution Area which minimum flows and levels are being developed simultaneously with these rules.

SUBJECT AREA TO BE ADDRESSED: The recovery strategy for minimum flows and levels for the Southern Water Use Caution Area.

SPECIFIC AUTHORITY: 373.044, 373.0361, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.0395, 373.042, 373.0421, 373.171 FS.

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

TIME AND DATES: 2:00 p.m., Monday, October 18, 2004; Monday, November 8, 2004; Monday, December 6, 2004

PLACE: Southwest Florida Water Management District's Bartow Service Office, 170 Century Blvd., Bartow, Florida

WHAT: Staff will present the current rule concept, and rule draft if available, to the SWUCA Work Group followed by opportunity for public input.

The District does not discriminate on the basis of disability. Anyone requiring reasonable accommodation should contact: Dianne Lee, (352)796-7211, Ext. 4658, TDD only 1(800)231-6103.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Karen A. Lloyd, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE TITLE: Publications Incorporated by Reference **RULE NO.:** 40E-2.091

PURPOSE AND EFFECT: Current consumptive use permitting criteria prevent allocation of additional surface water from District controlled surface water bodies in the Indian Prairie Basin, located northwest of Lake Okeechobee and extending to Lake Istokpoga. This rule development will address revision of the criteria based upon water resource related developments within the Indian Prairie Basin.

SUBJECT AREA TO BE ADDRESSED: To amend Section 3.2.1 of the "Basis of Review for Water Use Permit Applications within the South Florida Water Management District – August 31, 2003" to revise the rules based upon water resource related developments within the Indian Prairie Basin.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.219, 373.223, 373.224, 373.229, 373.232, 373.233, 373.236, 373.239 FS.

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

TIME AND DATE: 10:00 a.m. – 2:00 p.m., Friday, October 22, 2004

PLACE: South Florida Water Management District, Okeechobee Service Center, Fisheating Bay Conference Room, 205 North Parrott Avenue, Suite 201, Okeechobee, FL 34972, (561)686-8800 or 1(800)432-2045

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence

upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: For technical issues: Scott Burns, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 6817 or (561)682-6817, e-mail: sburns@sfwmd.gov; For procedural issues: Joyce Rader, Paralegal Specialist, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 6259 or (561)682-6259, e-mail: jrader@sfwmd.gov
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: Regional Water Shortage Plans
RULE CHAPTER NO.: 40E-22

PURPOSE AND EFFECT: The current regional water shortage plan in Part I, Chapter 40E-22, F.A.C., sets minimum water levels and flows for canals and other water bodies within the Indian Prairie Basin and states a water shortage plan specific to this region. Operation of the Central & Southern Florida Flood Control Project in the Indian Prairie region during the 2000-2001 drought indicated revisions to this Plan are necessary to reflect updated system operations. This rule development will address revision of the rules based upon water resource related developments within the Indian Prairie Basin.

SUBJECT AREA TO BE ADDRESSED: To amend Part I, Chapter 40E-22, F.A.C., to revise the rules based upon water resource related developments within the Indian Prairie Basin.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.042, 373.086, 373.103, 373.175, 373.246 FS.

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

TIME AND DATE: 10:00 a.m. – 2:00 p.m., Friday, October 22, 2004

PLACE: South Florida Water Management District, Okeechobee Service Center, Fisheating Bay Conference Room, 205 North Parrott Avenue, Suite 201, Okeechobee, FL 34972, (561)686-8800 or 1(800)432-2045

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based.

Persons with disabilities or handicaps who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: For technical issues: Scott Burns, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 6817 or (561)682-6817, e-mail: sburns@sfwmd.gov; For procedural issues: Joyce Rader, Paralegal Specialist, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 6259 or (561)682-6259, e-mail: jrader@sfwmd.gov
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

LAND AND WATER ADJUDICATORY COMMISSION

Tesoro Community Development District

RULE CHAPTER TITLE: Tesoro Community Development District
RULE CHAPTER NO.: 42XX-1

RULE TITLES: Establishment 42XX-1.001
Boundary 42XX-1.002
Supervisors 42XX-1.003

PURPOSE AND EFFECT: The purpose of this proposed rule is to establish a community development district (“CDD”), the Tesoro Community Development District (“District”), pursuant to Chapter 190, F.S. The petition filed by Ginn-LA St. Lucie Ltd., LLLP, requests the Commission establish a community development district located within the municipal limits of the City of Port St. Lucie in St. Lucie County, Florida. The land area proposed to be served by the District comprises approximately 1,419 acres. A general location map is contained as Exhibit 1 to the petition to establish the District. The only parcels within the exterior boundaries of the proposed District which are excluded from the District are the waters of Blakeslee Creek and Winters Creek and the right-of-way of Southbend Boulevard. All developable lands within the exterior boundaries of the District are included within the District. All lands proposed to be included in the District are subject to the approved Tesoro Development of Regional Impact. The development planned for the proposed District consists of approximately 1,000 residential units, comprising 986 single family units and 14 multi-family units and 160,000 square feet of commercial. The Petitioner either owns or has written consent to establish the District from the landowners of one hundred percent (100%) of the real property located within the proposed District. The District, if established, currently intends to participate in the provision of certain infrastructure improvements limited primarily to stormwater management and wetlands mitigation.

SUBJECT AREA TO BE ADDRESSED: Establishment of the Tesoro Community Development District.

SPECIFIC AUTHORITY: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 FS.

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

TIME AND DATE: 10:00 a.m. – 12:00 Noon, Monday, October 18, 2004

PLACE: Room 1802M, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Barbara Leighty, (850)487-1884, at least five (5) business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: William G. Capko, Lewis, Longman & Walker, P.A., 1700 Palm Beach Lakes Boulevard, Suite 1000, West Palm Beach, Florida 33401, (561)640-0820; Barbara Leighty, Senior Governmental Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884

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

DEPARTMENT OF MANAGEMENT SERVICES

State Technology Office

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Statewide Law Enforcement	
Radio System	60DD-8
RULE TITLES:	RULE NOS.:
Purpose; Definitions	60DD-8.001
Eligible User Classifications	60DD-8.002
Frequencies; Licenses	60DD-8.003
Talk Group Limits	60DD-8.004
Security; Encryption Requirements; Radio	
Programming; System Key Management	60DD-8.005
Service and Maintenance Priorities	60DD-8.006
Application Process	60DD-8.007

PURPOSE AND EFFECT: To consider development of a rule chapter setting out procedures to allow eligible users to utilize the Statewide Law Enforcement Radio System.

SUBJECT AREA TO BE DISCUSSED: Development of a rule chapter setting out procedures to allow eligible users to utilize the Statewide Law Enforcement Radio System, including Eligible User Classifications, Frequencies, Licenses, Talk Group Limits, Service and Maintenance Priorities and Application Process.

SPECIFIC AUTHORITY: 282.102(16) FS.

LAW IMPLEMENTED: 282.1095 FS.

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

TIME AND DATE: 9:00 a.m., October 26, 2004

PLACE: 4040 Esplanade Way, Suite 225F, Tallahassee, Florida Pursuant to the Americans with Disabilities Act, persons needing special accommodations to participate in this meeting should advise the State Technology Office at least 2 calendar days before the workshop, by contacting: Matthew Kimball, (850)922-5511

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Tom Brooks, P.E., Manager, Statewide Law Enforcement Radio System, State Technology Office, 4030 Esplanade Way, Suite 280P, Tallahassee, Florida 32399-0950, (850)414-6768, Tom.Brooks@MyFlorida.com

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

DEPARTMENT OF MANAGEMENT SERVICES

Division of Facilities Management and Building Construction

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Lease/Sublease of State-Owned	
Property for E911 System	
Wireless Communication	
Facility	60H-9
RULE TITLES:	RULE NOS.:
Definitions	60H-9.001
Intent	60H-9.002
Properties Acquired for Transportation	
Purposes Excluded	60H-9.003
Managing Agency/Owner Agency	
Evaluation of Space Availability	60H-9.004
Negotiation of DMS E911 Wireless	
Communications Lease/Sublease	60H-9.005
Filing on Standard Lease/Sublease	60H-9.006
Information and Forms	60H-9.007

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to promulgate a set of rules defining a process for the use of State-owned Property to site Wireless Communication Facilities to support the Wireless E911 System.

SUBJECT AREA TO BE DISCUSSED: Definitions; Intent; Properties Acquired for Transportation Purposes Excluded; Managing Agency/Owner Agency Evaluation of Space Availability; Negotiation of DMS E911 Wireless Communications Lease/Sublease; Filing on Standard Lease/Sublease; Information and Forms.

SPECIFIC AUTHORITY: 365.172(11)(e) FS.

LAW IMPLEMENTED: 365.172(3) FS.

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

TIME AND DATE: 9:00 a.m., October 19, 2004

PURPOSE AND EFFECT: The purpose of this rule is to consolidate in a single Fish and Wildlife Conservation Commission rule provisions of Rule 68A-23.008, F.A.C., and Section 370.081, Florida Statutes, each relating to the introduction of invasive nonnative species into Florida. The effect of this consolidation should be to unify regulation of such species, whether they are freshwater, saltwater, or terrestrial, and to allow for the repeal of Section 370.081, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Nonnative species.
SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.
LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.
IF REQUESTED 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 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: 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE CHAPTER TITLE: RULE CHAPTER NO.:
Rules Relating to Game 68A-12
RULE TITLE: RULE NO.:
Private Game Farms 68A-12.012

PURPOSE AND EFFECT: The purpose of this rule development effort is to include in a new rule the substance of Section 372.16, Florida Statutes, as it related to private game farms, since such matters are within the Fish and Wildlife Conservation Commission’s constitutional authority. The effect of adopting this new rule will be to allow the repeal of the statute as it relates to private game farms.

SUBJECT AREA TO BE ADDRESSED: Private game farms.
SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.
LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.
IF REQUESTED 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 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: 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE CHAPTER TITLE: RULE CHAPTER NO.:
Rules Relating to Reptiles 68A-25
RULE TITLE: RULE NO.:
Feeding or Enticement of Alligators or
Crocodiles Unlawful 68A-25.001

PURPOSE AND EFFECT: The purpose of this rule development effort is to include in a new rule the substance of Section 372.667, Florida Statutes, relating to the feeding or enticement of alligators or crocodiles, since such matters are within the Fish and Wildlife Conservation Commission’s constitutional authority. The effect of adopting this new rule will be to allow the repeal of the statute.

SUBJECT AREA TO BE ADDRESSED: Alligators and crocodiles.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.
LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

IF REQUESTED 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 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: 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Local Laws

RULE TITLES:	RULE NOS.:
State Preemption of Power to Regulate	68B-3.001
St. Johns County, Use of Nets	68B-3.006
Repeal, Amendment, and Readoption of Sections of Chapter 70-973, Laws of Florida (1970), as amended by Chapter 73-652, Laws of Florida (1973), Volusia County Special Act	68B-3.008

PURPOSE AND EFFECT: The purpose of this rule development effort is to include in new rules the substance of Sections 370.102 and 370.0821, Florida Statutes, relating to the state’s preemption of the authority to regulate the taking of saltwater fish and the use of nets in St. Johns County, respectively. This effort also deletes references to statutes in Rule 68B-3.008, F.A.C., which statutes have been or will be repealed. All of these matters are within the constitutional authority of the Fish and Wildlife Conservation Commission. The effect of adopting these new rules and rule amendment will be to allow the repeal of the affected statutes.

SUBJECT AREA TO BE ADDRESSED: Local regulation of saltwater fishing.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

IF REQUESTED 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 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: 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Gear Specifications and Prohibited Gear

RULE TITLES:	RULE NOS.:
Gear Definitions	68B-4.002
Food Fish: Gear and Other Restrictions;	
Use of Explosives to Kill Fish Prohibited;	
Certain Uses of Frame Nets Prohibited;	
Stop Netting Prohibited; Possession of Certain Proscribed Nets Prohibited;	
Use of Chemicals Prohibited	68B-4.0083
Diving: Powerheads and Rebreathers, Use to Harvest Fish in State Waters Prohibited;	
Definition; Spearfishing Marine Species in Fresh Water Prohibited	68B-4.012
Limitation on Use of Spotter Planes	68B-4.013
Saltwater Fish Traps	68B-4.020

PURPOSE AND EFFECT: The purpose of this rule development effort is to include in existing and new rules the substance of Sections 370.08, 370.11 and 370.1105, Florida Statutes, relating to net gear prohibitions and restrictions and use of explosives and chemicals to harvest fish, limitations on the take and use of food fish, and fish trap regulations, respectively. All of these matters are within the constitutional authority of the Fish and Wildlife Conservation Commission. The effect of adopting these new rules and rule amendment will be to allow the repeal of the affected statutes.

SUBJECT AREA TO BE ADDRESSED: Gear and manner of taking saltwater fish.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

IF REQUESTED 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 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: 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Stone Crabs

RULE TITLE:

RULE NO.:

Licenses, Endorsements, and Permits for Experimental, Scientific and Exhibitional Purposes

68B-13.006

PURPOSE AND EFFECT: The purpose of this rule development effort is to include in an existing rule the substance of Section 370.13(3), Florida Statutes, relating to depredation permits, and strike archaic language from the rule. This matter is within the constitutional authority of the Fish and Wildlife Conservation Commission. The effect of adopting this rule amendment will be to allow the repeal of the affected statute.

SUBJECT AREA TO BE ADDRESSED: Stone crabs.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

IF REQUESTED 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 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: 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Reef Fish

RULE TITLE:

RULE NO.:

Regulation and Prohibition of Certain Harvesting Gear: Allowable Gear, Incidental Bycatch, Violation

68B-14.005

PURPOSE AND EFFECT: The purpose of this rule development effort is to include in new rules the substance of Section 370.1105, Florida Statutes, with respect to the regulation of black sea bass traps. This matter is within the

constitutional authority of the Fish and Wildlife Conservation Commission. The effect of adopting this rule amendment will be to allow the repeal of the affected statute.

SUBJECT AREA TO BE ADDRESSED: Black sea bass traps.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

IF REQUESTED 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 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: 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

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

RULE TITLES:

RULE NOS.:

Special Recreational Crawfish License

68B-24.0035

Bag Limit

68B-24.004

PURPOSE AND EFFECT: The purpose of this rule development effort is to include in a new rule and rule amendment the substance of Section 370.063, Florida Statutes, relating to the Special Recreational Crawfish License. This matter is within the constitutional authority of the Fish and Wildlife Conservation Commission. The effect of adopting this new rule and rule amendment will be to allow the repeal of the affected statute.

SUBJECT AREA TO BE ADDRESSED: Special Recreational Crawfish License.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

IF REQUESTED 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 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: 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Tampa Bay

RULE TITLE: Old Tampa Bay: Repeal of Local Laws; Prohibition of Certain Gear

RULE NO.: 68B-25.003

PURPOSE AND EFFECT: The purpose of this rule development effort is to delete a reference to the shrimp trap regulations in Section 370.15, Florida Statutes, which statute will be repealed. Regulation of shrimp traps is a matter within the constitutional authority of the Fish and Wildlife Conservation Commission. The effect of adopting this rule amendment will be to allow the repeal of the affected statutes.

SUBJECT AREA TO BE ADDRESSED: Allowable gear in Tampa Bay.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution. LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

IF REQUESTED 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 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: 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Sponges

RULE TITLE: Commercial Sponge Size Limit

RULE NO.: 68B-28.0035

PURPOSE AND EFFECT: The purpose of this rule development effort is to include in Rule 68B-28.0035, F.A.C., the substance of Section 370.17(2), Florida Statutes, relating to the size of hooks that may be used to harvest commercial sponges. This matter is within the constitutional authority of the Fish and Wildlife Conservation Commission. The effect of adopting this rule amendment will be to allow the repeal of the affected statutes.

SUBJECT AREA TO BE ADDRESSED: Sponges.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

IF REQUESTED 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 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: 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Shrimp

RULE TITLES:	RULE NOS.:
Definitions	68B-31.006
Statewide Recreational Shrimping Restrictions	68B-31.007
Statewide Live Bait Shrimp	
Production Restrictions	68B-31.008
Statewide Food Shrimp Production Restrictions	68B-31.009
Southeast Region: Food Shrimp Production	
Closed Area (Portion of Monroe County)	68B-31.0136

East Coast: Night Trawling Prohibited;
 Exception 68B-31.0157
 Northwest Region Closed Areas; Repealed
 Special Acts 68B-31.018
 Regulation of Shrimp Fishing in Tampa Bay;
 License Requirements 68B-31.019

PURPOSE AND EFFECT: The purpose of this rule development effort is to include in rules the regulations contained in Sections 370.1105, 370.15 and 370.1535, Florida Statutes, relating to the state’s shrimp fishery. This effort also corrects references to statutes in Rule Chapter 68B-31, F.A.C., which statutes have been or will be repealed. All of these matters are within the constitutional authority of the Fish and Wildlife Conservation Commission. The effect of adopting these new rules and rule amendment will be to allow the repeal of the affected statutes.

SUBJECT AREA TO BE ADDRESSED: Shrimp.
 SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.
 LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.
 IF REQUESTED 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 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: 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Tarpon
 RULE TITLES: RULE NOS.:
 Tarpon Tags: Limitation on Number of Tags
 Issued Annually; Limitation on Number of
 Tags Issued to Professional Fishing Guides 68B-32.003
 Gear Restriction 68B-32.004
 Sale Prohibited, Transport Regulated 68B-32.006

PURPOSE AND EFFECT: The purpose of this rule development effort is to include in new rules the substance of Sections 370.11 and 372.5704, Florida Statutes, as they relate to tarpon regulation and the tarpon tag program. This effort

also deletes references to these two statutes, which will be repealed. These matters are within the constitutional authority of the Fish and Wildlife Conservation Commission. The effect of adopting these new rule and rule amendments will be to allow the repeal of the affected statutes.

SUBJECT AREA TO BE ADDRESSED: Tarpon.
 SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.
 LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.
 IF REQUESTED 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 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: 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Bonefish
 RULE TITLES: RULE NOS.:
 Definitions 68B-34.002
 Bonefish Size Limit; Bag and Possession
 Limits; Exception, Gear Restriction 68B-34.003

PURPOSE AND EFFECT: The purpose of this rule development effort is to include in existing rules the substance of Section 370.1121, Florida Statutes, relating to the regulation of bonefish. These matters are within the constitutional authority of the Fish and Wildlife Conservation Commission. The effect of adopting these rule amendments will be to allow the repeal of the affected statutes.

SUBJECT AREA TO BE ADDRESSED: Bonefish.
 SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.
 LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.
 IF REQUESTED 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 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: 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Shrimping and Trapping: Closed Areas and Seasons

RULE TITLES: RULE NOS.:
Citrus-Hernando Shrimping and Trapping

Closed Areas and Seasons	68B-38.001
Southwest Florida Seasonal Shrimp Closures	68B-38.002
Taylor County Shrimp Closure	68B-38.003

PURPOSE AND EFFECT: The purpose of this rule development effort is to delete references to Sections 370.1105 and 370.15, Florida Statutes, which statutes will be repealed, with references to Commission rules. These matters are within the constitutional authority of the Fish and Wildlife Conservation Commission. The effect of adopting these rule amendments will be to allow the repeal of the affected statutes.

SUBJECT AREA TO BE ADDRESSED: Shrimping and trapping closed areas and seasons.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.
LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

IF REQUESTED 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 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: 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Blue Crab

RULE TITLES: RULE NOS.:

Regulation and Prohibition of Certain Harvesting Gear	68B-45.004
--	------------

PURPOSE AND EFFECT: The purpose of this rule development effort is to include in an existing rule the substance of Section 370.13, Florida Statutes, relating to blue crab depredation permits. This matter is within the constitutional authority of the Fish and Wildlife Conservation Commission. The effect of adopting this rule amendment will be to allow the repeal of the affected statute.

SUBJECT AREA TO BE ADDRESSED: Blue crab depredation permits.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

IF REQUESTED 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 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: 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Trap Retrieval and Trap Debris Removal

RULE TITLE: RULE NO.:
Definitions 68B-55.001

PURPOSE AND EFFECT: The purpose of this rule development effort is to delete reference to Section 370.1105, Florida Statutes, and various rules of the Commission relating to traps. The reference is being replaced by reference to proposed new Rule 68B-4.020, F.A.C., which will provide a list of allowable fish traps. The effect of adopting this and rule amendment will be to allow the repeal of the affected statute.

SUBJECT AREA TO BE ADDRESSED: Trap retrieval and trap debris removal.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

IF REQUESTED 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 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: 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

RULE TITLE: RULE NO.:

Conditional Release of Stop Work Order and
Periodic Payment Agreement 69L-6.025

PURPOSE AND EFFECT: The rule is being promulgated to reflect an amendment to Section 440.107(7)(a), Florida Statutes, contained in Chapter 2004-370, Laws of Florida. The amendment to Section 440.107(7)(a), Florida Statutes, authorizes the Division of Workers' Compensation to conditionally release an employer from a stop-work order upon a finding that the employer has complied with the coverage requirements of Chapter 440, Florida Statutes, and has agreed to remit periodic payments of the penalty pursuant to a payment agreement schedule. The amendment further requires that the stop-work order be immediately reinstated if the employer fails to meet any term or condition of the penalty payment agreement, with the unpaid balance of the penalty becoming immediately due.

SUBJECT AREA TO BE ADDRESSED: Stop-work orders and periodic payment of penalties under Section 440.107, F.S.

SPECIFIC AUTHORITY: 440.107(9), 440.591 FS.

LAW IMPLEMENTED: 440.107(7)(a) 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: 2:30 p.m., October 5, 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-6.025 Conditional Release of Stop Work Order and Periodic Payment Agreement.

(1) The requirements for issuance of an Order of Conditional Release From Stop Work Order as provided for in Section 440.107, F.S. are:

(a) The employer has come into compliance with the coverage requirements of Chapter 440, F.S. Compliance with the coverage requirements of Chapter 440, F.S. includes demonstration by the employer that it is no longer failing to secure the payment of compensation within the meaning of Section 440.107, F.S.

(b) The employer and the Department have executed a Payment Agreement Schedule for Periodic Payment of Penalty, Form Number DFS-F4-1600 (rev. 7/04).

(c) The employer agrees to file probationary periodic reports with the Department that demonstrate the employer's continued compliance with Chapter 440, F.S. The probationary periodic reports shall be filed as a section of each monthly payment installment invoice pursuant to the Payment Agreement Schedule for Periodic Payment of Penalty.

(2) The terms and conditions of a Payment Agreement Schedule for Periodic Payment of Penalty shall be:

(a) The employer shall make a down payment on the total assessed penalty amount to the Department that is the greater of \$1000.00 or at least 10% of the total assessed penalty amount. The amount constituting the total assessed penalty amount, less the down payment, shall be referred to as the "remaining penalty".

(b) Each monthly payment installment is due on the first day of the month in which it is due, and the employer is in violation of the Payment Agreement Schedule for Periodic Payment of Penalty if the full monthly payment installment is not received by the Department by the last day of the month in which the payment installment is due;

1. An employer whose remaining penalty is less than \$13,500, shall pay the remaining penalty in twelve consecutive monthly installments.

2. An employer whose remaining penalty is \$13,500 or greater shall pay the remaining penalty in twenty-four consecutive monthly installments.

3. The employer may at any time pre-pay the installments of the remaining penalty, which have not become due.

4. The first monthly payment installment shall be due on the first day of the second month following the month of issuance of the Conditional Release From Stop Work Order, Form Number DFS-F4-1602 (rev. 6/04), and each subsequent payment installment shall be due on the first day of each consecutive month.

(c) Monthly payment installments shall only be remitted to the Department's address designated in the Payment Agreement Schedule for Periodic Payment of Penalty.

(d) Monthly payment installments shall be in the form of a cashier's check or money order only, made payable to the Workers' Compensation Administration Trust Fund.

(e) If the employer is a corporation, only an officer of the corporation may execute the Payment Agreement Schedule For Periodic Payment of Penalty on behalf of the employer.

(f) If the employer is a business entity other than a corporation, any principal of the business entity may execute the Payment Agreement Schedule For Periodic Payment of Penalty on behalf of the employer.

(g) Failure by the employer to meet or violation of any term or condition of the Payment Agreement Schedule For Periodic Payment of Penalty shall constitute a default by the employer.

(3) The Payment Agreement Schedule For Periodic Payment of Penalty becomes effective when it is executed on behalf of the employer and by the Department. Upon execution of the Payment Agreement Schedule For Periodic Payment of Penalty, the Department will provide the employer with a Monthly Payment Installment Invoice, Form Number DFS-F4-1601 (rev. 8/04), which shall be submitted with each monthly payment installment. Each Monthly Payment Installment Invoice contains a probationary reporting section that shall be completed by the employer.

(4) If an employer defaults under any of its obligations under the Payment Agreement Schedule For Periodic Payment of Penalty, the Stop Work Order to which the penalty applies shall be immediately reinstated and the entire unpaid balance of the remaining penalty shall immediately become due and payable.

(5) The Department hereby adopts and incorporates the following forms by reference. Copies of the forms can be obtained from the Division of Workers' Compensation's Bureau of Compliance, 200 East Gaines Street, Tallahassee, Florida 32399-4228, or from any field office identified in Rule 69L-6.009, F.A.C.

(a)	DFS-F4-1600	Payment Agreement Schedule For Periodic Payment of Penalty	rev. 7/04
(b)	DFS-F4-1601	Monthly Payment Installment Invoice	rev. 8/04
(c)	DFS-F4-1602	Order of Conditional Release From Stop-Work Order	rev. 6/04

Specific Authority 440.107(9), 440.591 FS. Law Implemented 440.107(7)(a) FS. History--New _____

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

RULE CHAPTER TITLE: Agricultural Vehicle Inspection
 RULE NOS.: 5A-16

PROCEDURE TITLES: Procedure for Conducting Vehicle Inspection
 5A-16.003
 Florida Exempt Cargo Manifest
 5A-16.004
 Commercial Carrier Pre-clearance Program
 5A-16.005

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to establish criteria by which non-agricultural laden commercial motor vehicles may be permitted to transport goods without being required to regularly stop at agricultural interdiction stations for physical inspection; establish guidelines associated with permitting process and activities; establish penalties for violation; eliminates the Florida Exempt Cargo Manifest program.

SUMMARY: This rule establishes conditions under which vehicles may pass agricultural interdiction stations without stopping for inspection as required by subsections 570.15(2) and (5), F.S. and makes technical corrections to reflect current number of stations. Repeals the Florida Exempt Cargo Manifest rule.

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 estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so within 21 days of the notice.

SPECIFIC AUTHORITY: 570.07(23), 570.15(5) FS.

LAW IMPLEMENTED: 570.15(1), 570.15(2), 570.15(5) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT A TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 2:00 p.m., October 25, 2004